



SPONSOR: Rep. D.E. Williams & Rep. J. Johnson & Sen. Marshall
Reps. Baumbach, Bolden, Brady, Briggs King, Heffernan,
Longhurst, Potter, Ramone, Viola, Wilson; Sens. Bonini,
Henry, Poore, Townsend

HOUSE OF REPRESENTATIVES
147th GENERAL ASSEMBLY

HOUSE SUBSTITUTE NO. 1

FOR

HOUSE BILL NO. 231

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIAMOND STATE PORT CORPORATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 8781(b), Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

(b) The Corporation shall be governed by a board of directors consisting of ~~45~~ 17 members, all of whom shall be residents of this State. Eight of these directors shall be: (i) the Secretary of State, (ii) the Secretary of Transportation and (iii) the Director of the Delaware Economic Development Office, (iv) the Secretary of Finance, (v) the Controller General, (vi) the Co-Chairs of the General Assembly's Joint Legislative Committee on the Capital Improvement Program or their designee or designees and (vii) the Secretary of the Department of Safety and Homeland Security. The Governor shall appoint the Chair from among the 5 cabinet directors and the Chair shall serve at the pleasure of the Governor. The Chair shall be subject to the advice and consent of the Senate; however, such consent shall be limited to the additional duties of the Chair of this Corporation and not impact the prior confirmation as Cabinet Secretary. ~~Of The the~~ remaining ~~7~~ 9 directors, 3 shall be appointed by the Governor with the advice and consent of the Senate. ~~These 7 directors shall consist of individuals from the private or public business sectors and organized labor familiar with port and economic development issues. There shall be at least 1 director from each of the 3 counties of the State, at least 1 director from the City of Wilmington and 3 directors who shall fill at large positions on the Board. Of these 7 directors no more than 4 shall be registered in the same major political party. The terms of the original of these 7 such directors shall be as follows: 2 directors to serve for 1 year; 2 directors to serve for 2 years; and 2 directors to serve for 3 years. Each noncabinet director shall serve a term of 3 years. Of the remaining 6 directors, 1 director shall be immediately appointed by the Senate *pro tempore* and 1 shall be appointed by the Speaker of the House of Representatives. Of the next 4 vacancies created by~~

19 expiring terms of the Governor's appointed directors, 2 of those directors shall be appointed by the Senate *pro tempore* and
20 2 shall be appointed by the Speaker of the House of Representatives. The Senate *pro tempore* shall fill the first vacancy by
21 appointment and alternate appointments thereafter with the Speaker of the House of Representatives. The terms of the
22 original 3 directors appointed by the Senate *pro tempore* shall be as follows: first appointed director to serve for 3 years;
23 second appointed director to serve for 2 years; and the third appointed director to serve for 1 year. The terms of the original
24 3 directors appointed by the Speaker of the House of Representatives shall be as follows: first appointed director to serve
25 for 3 years; second appointed director to serve for 2 years; and the third appointed director to serve for 1 year. Following
26 each of the original noncabinet director terms of service, all subsequent terms shall be 3 years.

SYNOPSIS

This bill adds 2 members to the current 15 member Diamond State Port Corporation Board of Directors. Four of the Governor's appointments are transferred to the Senate *pro tempore* and Speaker of the House who will each appoint 3 directors. Their original General Assembly appointees will serve staggered term lengths.