

## Joint Legislative Oversight & Sunset Committee

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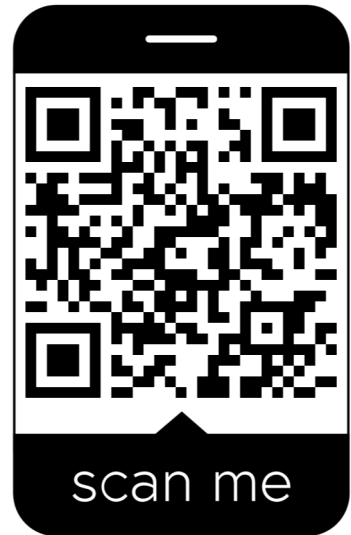
# JLOSC Meeting: March 29, 2022 Starting at 12:00 p.m. SEE AGENDA FOR DETAILED INFO

### Today's Review Presentations:

- Water Infrastructure Advisory Council (WIAC)

## Zoom Webinar 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/JLOSC29>



Join Zoom webinar to offer public comment.

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

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Sen. Sarah McBride  
Sen. Brian G. Pettyjohn  
Sen. Bryant L. Richardson



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STATE OF DELAWARE  
JOINT LEGISLATIVE OVERSIGHT AND SUNSET COMMITTEE

**Joint Legislative Oversight and Sunset Committee  
Virtual Meeting**

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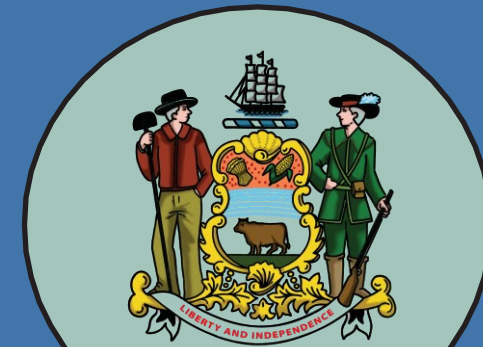
Tuesday, March 29, 2022  
12:00 p.m.

**Agenda**

1. Welcome
2. Approve Minutes
3. Presentation Meeting: Water Infrastructure Advisory Council (WIAC)
4. Public Comment: Water Infrastructure Advisory Council (WIAC)
5. Staff Findings and Recommendations: Water Infrastructure Advisory Council (WIAC)
6. Draft Legislation
7. 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](mailto: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.



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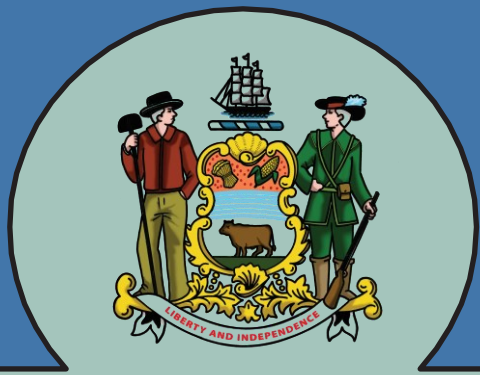
**2022 Review Presentations:**

- **Water Infrastructure Advisory Council (WIAC)**

**Zoom Registration:**

<https://bit.ly/JLOSC29>

**See posted agenda for full details.**



Joint Legislative Oversight  
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# Public Comment: WIAC

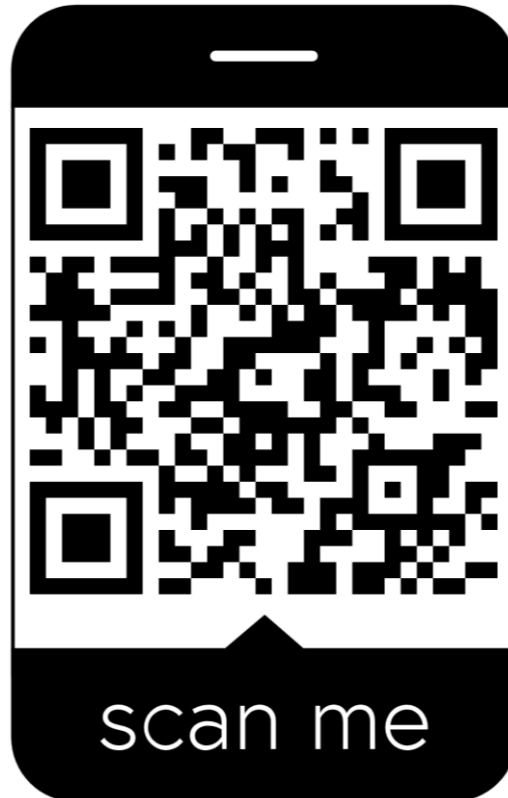
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Scan QR Code or enter  
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and Register via Zoom

Register and join Zoom webinar  
in progress.

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



# Staff Report

## Water Infrastructure Advisory Council (WIAC)

6 total staff findings, highlights include:

- Council is a high performer of statutory duties, meets on a regular basis, members have a high attendance rate (85% or higher), and chronic quorum issues not seen.
- Engaged and involved concerning the funding of drinking water and wastewater infrastructure projects throughout the state, effectively performing statutory duties as an advisory body, and serving public interests well.
- Effectively prioritizes, reviews, and recommends grants and loans for capital and maintenance projects related to drainage, stormwater management, and flood control throughout the state.
- Minor FOIA compliance issues, with some subcommittee meeting minutes missing.
- Small changes to statute would positively benefit the Council (add standard quorum language so vacancies do not affect quorum and clarify subcommittees).
- WIAC suggested exploring a possible update to its governing statute instituting term limits.
- Positive feedback received from public outreach survey.



## **Recommendation #1, Option 1 – Continue the Water Infrastructure Advisory Council.**

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

Continue or Terminate (standard JLOSC recommendation).

Option 1: The Water Infrastructure Advisory Council shall continue, subject to any further recommendations that JLOSC adopts.

- OR -

Option 2: The Water Infrastructure Advisory 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 Water Infrastructure Advisory Council, Chapter 80, Title 29, and using this review as a guide, applying revisions to sections covering topics such as:

- Define quorum.
- Subcommittee operations.
- Updates to reflect recent changes to FOIA regarding virtual meetings.
- Explore the feasibility of instituting term limits. \*

JLOSC and the DNREC Environment Finance Office will work together to develop statutory revisions. JLOSC staff will engage stakeholders as necessary.

\*Due to the subject matter expertise required to serve on the Water Infrastructure Advisory Council, JLOSC staff and DNREC's Environment Finance Office will work on language to possibly institute term limits in a manner that will not limit its operations. For example, limit the number of consecutive terms, but not nonsequential terms.

## **Recommendation #3 – Release from Review.**

Release the Water Infrastructure Advisory Council from review upon enactment of legislation applying technical corrections and changing board composition listed under Recommendations 2.

# Staff Report: Staff Recommendations

- Council expressed desire to explore the possibility of limit terms.
- Define quorum and subcommittee operations.
- Technical corrections.