SPONSOR: Rep. Spiegelman & Sen. Huxtable
Reps. Collins, Dukes, Gray, Jones Giltner, Lynn, Morris, Osienski, Ross Levin, Michael Smith, Carson, Lambert, Wilson-Anton, Yearick, Snyder-Hall; Sens. Hocker, Lawson, Pettyjohn, Seigfried

HOUSE OF REPRESENTATIVES
153rd GENERAL ASSEMBLY

HOUSE JOINT RESOLUTION NO. 1
AS AMENDED BY
HOUSE AMENDMENT NO. 1

ESTABLISHING A TASK FORCE TO REDUCE REGULATORY BURDENS UPON SMALL RESTAURANTS.

WHEREAS, although regulations promulgated by the Department of Health and Social Services are often necessary for the protection of public health, safety, and the environment, we must strive to ensure that such regulations do not impose an unnecessary economic burden upon small restaurants in the State of Delaware; and

WHEREAS, establishing a Task Force to review current executive branch agency regulations will help ensure that current regulations continue to serve the original purpose for which they were adopted and provide a process to improve Delaware's current regulatory framework to alleviate unnecessary regulatory burdens upon small restaurants, and other establishments that may have a kitchen on-site;

NOW, THEREFORE,

BE IT RESOLVED by the House of Representatives and the Senate of the 153rd General Assembly of the State of Delaware, with the approval of the Governor, that the Small Restaurant Regulatory Reform Task Force is hereby established.

BE IT FURTHER RESOLVED that the Task Force is composed of 15 members, as follows:

(1) Two members of the House of Representatives; one member of the majority party who is appointed by the Speaker of the House of Representatives, and one member of the minority party who is appointed by the House Minority Leader.

(2) Two members of the Senate; one member of the majority party who is appointed by the President Pro Tempore of the Senate, and one member of the minority party who is appointed by the Senate Minority Leader.

(3) Seven members serving by virtue of position, or a designee appointed by the member, as follows:

a. The Governor.

b. The Secretary of Health and Social Services.

c. The Director of the Division of Public Health.

HR : RTA : AFJ : 0801530012 Released: 03/27/2025 05:41 PM
DLS : HVW : CBM : 5081530033

d. The State Fire Marshal.

e. The Director of the Division of Small Business.

f. The President of the Delaware Restaurant Association.

g. The Delaware Alcoholic Beverage Control Commissioner.

(4) A representative appointed by the governing bodies of New Castle County, Kent County, and Sussex County.

(5) An owner of a Early Care and Education and School-Age Center that has a kitchen on-site, to be appointed by the Governor.

BE IT FURTHER RESOLVED that a member serving by virtue of position who is granted the ability to designate another individual to attend a Task Force meeting must provide the designation in writing to the Task Force co-chairs. An individual attending a meeting for a member serving by virtue of position has the same duties and rights as the member serving by virtue of position.

BE IT FURTHER RESOLVED that the members of the Task Force choose 2 co-chairs from among themselves at the initial organizational meeting.

BE IT FURTHER RESOLVED that the Task Force study and report its findings and recommendations on at least the following topics:

(1) The current unnecessary regulatory burdens, financial or otherwise, upon small restaurants caused by regulations promulgated by the Department of Health and Social Services.

(2) Concrete steps that could be taken to ease the regulatory burdens while still preserving the protection of public health, safety, and the environment.

(3) State funding support, if necessary, to support the Task Force's recommendations

BE IT FURTHER RESOLVED that each state agency shall respond promptly to a request for information from the Task Force of the Task Force's staff.

BE IT FURTHER RESOLVED that the co-chairs are responsible for guiding the administration of the Task Force by, at a minimum, doing all of the following:

(1) Supervising the preparation and distribution of meeting notices, agendas, minutes, correspondence, and reports of the Task Force.

(2) Setting a date, time, and place for the initial organizational meeting.

(3) Sending to the Director of the Division of Legislative Services, after the first meeting of the Task Force, a list of the members of the Task Force and the people who appointed them and providing notice of any changes in the make up of the Task Force to the Director of the Division of Legislative Services.

(4) Proving meeting notices, agendas, and minutes to the Director of the Division of Legislative Services.

(5) Ensuring the final report of the Task Force is submitted to all members of the General Assembly, the Governor, the Director and the Librarian of the Division of Legislative Services, and the Delaware Public Archives.

BE IT FURTHER RESOLVED that a quorum of the Task Force is a majority of its members.

BE IT FURTHER RESOLVED that:

(1) Official action by the Task Force, including making findings and recommendations, requires the approval of a quorum of the Task Force.

(2) The Task Force may adopt rules necessary for its operation. If the Task Force does not adopt rules or if the adopted rules do not govern a given situation, Mason's Manual of Legislative Procedure controls.

BE IT FURTHER RESOLVED that the co-chairs, with the assistance of staff assigned to the Task Force, must compile a report containing a summary of the Task Force's work regarding the issues assigned to it under this Joint Resolution, including any findings and recommendations, and submit the report to the General Assembly, the Governor, and the Director and the Librarian of the Division of Legislative Services not later than June 1, 2026.