



**Sherry Dorsey Walker**  
STATE REPRESENTATIVE  
3rd District

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

COMMITTEES  
Sunset (Policy Analysis & Government  
Accountability), Chair  
Revenue & Finance, Vice Chair  
Agriculture  
Economic Development/Banking/Insurance &  
Commerce  
Judiciary

**House Sunset Committee (Policy Analysis & Government Accountability) Meeting Minutes**  
4.23.2024

*House Committee Recording*

Chair Dorsey Walker called the meeting to order at 1:02 p.m.

Members present:

Rep. Dorsey Walker, Chair

Rep. Collins

Rep. Johnson

Rep. Parker Selby

Rep. Spiegelman

Chair Dorsey Walker introduced **HB 358 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ELEVATOR MECHANICS.**

*Time Stamp: 1:04*

This Act, sponsored by Rep. Osienski, serves to clean up certain sections of the Board's Practice Act. Required statutory language omitted due to oversight have been added, such as standards for reciprocity, issuance and renewal of licenses, and hearing procedures. The requirements for a public Board member have been clarified. Finally, inapplicable terms, such as "master" elevator mechanic, have been removed. This Act requires passage by a 3/5 majority because it authorizes the Board to set fees for licensure and licensure renewals. This Act makes technical changes to comply with the standards of the Delaware Legislative Drafting Manual.

Chair Dorsey Walker opened the floor for public comment. *Time Stamp: 1:06*

Members of the public who voiced support of the bill included Robert Overmiller.

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Rep. Collins asked about line 108 through 113 of the bill and if it is correct that the bill allows different boards to set their own reactivation fees without oversight by the General Assembly.

At the request of the sponsor, Shauna Slaughter, Director of Division of Professional Regulation, answered that the Division of Professional Regulation goes through a fee-setting process every two years for all boards and commissions and determines the fees for the board based on the number of licensees, overhead costs, and direct costs. The fee schedule is then approved by the Secretary of State before its implementation.

Rep. Collins asked if anyone had discussed the constitutionality of the process. Shauna Slaughter answered that it has not been discussed in her seventeen years at the Division.

A motion was made by Rep. Spiegelman and seconded by Rep. Johnson to release HB 358 from committee; motion carried. Yes = 4 (Dorsey Walker, Johnson, Collins, Spiegelman); No = 0; Absent = 1 (Parker Selby). The bill was released from committee with a F=0, M=5, U=0 vote.

Chair Dorsey Walker introduced **HB 366 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE TECHNOLOGY INVESTMENT COUNCIL.**

*Time Stamp: 1:11*

This Act, sponsored by Rep. Dorsey Walker, sunsets the Technology Investment Council ("TIC"). The Joint Legislative Oversight and Sunset Committee ("JLOSC") reviewed TIC in 2022 and, as a result of the review, JLOSC sponsored House Bill No. 357 of the 151st General Assembly. HB 357 updated TIC's statute to streamline operations and prevent redundancies. In February 2024, TIC submitted a memorandum to JLOSC, explaining all of the following: - Redundancies with other State boards or committees, procedures, and efficiencies remain. And, ensuring that TIC has a quorum to conduct business during meetings continues to be a challenge. - Six of the 9 TIC members also serve on the Government Efficiency and Accountability Review ("GEAR") Board, including the Chief Justice, Director of the Office of Management and Budget, Secretary of Finance, Secretary of the Department of Health and Social Services, the Controller General, and the Chief Information Officer of the Department of Technology and Information ("DTI"). - GEAR has a subcommittee specifically dedicated to IT efficiency and releases an annual report detailing the progress in this focus area. - TIC convened only once in 2023. - TIC's goals are achieved through DTI processes and collaboration with agencies, OMB, and GEAR. - With no objection from TIC members, DTI requested that JLOSC support the sunseting of TIC. For these reasons, the Technology Investment Council is sunsetted under this Act.

Chair Dorsey Walker opened the floor for public comment. *Time stamp 1:12*

Members of the public who voiced support of the bill included Robert Overmiller.

A motion was made by Rep. Spiegelman and seconded by Rep. Johnson to release HB 366 from committee; motion carried. Yes = 4 (Dorsey Walker, Johnson, Collins, Spiegelman); No = 0; Absent = 1 (Parker Selby). The bill was released from committee with a F=0, M=5, U=0 vote.

Chair Dorsey Walker introduced **HB 367 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE PROVIDER ADVISORY BOARD AND THE EXTENDED LEARNING OPPORTUNITIES SUBCOMMITTEE.** *Time Stamp: 1:13*

This Act, sponsored by Rep. Dorsey Walker, sunsets the Provider Advisory Board (“Board”) and is a result of the Joint Legislative Oversight and Sunset Committee's ("JLOSC") review of the Board. The Board was created in 2011 at JLOSC's recommendation when it reviewed the Office of Child Care Licensing ("OCCL"). The original purpose of the Board was to advise the OCCL regarding the adoption, promulgation, and amendment of rules and regulations required to carry out the Delaware Child Care Act, focusing on early care and education, family child care homes, and school age centers. In 2019, the Board's purpose was expanded to encourage OCCL to communicate with providers and encourage OCCL to enforce the Delaware Child Care Act in a manner that recognizes that most child care providers are private businesses that need stable and reasonable regulations. In 2020, both the Board and the OCCL were moved from the Department of Service for Children, Youth and their Families to the Department of Education. The move has increased the frequency of communication between licensed child care providers and agency units, including the Office of Early Learning and the Delaware Early Childhood Council. JLOSC sponsored Senate Bill No. 135 of the 152nd General Assembly, which added the Board's duties to those of the Delaware Early Childhood Council. Before and since SB 135 was enacted, the OCCL has adopted, promulgated, or amended regulations in the absence of the Board's advice. The OCCL is meeting the needs the Board was intended to address, without the Board's assistance. For these reasons, JLOSC concluded that the Board is not fulfilling its statutory duties or meeting a state need, and that the Board should be sunsetted. This Act therefore sunsets the Provider Advisory Board. Because the Extended Learning Opportunities Subcommittee included a member from the Board, this Act also replaces that member with a licensed provider that serves children not yet kindergarten age. Otherwise, sunseting the Board would have the unintended consequence of making the subcommittee a member short. Separate legislation fulfills JLOSC's recommendation that a third center-based early care and education provider be added to the Delaware Early Childhood Council.

Chair Dorsey Walker opened the floor for public comment. *Time Stamp 1:14*

Members of the public who voiced support of the bill included Robert Overmiller.

A motion was made by Rep. Spiegelman and seconded by Rep. Johnson to release HB 367 from committee; motion carried. Yes = 4 (Dorsey Walker, Johnson, Collins, Spiegelman); No = 0; Absent = 1 (Parker Selby). The bill was released from committee with a F=1, M=4, U=0 vote.

Chair Dorsey Walker introduced **HB 368 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE EARLY CHILDHOOD COUNCIL**. *Time Stamp: 1:15*

This Act, sponsored by Rep. Dorsey Walker, is a result of the Joint Legislative Oversight and Sunset Committee's ("JLOSC") review of the Provider Advisory Board ("Board"). Based on its findings, JLOSC recommended sunseting the Board, which is addressed in separate legislation. This Act fulfills JLOSC's related recommendation, to add a third center-based early care and education provider to the Delaware Early Childhood Council ("DECC"). In 2023, JLOSC sponsored Senate Bill No. 135 of the 152nd General Assembly, which consolidated the functions of Board into the functions of DECC. The Board's review was held over to 2024, when JLOSC evaluated the implementation of SB 135. JLOSC concluded that consolidating the Board's duties into DECC was successful. JLOSC also concluded that, given the findings of its 2023 review of the Board and evaluation of the Board's activities since the enactment of SB 135, the Board is not meeting a state need. JLOSC therefore recommended sunseting the Board and adding a third center-based early care and education provider to DECC. This Act fulfills the addition to DECC.

Chair Dorsey Walker opened the floor for public comment. *Time Stamp 1:16*

Members of the public who voiced support of the bill included Robert Overmiller.

A motion was made by Rep. Collins and seconded by Rep. Spiegelman to release HB 368 from committee; motion carried. Yes = 4 (Dorsey Walker, Johnson, Collins, Spiegelman); No = 0; Absent = 1 (Parker Selby). The bill was released from committee with a F=3, M=2, U=0 vote.

Chair Dorsey Walker introduced **HB 298 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE VULNERABLE ADULT POPULATIONS COMMISSION**. *Time Stamp 1:16*

This Act, sponsored by Rep. Dorsey Walker, is a result of the Joint Legislative Oversight and Sunset Committee's ("JLOSC") review of Adult Protective Services. This Act creates the Vulnerable Adult Populations Commission ("Commission"), whose purpose is to improve the response to and reduce the incidents of vulnerable adult abuse, neglect, or exploitation in this State. The Commission will be comprised of several members from key state agencies, legislators, and the private sector. The Commission's duties include: (1) Studying Delaware court services and procedures, law enforcement procedures and protocols, and criminal justice

data collection and analysis, as they relate to vulnerable adult abuse, neglect, or exploitation. (2) Effectuate coordination among Delaware agencies, departments, and courts to benefit victims of vulnerable adult abuse, neglect, or exploitation. (3) Promote effective prevention, intervention, and service provision based on research and data. (4) Recommend standards to state agencies and departments regarding programs and services that serve perpetrators or victims of vulnerable adult abuse, neglect, or exploitation. (5) Review and provide feedback on legislation relating to vulnerable adult abuse, neglect, or exploitation. (6) Submit an annual, written report to the Governor, General Assembly, Delaware Supreme Court, and the Director and Librarian of the Division of Research.

Rep. Spiegelman asked if the civil liabilities protections specifically for damages for injury or death in line 91 and line 97 of the bill are standard or if there are other forms of liability for which a member of the commission could be liable. Deputy Secretary of the Department of Health and Social Services Dava Newman answered that this was pulled from standard language from bills that are already in operation in other states and vetted through their partners at the Department of Justice. Rep. Spiegelman asked if there are civil liabilities that are not injury or death. Deputy Secretary Dava Newman answered that they did adopt this language from other states, but if this section is problematic, they would not be opposed to leaving it broad.

Rep. Collins asked if this is the bill where the Governor's Advisory Council for Exceptional Citizens sent them a letter requesting membership on this committee. Analyst for the Joint Legislative Oversight and Sunset Committee Amanda McAtee answered that this letter did not come to her office.

Chair Dorsey Walker opened the floor for public comment. *Time Stamp: 1:23*

Members of the public who voiced support of the bill included Robert Overmiller.

A motion was made by Rep. Johnson and seconded by Rep. Collins to release HB 298 from committee; motion carried. Yes = 5 (Dorsey Walker, Johnson, Collins, Parker Selby Spiegelman); No = 0; Absent = 0. The bill was released from committee with a F=3, M=2, U=0 vote.

Chair Dorsey Walker adjourned the meeting at 1:25 p.m.

Respectfully submitted by:

Anna Squiers

**Attendance List**

- Robert Overmiller