



**HOUSE OF REPRESENTATIVES  
STATE OF DELAWARE  
411 LEGISLATIVE AVENUE  
DOVER, DELAWARE 19901**

**COMMITTEES**  
Administration, Chair  
Ethics, Chair  
House Rules, Chair  
Legislative Council  
Manufactured Housing

**House Administration Committee Meeting Minutes  
6.23.21**

Chair Longhurst called the virtual meeting to order at 11 a.m. She stated that the meeting was planned in accordance with HCR 1 and took the roll call of the committee's members. Members present included Speaker Schwartzkopf, Reps. Mitchell, Short, and Dukes. New Castle City Council President, Michael Platt and Mayor of the City of New Castle, Michael J. Quaranta were also present. For a list of guests present, please see the speakers list below.

Chair Longhurst then introduced **SB 145, AN ACT TO AMEND THE CHARTER OF THE MUNICIPAL SERVICE COMMISSION OF THE CITY OF NEW CASTLE.**

Rep. Minor-Brown, the sponsor of the bill, explained that SB 145 amends the Charter of the Municipal Service Commission of the City of New Castle which was established by the General Assembly in 1921 to provide citizens with water and electric services. Rep. Minor-Brown said the changes to the Charter would grant the City Council of New Castle the power to appoint two of the three Commissioners to serve on the Municipal Service Commission, with the incumbent Mayor as the third Commissioner. Rep. Minor-Brown stated the bill also sets the terms of each appointed Commissioner to 4 years and allows the City Administrator to serve as a substitute for the Mayor on the Commission in the Mayor's absence.

Chair Longhurst asked Rep. Minor-Brown if the entire City Council for New Castle County had endorsed the legislation.

Rep. Minor-Brown said yes.

Chair Longhurst opened the meeting to public comment.

Philip Gross stated that he had talked to over one hundred people who were against the bill. Mr. Gross said that Dan Knox, one of the last remaining Commissioners of the Municipal Service Commission was strongly against the legislation. Mr. Gross stated that the bill would give the City Council majority rule and that if passed, it would take control out of the people's hands.

Dorsey Fiske agreed with Philip Gross, stating the Charter has served New Castle well and no single entity should have control over the Commission.

Mayor of New Castle, Michael J. Quaranta, stated there are only two municipalities left in Delaware with similar organization to the Municipal Service Commission. Mayor Quaranta said the proposed changes to the Charter had been unanimously passed by City Council. Mayor Quaranta also said that the changes had been debated within public

settings for months and that the Municipal Services Commission wrote a letter stating it would not object to the changes. Mayor Quaranta said the changes would create better coordination on capital projects and improve accountability by directly electing a commissioner to serve.

Bernadette Ruf stated that town members did not know about the changes due to a lack of local media coverage. Ms. Ruf said that residents questioned the changes because they had long enjoyed great services and low rates. Ms. Ruf questioned the reasoning behind increasing the City Council control over the Municipal Service Commission. Ms. Ruf stated that by reading the City Council's meeting minutes, she identified there were concerns about members dipping into the city coffers and that members could not be trusted not to do so since elections are frequently held.

Thomas Brewster, a worker with the Municipal Service Commission, stated the intent of the bill was not to disrupt the membership of the commission. Mr. Brewster stated that there was not enough time for public to learn about and comment on the Charter changes since the City Council held a special meeting February 16<sup>th</sup> and voted on a resolution unanimously on March 9<sup>th</sup>.

Roderick Gillespie stated that Municipal Service Commission employees and the associated union had not been talked to regarding the planned Charter changes and the lack of consultation represented off handed treatment to the union. Mr. Gillespie said that employees are concerned that the city will prioritize public works.

New Castle City Council President, Michael Platt, stated that the public had plenty of time for public comment. He stated that the City's public works is a union organization and that employees work for the city. Council President Platt said the city coffers would not be raided because the City Administrator is very conservative, and the city does not need money from the Municipal Service Commission. He stated that the Charter changes would give the city better coordination and a seat at the table. Council President Platt said the lawyer representing the Municipal Service Commission agrees with the proposed changes.

Faye Harbottle said she opposes the changes because it violates the Municipal Service Commission's charter law. Ms. Harbottle stated that concerned residents had hired a lawyer who wrote a letter to Rep. Poore, stating that only the Municipal Service Commission can authorize charter changes.

Dorothy Colburn stated the bill would turn over the Municipal Service Commission to the City Council and that 1 residents feel as though the changes are a power grab that will impact their quality of life.

New Castle City Administrator, Bill Barthel, expressed support SB 145 because as a local utility and city agency should be represented by an elected official, such as the mayor. Mr. Barthel stated the changes would help coordinate and align work to the benefit of the taxpayers. He stated that the City of New Castle just completed its largest street project which required the mayor to intervene so that the Municipal Service Commission would participate in the project. Mr. Barthel said the existing commissioners of the Municipal Service Commission do not object to the proposed charter changes.

Valarie Leary, city council member for the City of New Castle, concurred with the City Administrator, Bill Barthel and Mayor Quaranta. Councilperson Leary said the public comments regarding the city taking over the Municipal Service Commission and raising taxes and rates were incorrect.

Chair Longhurst asked that any additional comments be emailed to be added to the record.

Rep. Minor-Brown thanked everyone for participating and stated that city legislators are elected by the people to legislate their city. Rep. Minor-Brown said state legislators must allow city legislators to do their job. Rep. Minor-Brown thanked the city members for being present and said that New Castle residents can elect the individuals that's they would like to see legislate the city.

A motion was made by Rep. Mitchell and seconded by Speaker Longhurst to release SB 145 from committee; motion carried. Yes=5 (Reps. Longhurst, Schwartzkopf, Mitchell, Short, and Dukes). The bill was released from committee with a F=0, M=5, U=0 vote.

Chair Longhurst then introduced **SB 176, AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.**

Rep. Paradee, the sponsor of the bill, explained that SB 176 gives the Commissioner of Elections more tools to deal with candidates who file late reports or fail to file campaign finance reports. Rep. Paradee explained the bill allows the Commissioner to issue citations, publish the name of candidate committees that fail to report timely reports, require training on the online reporting system to any candidate or committee who fails to report in a timely fashion, cap amount of administration penalties that may be assessed, authorize payment plans, waive penalties under five hundred dollars, and negotiate total amount of penalties owed, allow penalties to be paid out of campaign committee accounts. Rep. Paradee stated that the bill would also increase the pay of the committee that meets to review penalties, from fifty dollars to one hundred dollars, with maximum amount of five hundred dollars pay per year. Rep. Paradee stated that there is a large section of the bill that deals with the appeals process. He stated that there is approximately over two hundred thousand dollars in unpaid fines, which the legislation would help the Commissioner of Elections address.

Chair Longhurst asked if the bill addresses candidates who run for office but still have not filed their campaign finance report.

Paradee stated there is no language in the bill that prohibits anyone with an unpaid fine to run for office. He stated that issue could be addressed in a separate bill.

Chair Longhurst said the issue of running for office regardless of unpaid fines needed to be addressed.

Rep. Dukes asked Rep. Paradee if the legislation would be retroactive.

Rep. Paradee said the bill would be retroactive, allowing the Commissioner to negotiate and collect the existing backlog of unpaid fines.

Chair Longhurst opened the meeting to public comment.

Delaware State Election Commissioner Anthony Albence thanked Rep. Paradee for his work on the bill, saying it would provide additional tools to clean up the backlog and provide more flexibility to move things forward.

A motion was made by Speaker Schwartzkopf and seconded by Rep. Mitchell to release SB 176 from committee; motion carried. Yes=5 (Reps. Longhurst, Schwartzkopf,

Mitchell, Short, and Dukes). The bill was released from committee with a F=0, M=5, U=0 vote.

Chair Longhurst then introduced **SB 177, AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.**

Rep. Paradee, the sponsor of the bill, acknowledged the input of the Deputy Chief of Staff, Sarah Wootten, and explained the bill increases the contribution or expenditure threshold for candidates from two thousand dollars to five thousand dollars before they must form a candidate committee or file a statement of organization. Rep. Paradee said the two-thousand-dollar threshold had been in place for about forty years, so it makes sense to raise it. Rep. Paradee said the new threshold allows first time candidates to get up and running before having to jump through the hurdles associated with running for office. Rep. Paradee said the bill extends the candidate filing deadline from 4:30 p.m. to 11:59 p.m. He said the bill also provides a deadline by which a candidate must withdraw to be removed from the general election ballot.

There were questions from the committee or public comment.

A motion was made by Speaker Schwartzkopf and seconded by Rep. Mitchell to release SB 177 from committee; motion carried. Yes=5 (Reps. Longhurst, Schwartzkopf, Mitchell, Short, and Dukes). The bill was released from committee with a F=0, M=5, U=0 vote.

Chair Longhurst then introduced **SB 173 w/SA 1, AN ACT TO AMEND THE CHARTER OF THE TOWN OF DEWEY BEACH.**

Rep. Lopez, the sponsor of the bill, explained that it is a comprehensive Charter change that was passed unanimously by the Town Council.

Chair Longhurst opened the committee to questions.

Seeing none, Chair Longhurst opened the committee to public comment.

Fred Townsend, on behalf of Hudson Jones, said the Town Council unanimously endorsed the changes which includes modernizing the language and addressing inflation.

A motion was made by Speaker Schwartzkopf and seconded by Rep. Short to release SB 173 w/SA 1 from committee; motion carried. Yes=5 (Reps. Longhurst, Schwartzkopf, Mitchell, Short, and Dukes). The bill was released from committee with a F=0, M=5, U=0 vote.

Chair Longhurst then introduced **SB 174, AN ACT TO AMEND THE CHARTER OF THE TOWN OF MILTON.**

Rep. Lopez, the sponsor of the bill, explained the bill included a charter change which was unanimously approved by the Town Council of Milton.

Chair Longhurst opened the committee to questions.

Seeing none, Chair Longhurst opened the committee to public comment.

Seth Thompson, solicitor for the Town of Milton, said the bill was straightforward and thanked Mark Cutrona, director of the Division of Research, for assisting with technical corrections. Solicitor Thompson said that the bill assists in updating the town map,

changing the annexation process, cleaning up ambiguity with current Charter language regarding contracting, and creates an exemption for holding referendum in the event there is one hundred percent principal forgiveness on a loan.

A motion was made by Speaker Schwartzkopf and seconded by Rep. Mitchell to release SB 174 from committee; motion carried. Yes=5 (Reps. Longhurst, Schwartzkopf, Mitchell, Short, and Dukes). The bill was released from committee with a F=, M=5, U=0 vote.

Chair Longhurst then introduced **SB 168 w/SA 1, AN ACT TO AMEND TITLE 21 RELATING TO PEER-TO-PEER CAR SHARING.**

Chair Longhurst, the sponsor of the bill, explained that it establishes a Peer-to-Peer Car Sharing Program that allows for companies to facilitate the shared usage of vehicles in Delaware. Chair Longhurst stated the bill creates new consumer protections for vehicle owners and drivers, creates a safe and supportive Delaware community, and improves transparency.

Chair Longhurst opened the committee to questions.

Seeing none, Chair Longhurst opened the committee to public comment.

Chris DiPietro stated that the bill secures transactions for peer-to-peer car sharing and makes them safe for vehicle owners and those who will share the vehicles.

Chair Longhurst added that fifteen states currently have peer-to-peer car sharing in place.

Joseph Fitzgerald, on behalf of Enterprise Rent-A-Car, expressed concern regarding taxation, saying that peer-to-peer car sharing should be subject to the same taxation as car rentals.

Chair Longhurst said that out of the fifteen states with the same programs in place, none of them to have taxes for peer-to-peer car sharing. Chair Longhurst noted that out of all the car rental companies, Enterprise Rent-A-Car is the only company objecting to the legislation.

Chris Haas, on behalf of the Delaware Department of Insurance, said that stakeholders had asked her to review the bill and the bill is a model law which the Department of Insurance supports. Shared vehicle owners, drivers, and third parties will be safer with this law in place.

Peggy Schultz, on behalf of the Delaware League of Women Voters, expressed support for the bill, saying it will reduce car use and help individuals save money.

A motion was made by Rep. Mitchell and seconded by Speaker Schwartzkopf to release SB 168 w/SA 1 from committee; motion carried. Yes=5 (Reps. Longhurst, Schwartzkopf, Mitchell, Short, and Dukes). The bill was released from committee with a F=0, M=5, U=0 vote.

Chair Longhurst then introduced **SB 166 w/SA 1, AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE AND THE LAWS OF DELAWARE RELATING TO THE DISTRIBUTION OF FUNDS FROM THE PRESCRIPTION OPIOID IMPACT FEE AND COURT SETTLEMENTS.**

Speaker Schwartzkopf, the sponsor of the bill, explained that the bill establishes the Prescription Opioid Settlement Fund (Settlement Fund) and Prescription Opioid Distribution Commission (Commission), to ensure that settlement money is used to remediate and abate the opioid crisis and is not diverted to other purposes. Speaker Schwartzkopf explained the Commission is part of the Behavioral Health Consortium and is established to ensure that decisions on how to spend funds are reached through consensus driven process that considers the views and experience of affected communities. He stated the Behavioral Health Consortium will distribute money received by the Settlement Fund and the Prescription Opioid Impact Fund (Impact Fund), enacted by Senate Bill No. 34 of the 150th General Assembly, according to the recommendations of the Commission. Speaker Schwartzkopf said the Commission shall seek input from the public and relevant stakeholders and shall convene a Local Government Committee to ensure that recommendations from counties and municipal governments are carefully considered.

Chair Longhurst opened the committee to questions.

Seeing none, Chair Longhurst opened the committee to public comment.

David Humes, said that Delaware is falling short in tackling opioid related issues, specifically when compared to other states. Mr. Humes expressed support, saying that it is a building block to provide direct help to those who have been affected.

Lauren Vella, on behalf of the Delaware Department of Justice, expressed support for the bill and said that settlement funds should be used to abate the crisis through a consensus driven structure. Ms. Vella said the bill specifically abates the crisis by creating the Opioid Settlement Fund and including language that sets up the Prescription Opioid Distribution Commission for success.

Chair Longhurst congratulated the sponsors of the bill, stating its importance.

Speaker Schwartzkopf added the bill includes a repeal of the sunset of the fund and repeals the report requirement.

A motion was made by Rep. Mitchell and seconded by Rep. Short to release SB 166 w/SA 1 from committee; motion carried. Yes=5 (Reps. Longhurst, Schwartzkopf, Mitchell, Short, and Dukes). The bill was released from committee with a F=3, M=2, U=0 vote.

Chair Longhurst then introduced **SB 123 w/SA 1, AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS' COMPENSATION BENEFITS.**

Chair Longhurst, the sponsor of the bill, explained it would allow all surviving spouses of persons killed in the course and scope of employment to receive the same level of death benefits as the surviving spouses of those persons defined as “covered persons” in Section 6601(2), Title 18 of the Delaware Code, in the event that the surviving spouse remarries. Chair Longhurst said the expansion of the death benefit beyond the surviving spouses of those persons specified in Section 6601(2) will result in all surviving spouses, who decide to remarry, being treated equally under Delaware’s Workers’ Compensation laws.

Chair Longhurst opened the committee to questions.

Seeing none, Chair Longhurst opened the committee to public comment.

Stephen Morrow expressed support for the bill, stating that the bill treats all surviving spouses equally.

A motion was made by Speaker Schwartzkopf and seconded by Rep. Mitchell to release SB 123 w/SA 1 from committee; motion carried. Yes=5 (Reps. Longhurst, Schwartzkopf, Mitchell, Short, and Dukes). The bill was released from committee with a F=3, M=2, U=0 vote.

Chair Longhurst then introduced **SB 160, AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE AND LINE-OF-DUTY DISABILITY POLICIES FOR CERTAIN EMERGENCY RESPONDERS.**

Rep. Mitchell, the sponsor of the bill, explained that it allows a policy to be purchased by the Insurance Coverage Office to cover cancer for active Volunteer Firefighters, Paid Firefighters, Fire Marshals, Fire Instructors, Fire Police, EMTs, and Paramedics of the State of Delaware exclusive of those in private sector. Rep. Mitchell stated the policy will be funded by an assessment calculated based on reporting of gross premiums by insurers writing certain lines of insurance under § 705 of Title 18. Rep. Mitchell said the benefits will provide a lump sum for early and advance stages of cancer and monthly income benefits for 36 months.

Chair Longhurst opened the committee to questions.

Seeing none, Chair Longhurst opened the committee to public comment.

Chris Haas clarified the bill does not change current allocations given to fire companies.

Debra Lawhead, insurance coverage administrator for the Delaware Department of Human Resources, expressed support for the bill.

Jay Jones, president of the Delaware Volunteer Firefighters Association, stated support for the bill because it will benefit members.

A motion was made by Speaker Schwartzkopf and seconded by Rep. Dukes to release SB 160 from committee; motion carried. Yes=5 (Reps. Longhurst, Schwartzkopf, Mitchell, Short, and Dukes). The bill was released from committee with a F=0, M=5, U=0 vote.

Chair Longhurst then introduced **SB 182, AN ACT TO AMEND CHAPTER 243, VOLUME 82 OF THE LAWS OF DELAWARE AND TITLE 30 OF THE DELAWARE CODE RELATING TO AN EXTENSION OF THE HISTORIC PRESERVATION TAX CREDIT ACT.**

Chair Longhurst, sponsor of the bill, explained that Senate Bill No. 209, enacted by the 145th General Assembly, extended the Historic Preservation Tax Credit Act for approvals granted through June 30, 2020. Chair Longhurst said Senate Bill No. 260, enacted by the 150th General Assembly, extended the Historic Preservation Tax Credit Act through June 2021. Chair Longhurst explained the bill extends the Historic Preservation Tax Credit Act for approvals granted through June 2030 and puts the provision regarding the effective date in the Code.

There were no questions from the committee or public comment.

A motion was made by Speaker Schwartzkopf and seconded by Rep. Mitchell to release SB 182 from committee; motion carried. Yes=5 (Reps. Longhurst, Schwartzkopf, Mitchell, Short, and Dukes). The bill was released from committee with a F=0, M=5, U=0 vote.

Chair Longhurst adjourned the meeting at 12:01 p.m.

Speakers List:

Philip Gross  
Dorsey Fiske  
Michael J. Quaranta  
Bernadette Ruf  
Thomas Brewster  
Roderick Gillespie  
Faye Harbottle  
Dorothy Colburn  
Bill Barthel  
Valarie Leary  
Michael Platt  
Chris Haas  
Debra Lawhead  
Jay Jones  
Anthony Albence  
Fred Townsend  
Seth Thompson  
Chris DiPietro  
Joseph Fitzgerald  
Peggy Schultz  
Chris Haas  
David Humes  
Lauren Vella  
Stephen Morrow

Respectfully Submitted by,

Myra Ray-Howett