

Joint Legislative Oversight & Sunset Committee

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JLOSC Meeting: March 1, 2022

Starting at 12:00 p.m.

SEE AGENDA FOR DETAILED INFO

Today's Review Presentations:

- Technology Investment Council
- Medical Marijuana Act Oversight Committee

Zoom Meeting Registration Required for Public Comment on a presentation.

Register via Zoom by using registration link on posted agenda, scan QR Code with cell phone camera, or use <https://bit.ly/JLOSCMarch1>

Join Zoom webinar to offer public comment.

During the public comment agenda item, staff will call on members of the public in the order of registration.

Per JLOSC Rule 6, public comments must be on the subject at hand.



SCAN ME

Sen. Kyle Evans Gay, Vice Chair
Sen. Stephanie L. Hansen
Sen. Sarah McBride
Sen. Brian G. Pettyjohn
Sen. Bryant L. Richardson



Rep. Sherry Dorsey Walker, Chair
Rep. Krista Griffith
Rep. Kendra Johnson
Rep. Jeff N. Spiegelman
Rep. Lyndon D. Yearick

STATE OF DELAWARE
JOINT LEGISLATIVE OVERSIGHT AND SUNSET COMMITTEE

Joint Legislative Oversight and Sunset Committee
Virtual Meeting

Public Viewing Access via General Assembly [Live Stream](#)

Public Registration [Link](#) for Public Comment

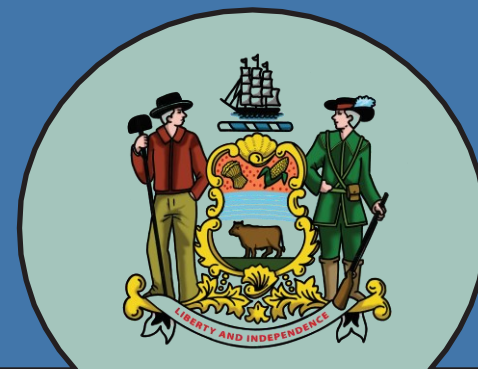
Tuesday, March 1, 2022
12:00 p.m.

Agenda

1. Welcome
2. Approve Minutes
3. Presentation Meeting: Technology Investment Council
4. Public Comment: Technology Investment Council
5. Staff Findings and Recommendations: Technology Investment Council
6. Presentation Meeting: Medical Marijuana Act Oversight Committee
7. Public Comment: Medical Marijuana Act Oversight Committee
8. Staff Findings and Recommendations: Medical Marijuana Act Oversight Committee
9. Adjournment

Note: The Committee's Chair will recognize members of the public to supply comments after an entity's presentation, [zoom meeting registration](#) is required. Per [JLOSC Rule 6](#), public comments must be on the subject at hand and are limited to 2 minutes for a Delaware citizen, a group spokesperson is limited to 3 minutes. Zoom registration is not required to simply watch the meeting's [live stream](#).

Written public comments can be submitted to Sunset@Delaware.gov or by using the Committee's public comment [form](#). Self and Staff Reports about these reviews are available on the Committee's [website](#). Contact JLOSC staff with any questions.



Joint Legislative Oversight
& Sunset Committee

2022 Review Presentation:

- Technology Investment Council
- Medical Marijuana Act Oversight Committee

Zoom Registration:

<https://bit.ly/JLOSCMarch1>

See posted agenda for full details.

STATE OF DELAWARE
JOINT LEGISLATIVE OVERSIGHT AND SUNSET COMMITTEE
Meeting Minutes – February 22, 2022

1 Chair Dorsey Walker called the meeting to order at 12:03 p.m. Committee members present included Vice-
2 Chair Gay; Senators Hansen, McBride, and Richardson; and Representatives Griffith, Johnson,
3 Spiegelman, and Yearick. Staff present included Mark Brainard, Jr. and Amanda McAtee, Joint Legislative
4 Oversight and Sunset Committee (“JLOSC”) Analysts; Holly Vaughn Wagner, Legislative Attorney for
5 JLOSC, and Natalie White, Administrative Specialist for JLOSC. A quorum was met.

6 Chair Dorsey Walker welcomed everyone to the meeting and called for Committee and staff introductions.

7 Chair Dorsey Walker moved to item 2 of the agenda, the approval of the February 16, 2022 meeting
8 minutes. Senator Richardson motioned to approve the February 16, 2022 meeting minutes as written, and
9 Representative Spiegelman seconded the motion. The motion carried with Senators Gay, Hansen, McBride,
10 and Richardson, and Representatives Dorsey Walker, Griffith, Johnson, Spiegelman, and Yearick voting in
11 favor, none opposed. Senator Pettyjohn was not present for the vote.

12 Chair Dorsey Walker moved to item 3 of the agenda, a presentation meeting for the Advisory Council on
13 Walkability and Pedestrian Awareness (“Pedestrian Council”). Chair Dorsey Walker introduced Secretary
14 Nicole Majeski, Deputy Secretary Shante Hastings, and Pamela Steinebach to deliver the presentation.
15 After the presentation, questions and comments were given by Chair Dorsey Walker, Vice Chair Gay, and
16 Representatives Griffith and Spiegelman. Secretary Majeski provided clarification.

17 After questions and comments by Committee members, Chair Dorsey Walker moved to item 4 of the
18 agenda, public comment regarding the Pedestrian Council. Sherry Long gave public comment.

19 Chair Dorsey Walker moved to item 5 of the agenda, a presentation of JLOSC staff findings and
20 recommendations for the Pedestrian Council Amanda McAtee and Mark Brainard presented the findings
21 and recommendations from their staff report. After the presentation by Ms. McAtee and Mr. Brainard,
22 JLOSC members discussed staff recommendations presented for the Pedestrian Council.

23 Senator Richardson motioned to adopt recommendation 1, option 1 for the Pedestrian Council, and
24 Representative Spiegelman seconded the motion. The motion carried 8-0, with Senators Gay, Hansen, and
25 Richardson, and Representatives Dorsey Walker, Griffith, Johnson, Spiegelman, and Yearick voting in
26 favor, none opposed. Senators McBride and Pettyjohn were not present for the vote.

27 Representative Griffith motioned to amend recommendation 2 for the Pedestrian Council, adding language
28 to the statutory revisions to create a body dedicated to reviewing pedestrian fatalities and making
29 recommendations to prevent future deaths, and Vice-Chair Gay seconded the motion. The motion carried
30 7-0-1, with Senators Gay, Hansen, and Richardson, and Representatives Dorsey Walker, Griffith, Johnson,
31 and Yearick voting in favor, none opposed, with Representative Spiegelman not voting. Senators McBride
32 and Pettyjohn were not present for the vote.

33 Senator Richardson motioned to adopt recommendation 2 as amended for the Pedestrian Council, and Vice-
34 Chair Gay seconded the motion. The motion carried 8-0, with Senators Gay, Hansen, and Richardson, and

35 Representatives Dorsey Walker, Griffith, Johnson, Spiegelman and Yearick voting in favor, none opposed.
36 Senators McBride and Pettyjohn were not present for the vote.

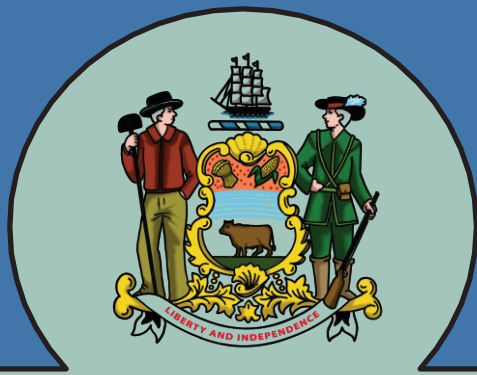
37 Representative Yearick motioned to adopt recommendation 3 for the Pedestrian Council, and
38 Representative Johnson seconded the motion. The motion carried 8-0, with Senators Gay, Hansen, and
39 Richardson, and Representatives Dorsey Walker, Griffith, Johnson, Spiegelman, and Yearick voting in
40 favor, none opposed. Senators McBride and Pettyjohn were absent for the vote.

41 The meeting adjourned at 1:27 p.m.

42 Respectfully prepared by:

43 Elliot Gray, Legislative Fellow, Joint Legislative Oversight and Sunset Committee.

44 *Access to the complete video recording of this proceeding is available [here](#).*



Joint Legislative Oversight
& Sunset Committee

**Public Comment:
Technology Investment Council**

Registration Required

See posted agenda for full details.



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Register and join Zoom webinar
in progress.

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in the order of registration.

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Staff Report Technology Investment Council

6 total staff findings, highlights include:

- Council's statute restructured in 2019.
- Technology Investment Council is engaged and involved in topics concerning Delaware government's information technology infrastructure, effectively performing their statutory duties as an advisory body.
- The goals and objectives of the Technology Investment Council are comparable to similar public bodies in other states.
- Membership includes representation from each branch of Delaware's government serving by virtue of position.
- Minor issues with FOIA compliance.
- Changes to the current governing statute that would further streamline operations and prevent redundancies.

Staff Report

Staff Recommendations

Recommendation #1, Option 1 – Continue the Technology Investment Council

After review and analysis, JLOSC staff recommends option 1, continue the Technology Investment Council, subject to any further recommendations that JLOSC adopts.

Continue or Terminate (standard JLOSC recommendation).

Option 1: The Technology Investment Council shall continue, subject to any further recommendations that JLOSC adopts.

- OR -

Option 2: The Technology Investment Council is terminated, and the Committee will sponsor legislation to implement this recommendation.

Recommendation #2 – Statute Revisions

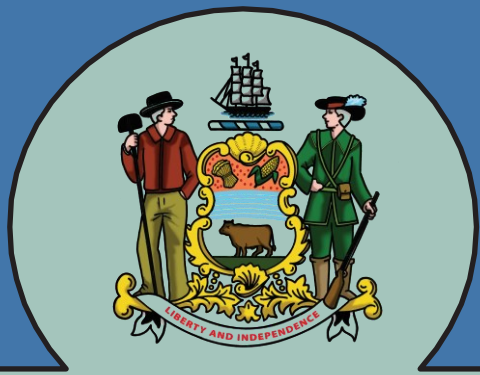
JLOSC should consider sponsoring a bill to apply technical corrections to the governing statute of the Technology Investment Council, Chapter 90C, Title 29, and using this review as a guide, update its duties and responsibilities.

JLOSC and staff from the Department of Technology and Information will work together to develop statutory revisions. JLOSC staff will engage stakeholders as necessary.

Recommendation #3 – Release from Review.

Release the Technology Investment Council from review upon enactment of legislation applying technical corrections and statute revisions listed under Recommendations 2.

- **Continue Technology Investment Council**
- **Update its duties and responsibilities.**
- **Release from review.**



Joint Legislative Oversight
& Sunset Committee

Public Comment: Medical Marijuana Act Oversight Committee Registration Required

See posted agenda for full details.



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Staff Report Medical Marijuana Act Oversight Committee



14 total staff findings, highlights include:

- 6 years of existence, only 2 recommendations to the Office of Medical Marijuana for the medical marijuana program.
- The Oversight Committee formed and held its first meeting after the medical marijuana program was implemented.
- Difficulty finding agenda topics, never recommended legislation for the medical marijuana program.
- Discussed active legislation but never took an official position.
- Did not perform statutory duty to make recommendations to the Governor or General Assembly.
- Declining meeting discussion and attendance from Oversight Committee members.
- The average attendance rate dropped to 52% during the 2019-2021 meeting years.
- A quorum of members did not attend meetings held in 2018, 2020, or 2021.
- Did not meet its statutory obligation to hold 2 meetings in 2015 and 2018.
- Not involved, has not made decisions on medical marijuana program components such as petitions for added debilitating medical conditions or request for proposals (RFP) for added compassion centers.
- Rarely able to act on received public comment, majority of comments received outside of statutory authority or on areas that cannot have action without legislation.
- Decline in public comments received and declining attendance from the public.
- Mixed feedback (largely outside of the scope of review) received from public outreach survey.

Recommendation #1, Option 2 – Sunset the Medical Marijuana Act Oversight Committee

Review and analysis by JLOSC staff concludes the Office of Medical Marijuana oversees a functioning medical marijuana program without support from the Medical Marijuana Act Oversight Committee. Since October 27, 2015, the Medical Marijuana Act Oversight Committee has only made 2 recommendations to the Office of Medical Marijuana relating to the medical marijuana program and has not made recommendations to the Governor or General Assembly. Without additional legislative action or a strategic plan, the Medical Marijuana Act Oversight Committee is not meeting a public need.

JLOSC staff recommends Option 2: Sunset the Medical Marijuana Act Oversight Committee with JLOSC sponsoring legislation to implement this recommendation.

Continue or Terminate (standard JLOSC recommendation):

Option 1: The Medical Marijuana Act Oversight Committee shall continue, subject to any further recommendations that JLOSC adopts.

- OR -

Option 2: The Medical Marijuana Act Oversight Committee is terminated, and JLOSC will sponsor legislation to implement this recommendation.

Recommendation #2 – Release from Review.

Release the Medical Marijuana Act Oversight Committee from review upon enactment of sunset legislation.

Staff Report Staff Recommendations

- **Sunset the Medical Marijuana Act Oversight Committee.**
 - **Office of Medical Marijuana oversees a functioning medical marijuana program without support from the Medical Marijuana Act Oversight Committee.**
 - **In 6 years, the Oversight Committee only made 2 recommendations relating to the medical marijuana program and has not made recommendations to the Governor or General Assembly.**
 - **Without additional legislative action in areas outside the scope of this review or a strategic plan, the Oversight Committee is not meeting a public need.**