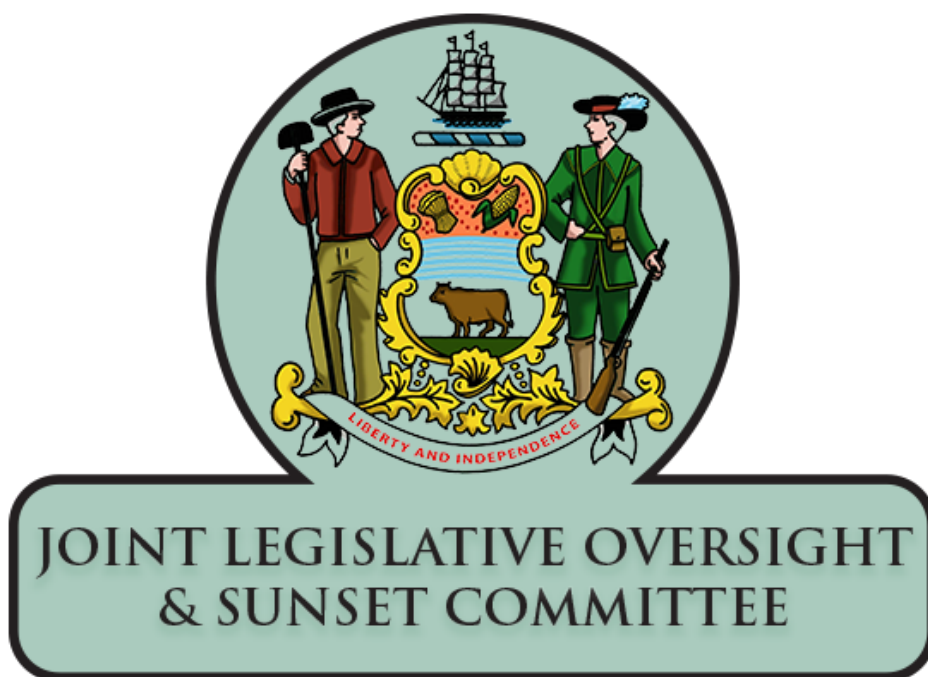


# Joint Legislative Oversight and Sunset Committee ORIENTATION

---

*151<sup>st</sup> General Assembly, 1<sup>st</sup> year*

---



**Virtual Zoom Meeting  
Monday, January 25, 2021  
2 p.m.**

---

Orientation Supplement Prepared by  
Division of Research Staff:

**Mark Brainard**

**Amanda McAtee**

Joint Legislative Oversight and Sunset Analysts

**Holly Vaughn Wagner**

Deputy Director

Legislative Attorney

**Natalie White**

Administrative Specialist

**Elliot Gray**

Legislative Fellow



411 Legislative Avenue

Dover, DE 19901

(302) 744-4114

<https://legis.delaware.gov/Offices/DivisionOfResearch>

## **2021 Joint Legislative Oversight and Sunset Committee Members**

---

**Senator Kyle Evans Gay, Chair**

**Representative Sherry Dorsey Walker, Vice Chair**

**Representative Krista Griffith**

**Senator Stephanie L. Hansen**

**Representative Kendra Johnson**

**Senator Brian Pettyjohn**

**Senator Marie Pinkney**

**Senator Bryant L. Richardson**

**Representative Jeff N. Spiegelman**

**Representative Lyndon D. Yearick**

# TABLE OF CONTENTS

---

2021 JOINT LEGISLATIVE OVERSIGHT AND SUNSET COMMITTEE MEMBERS .....	3
JOINT LEGISLATIVE OVERSIGHT AND SUNSET COMMITTEE (“JLOSC”) STAFF ...	5
GETTING TO KNOW JLOSC STAFF MEMBERS .....	6
JANUARY 21, 2021, MEETING NOTICE AND AGENDA.....	8
5 THINGS COMMITTEE STAFF WANT YOU TO KNOW, <i>NCSL MAGAZINE, DECEMBER 2017</i> .....	9
PROPOSED COMMITTEE RULES .....	10
HOUSE CONCURRENT RESOLUTION NO. 1 .....	13
MARCH 11, 2020, MEETING MINUTES .....	19
AGENCIES ON HOLDOVER .....	21
COMMITTEE PROCESS TIMELINE .....	23
2021 LEGISLATIVE CALENDAR .....	24
DELAWARE SUNSET ACT – TITLE 29, CHAPTER 102 .....	25
FULL LIST OF ENTITIES ELIGIBLE FOR REVIEW.....	33

## **Joint Legislative Oversight and Sunset Committee “JLOSC” Staff**

---

**Main Contact Email:** [Sunset@Delaware.gov](mailto:Sunset@Delaware.gov)

### **Analysts:**

	<b>Mark Brainard</b>	<b>Amanda McAtee</b>
Office:	(302) 744-4225	(302) 744-4021
Email:	Mark.Brainard@Delaware.gov	Amanda.McAtee@Delaware.gov
2019	Council on Correction	DVI
Holdover	DACCTE	APS
Assignments:		DHIN
2020	DIAA	Health Resources Board
Holdover	Conservation District Ops Program	
Assignments:	DNHRQAC (nursing home resident quality)	

#### **Key Responsibilities:**

- Management of oversight and sunset process, including report writing, research, information gathering, scheduling, and legislative tracking.
- Point of contact for all entities, JLOSC members, stakeholders, and constituents.

### **Holly Vaughn Wagner, Deputy Director & Legislative Attorney**

Office: (302) 744-4309  
 Email: Holly.Vaughn\_Wagner@Delaware.gov  
 Key Responsibilities: Legal research, legislative drafting, assisting as needed.

### **Natalie White, Administrative Specialist**

Office: (302) 744-4319  
 Email: Natalie.White@Delaware.gov  
 Key Responsibilities: Research assistance, meeting logistics, assisting as needed.

### **Elliot Gray, Legislative Fellow**

Email: Elliot.Gray@Delaware.gov  
 Key Responsibilities: Research, meeting minutes, assisting as needed.

## **Getting to Know JLOSC Staff Members**

---

JLOSC staff takes pride in continuing education and engaging with their peers. The following is a short description of the specific training and expertise of each staff member.

### **MARK BRAINARD, JLOSC ANALYST**

- Division of Research JLOSC analyst since 2019
- City Manager's Office, City of Newark (2017-2019)
- Legislative Aide, Delaware House of the Representatives (2013-2017)
- University of Delaware's Office of Government Relations (2011-2013)
- Member of National Legislative Program Evaluation Society (NLPES)
  - One of 9 professional staff associations connected with NCSL
- Robert J. Thompson Eastern Leadership Academy, Council of State Governments (2016)
- Board member, Newark Day Nursery and Children's Center (2017-present)
- University of Delaware graduate
  - Bachelor of Arts, Political Science and American History
- Lifelong Delawarean

### **AMANDA MCATEE, JLOSC ANALYST**

- Division of Research JLOSC analyst since 2019
- Previous State service includes:
  - Office of Pensions (2015-2019)
  - Division of Professional Regulation (2012-2015)
- Member of National Legislative Program Evaluation Society (NLPES)
  - One of 9 professional staff associations connected with NCSL
- Member of the Economic Mobility Policy Forum, Johns Hopkins University Center for Applied Public Research and Centers for Civic Impact
- Foundations of Performance Analytics certificate, October 2020
  - Online, instructor-facilitated 4-week course developed by GovEx Academy, part of the Centers for Civic Impact at Johns Hopkins University
- Wilmington University graduate
  - Master of Science, Public Administration
  - Master of Science, Human Resource Management
- Delaware Award for Excellence and Commitment in State Service, 2018
- State of Delaware Office of Management and Budget Employee of the Year award, 2017
- Lifelong Delawarean

In addition to NLPES and NCLS, both analysts attend training and use resources from the following professional associations:

- U.S. Government Accountability Office (GAO)
- Association of Local Government Auditors (ALGA)
- National Association of State Auditors, Comptrollers, and Treasurers (NASACT)

## Getting to Know JLOSC Staff Members (continued)

### HOLLY VAUGHN WAGNER, DEPUTY DIRECTOR & LEGISLATIVE ATTORNEY

- Legislative Staff Management Institute, NCSL; 2020
- Editorial Advisory Committee, The Journal of the Delaware State Bar Association; 2020-present
- Research, Editorial, Legal and Committee Staff (RELACS) section, NCSL
  - Member and presenter; 2013-present
- Division of Research Deputy Director; 2019-present
  - Employed with the Division since 2013; Research Analyst and Legislative Attorney
- Penn State Dickinson School of Law graduate
  - Licensed in DE and NJ
- Lifelong Delawarean

### NATALIE WHITE, ADMINISTRATIVE SPECIALIST

- Employed with the Division of Research since March 2017
  - JLOSC staff support, 2019-present
- Coppin State University graduate
  - Bachelor of Science, Criminal Justice
- State Certifications & Training:
  - Interpersonal Communication
  - Security Awareness Training
  - Ethic Orientation for State Employees
  - Time Management
  - Understanding Generational Differences
  - Securing the Human – Cybersecurity
  - Communicating with Tact & Diplomacy
  - PHRST Time and Labor – Timekeeper
  - Contracting and Procurement Introduction
  - HIPAA (Basics)
  - HIPAA Privacy, Security and HITECH Training
  - PHRST Human Resources/Benefits Administration
  - PHRST Disciplinary and Grievance
  - PHRST Payroll
  - HR Basics Online Course
  - Policy on Anti-Discrimination, Workplace Harassment and Retaliation

### ELLIOT GRAY, LEGISLATIVE FELLOW

- Division of Research, Legislative Fellow 2021
- Temple University graduate
  - Bachelor of Arts, Communication, minor in Economics
- University of Delaware, expected graduation May 2022
  - Master of Public Policy
- Communication Intern, Pennsylvania Innocence Project

Sen. Kyle Evans Gay, Chair  
Sen. Stephanie L. Hansen  
Sen. Brian G. Pettyjohn  
Sen. Marie Pinkney  
Sen. Bryant L. Richardson



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

STATE OF DELAWARE

JOINT LEGISLATIVE OVERSIGHT AND SUNSET COMMITTEE

**Committee Members' Orientation**  
**Virtual Meeting via Zoom**  
**Public Access via [YouTube](#)**

**Monday, January 25, 2021**  
**2:00 p.m.**

---

**Agenda**

1. Welcome
2. Approve Committee Rules
3. Approve Minutes
4. Approve 2020 Final Report
5. Presentation on Committee Process
6. Updates from Committee Analysts and Committee Attorney
  - a. Proposed changes to Committee statute
7. Approve 2021 Meeting Dates
8. Adjournment

Legislative Council/Division of Research ♦ Legislative Hall ♦ 411 Legislative Avenue ♦ Dover, Delaware 19901 Joint Legislative Oversight  
and Sunset Committee Analysts: Mark Brainard Jr. & Amanda McAtee  
Phone: 302-744-4114 ♦ Email: [Sunset@Delaware.gov](mailto:Sunset@Delaware.gov) ♦ Website: [www.legis.delaware.gov](http://www.legis.delaware.gov)



## STAFF WEEK: WHAT STAFF KNOW

# 5 Things Committee Staff Want You to Know

BY KAE WARNOCK

**I**n the fast-paced environment of the legislature, committee staff are a bit like stage managers in the theater, working behind the scenes to keep everyone on task and on message.

Legislative committees perform two vital functions: They conduct hearings where bills are debated and fine-tuned before they go to the full body, and they provide a forum for citizens to voice concerns regarding legislation.

Committee staff make certain that the chair has what he or she needs to hold hearings, that committee members know what's coming next and that witnesses are ready to speak.

Although committee staff roles differ by state, all staff strive to ensure that the chair and the committee members are prepared to examine the issues. What does it take to do the job effectively? Here's what committee staff want you to know.

## 1

### We Conduct Thoughtful Analysis.

We provide objective and thorough analysis of bills. We gather detailed background material and summarize it for lawmakers, always striving to give all the various perspectives. We advise the chair on where there are areas of consensus. We also research existing laws to help understand the possible effects and unintended consequences lurking within newly proposed legislation. We aren't psychics, but we try to prepare members for potential problems that may arise during public meetings that could derail a meeting or cause controversy.

Kae Warnock is NCSL's staff liaison to the Research, Editorial, Legal and Committee Staff professional association.



## 2

### We Help the Chair Run the Meeting.

We support the work of the chair. To ensure the chair is the expert on the committee, we do thorough research and provide concise information on the subject matter at hand. We help the chair set the agenda, deliver bills and amendments, and write the committee report. We also assist the chair with parliamentary questions.

## 3

### We Provide Meaningful Testimony.

We are experts in the policy area under the committee's jurisdiction. And, we know who to bring to the discussion to help the chair allocate time wisely and manage testimony fairly, even when tensions run high. We know the lay of the land—and where the land mines are buried! We can line up the needed testimony and brief witnesses so that their statements are timely and relevant. Working under the direction of the chair, we help ensure that the testimony given is not "stacked" and that all sides of an issue are heard.

## What Is RELACS?

The Research, Editorial, Legal and Committee Staff professional association, known as RELACS, is dedicated to fostering professional development and communication among legislative staff who provide research, editing, legal services, committee staffing, bill drafting, code revision, administrative rules review and compilation, policy analysis and constituent services.

If you work in one of these areas, you are automatically a member.

➔ Learn more at [ncsl.org/relacs](http://ncsl.org/relacs).

## 4

### We Support the Committee.

We know what it takes to run a committee smoothly. We make sure committee members have the information they need to ask the right questions and get to the heart of the issues. We work hard to ensure that committees receive the best data, meet their deadlines and report action on bills accurately. Our role is to be problem solvers for the committee.

## 5

### We Know the Rules.

We rarely opine about them in public, but we know the rules and the process well. This ensures that meetings are conducted openly and that committees use their investigative powers properly. We prefer to work with chairs and members individually to understand what they want to accomplish, before giving them advice. Some of us even write scripts for committee members who are unfamiliar with the rules of order used to conduct meetings.

# JOINT LEGISLATIVE OVERSIGHT AND SUNSET COMMITTEE RULES

---

*Approved; January 25, 2021*

**RULE 1.** A quorum of the Joint Legislative Oversight and Sunset Committee (“Committee”) is 6 members.

**RULE 2.** A quorum of the Committee must be present in order to:

1. Conduct sessions to draft the Committee’s Final Report.
2. Conduct sessions to draft bills.
3. Enter an executive session.
4. Amend the Committee’s Rules.
5. Make any motion.

**RULE 3.** A quorum of the Committee is not necessary to open and conduct public hearings in which an agency makes a presentation.

**RULE 4.** The Chair presides over all meetings of the Committee. The Vice Chair presides in the absence of the Chair. The Chair may designate a temporary chair.

**RULE 5.** In the interests of order and decorum, all questions and comments must be directed to and acknowledged by the Chair.

**RULE 6.** Following presentation by an agency at a public hearing, the Chair shall acknowledge all questions or comments in the following order:

1. Members of the Committee.
2. Members of the General Assembly.
3. Other elected or appointed officials.
4. Any group, through its spokesperson, who may speak only to the subject at hand and, if the meeting is held in a physical location, is limited to 5 minutes. If the meeting is held virtually, the spokesperson is limited to 3 minutes
5. Any Delaware citizen, who may speak only to the subject at hand and, if the meeting is held in a physical location, is limited to 3 minutes. If the meeting is held virtually, the spokesperson is limited to 2 minutes.

**RULE 7.** All questions or comments during a recommendation meeting, bill drafting session, or the Committee’s Final Report drafting session are acknowledged by the Chair, who must limit questions to the members of the Committee. Committee staff, however, may comment at the request of the Chair or Vice Chair. Comments from other sources are subject to the approval of the Chair and, in the absence of the Chair, the Vice Chair or the designated temporary chair.

**RULE 8.** Consistent with 29 *Del C.* § 10203(c), a motion is carried by an affirmative vote of the majority of the entire Committee, except that an affirmative vote by 7 members is required to do each of the following:

1. Approve the Committee's Final Report.
2. Terminate an agency.
3. Rescind a vote to terminate an agency.
4. Adopt a recommendation.

**RULE 9.** The Committee's schedule of meetings and public hearings must be made publically available on the General Assembly's website and distributed to at least all of the following:

1. Members of the Committee.
2. Members of the General Assembly.
3. Governor and Lieutenant Governor.
4. As appropriate, elected or appointed officials.
5. Agency under review.
6. Anyone requesting to be notified concerning hearings.

**RULE 10.** All Committee meetings and policies must conform to the applicable provisions of Delaware's Freedom of Information Act.

**RULE 11.** The Committee shall post on the General Assembly's website or the State of Delaware Public Meeting Calendar website at least 7 calendar days prior to a Committee meeting public notice with the date, time, place, and agenda for each meeting. If the agenda is not available at the time of posting notice, the agenda must be added to the notice at least 6 hours in advance of the meeting. The notice must contain the agenda as is known at the time of the posting; however, the agenda is subject to change upon affirmative vote of the majority of the entire Committee.

**RULE 12.** Minutes of Committee meetings must include all of the following:

1. A list of the members who are present.
2. A record, by individual member, of each vote taken and each action agreed upon.

**RULE 13.** The Division of Research is the custodian of the records for the Committee.

**RULE 14.** The latest edition of Mason's Manual of Legislative Procedures governs the Committee in circumstances which may arise and are not covered by statute or by the Committee's Rules.

**RULE 15.** The Committee shall assign bill drafting necessary to implement its recommendations either to a Legislative Council attorney or the Deputy Attorney General assigned to the agency under review with a review of the same by a Legislative Council attorney. The Committee may temporarily assign bill drafting duties necessary to implement its recommendations to other legislative attorneys, if a Legislative Council attorney is not available.

**RULE 16.** These Rules may be altered, amended, repealed, or added to at any meeting of the Committee, provided that a notice of 7 calendar days is given. The notice must describe, at least in general terms, the alterations, amendments, or changes which are proposed to be made in the Rules. Public notice must be provided in accordance with Rule 11. These Rules may be suspended upon a motion approved by a quorum of the Committee.

**RULE 17.** Virtual Meetings. The “Virtual Meeting Rules of Procedure for the General Assembly and Legislative Committees” provided in House Concurrent Resolution 1 of the 151<sup>st</sup> General Assembly are incorporated into the Committee’s rules.

For purposes of affixing signatures required under the Committee’s rules, a member may, in lieu of a wet signature, authorize, in writing or electronically, a Committee analyst or Legislative Council attorney to affix the member’s signature. The Committee analyst or Legislative Council attorney shall maintain records of authorizations made under this rule.



SPONSOR: Rep. Schwartzkopf & Rep. Longhurst & Rep. Mitchell &  
Rep. D. Short & Rep. Dukes & Sen. Sokola &  
Sen. Townsend & Sen. Lockman

HOUSE OF REPRESENTATIVES  
151st GENERAL ASSEMBLY

HOUSE CONCURRENT RESOLUTION NO. 1

ACCEPTING AND APPROVING THE JANUARY 8, 2021, ACTIONS OF THE PRESIDENT OF THE SENATE AND THE SPEAKER PRO TEMPORE OF THE HOUSE OF REPRESENTATIVES, DECLARING AN EMERGENCY UNDER § 5, ARTICLE II AND § 1, ARTICLE XVII OF THE DELAWARE CONSTITUTION, AND ADOPTING RULES OF PROCEDURE FOR CONDUCTING VIRTUAL MEETINGS OF THE 151ST GENERAL ASSEMBLY AND ITS LEGISLATIVE COMMITTEES DURING AN EMERGENCY.

1 WHEREAS, on March 12, 2020, in response to growing concerns about the spread of COVID-19, the then-  
2 President Pro Tempore of the Senate (“then-President Pro Tempore”) and then-Speaker of the House of Representatives  
3 (“then-Speaker”) took joint action to close Legislative Hall to the public and postpone legislative session, keeping  
4 Legislative Hall closed and postponing legislative session until it resumed virtually on May 27, 2020, to ensure the safety  
5 of legislators, staff, and the public; and

6 WHEREAS, also on March 12, 2020, Governor John C. Carney issued a state of emergency due to the public  
7 health threat posed by COVID-19 and has subsequently issued multiple modifications of the state of emergency as the  
8 public health threat has continued with the State currently under the Governor’s Tenth Extension of the Declaration of a  
9 State of Emergency, issued December 24, 2020; and

10 WHEREAS, to resume session virtually, the then-President Pro Tempore and then-Speaker issued a joint  
11 memorandum declaring that because the public health threat caused by COVID-19 was expected to continue and the public  
12 health threat prevented members from physically meeting in Dover, the 150<sup>th</sup> General Assembly and certain of its  
13 legislative committees were recalled with members participating remotely through the use of audio or video technology;  
14 and

15 WHEREAS, the then-President Pro Tempore and then-Speaker based the joint memorandum on authority granted  
16 to them and the General Assembly under §§ 5 and 9 of Article II and § 1 of Article XVII of the Delaware Constitution,  
17 Section 577 of Mason’s Manual on Legislative Procedure, and Governor John C. Carney’s Proclamation No. 17-3292  
18 regarding virtual meetings of public bodies during the public health emergency caused by COVID-19; and

19 WHEREAS, the 150<sup>th</sup> General Assembly found that the actions of, and procedures adopted by, the then-President  
20 Pro Tempore and then-Speaker were reasonable and supported by law and found the General Assembly was able to meet  
21 virtually; and

22 WHEREAS, with the 151<sup>st</sup> General Assembly set to convene on Tuesday, January 12, 2021, the President of the  
23 Senate and Speaker Pro Tempore of the House of Representatives issued a joint memorandum on January 8, 2021,  
24 declaring that because the public health threat caused by COVID-19 has continued and the public health threat prevented  
25 members from physically meeting in Dover, the 151<sup>st</sup> General Assembly was called to convene with members participating  
26 remotely through the use of audio or video technology; and

27 WHEREAS, the President of the Senate and Speaker Pro Tempore of the House of Representatives based the joint  
28 memorandum on authority granted to them and the General Assembly under §§ 5 and 9 of Article II and § 1 of Article  
29 XVII of the Delaware Constitution, Section 577 of Mason's Manual on Legislative Procedure, and § 10006A of Title 29 of  
30 the Delaware Code; and

31 WHEREAS, the General Assembly finds the January 8, 2021, actions of, and procedures adopted by, the President  
32 of the Senate and the Speaker Pro Tempore of the House of Representatives to be reasonable and supported by law; and

33 WHEREAS, the General Assembly finds that it is authorized by § 9 of Article II and § 1 of Article XVII of the  
34 Delaware Constitution to adopt rules of procedure for conducting a virtual meeting of the General Assembly and its  
35 legislative committees to ensure the continuity of the General Assembly's operations during the public health threat caused  
36 by COVID-19 or any other emergency; and

37 WHEREAS, the General Assembly finds under § 1 of Article XVII of the Delaware Constitution that if the rules  
38 of procedure adopted by this Concurrent Resolution do not conform to the requirements of the Delaware Constitution, it is  
39 impracticable to do so or to do so would cause undue delay.

40 NOW, THEREFORE:

41 BE IT RESOLVED by the House of Representatives of the 151<sup>st</sup> General Assembly of the State of Delaware, the  
42 Senate concurring therein, that the General Assembly accepts and approves the January 8, 2021, actions of the President of  
43 the Senate and the Speaker Pro Tempore of the House of Representatives, declares an emergency under § 5 of Article II and  
44 § 1 of Article XVII of the Delaware Constitution, and adopts the following rules of procedure for conducting virtual  
45 meetings of the 151<sup>st</sup> General Assembly and its legislative committees during an emergency:

46 **Virtual Meeting Rules of Procedure for the General Assembly and Legislative Committees.**

47 **Rule 1. Definitions.**

48 As used in this Concurrent Resolution:

49 (1) "Chair" means a member who presides over and maintains order and decorum of a legislative committee.

50 (2) "Emergency" means an impending or existing attack, act of terrorism, disease, accident, or other natural or  
51 man-made disaster under § 5 of Article II and § 1 of Article XVII of the Delaware Constitution.

(3) “Legislative committee” means 1 of the following:

a. A standing committee of the House of Representatives or Senate.

b. A joint committee of the General Assembly.

c. A task force or similar entity created by resolution of the General Assembly.

d. An entity within the legislative branch created by an act of the General Assembly.

(4) “Member” means an individual elected to the General Assembly, the individual’s emergency interim successor, an individual appointed to an entity under paragraph (3)c. or (3)d. of this rule, and the President of the Senate for purposes of the use of the casting vote when the Senate is equally divided.

(5) “Presiding officer” means the Speaker of the House of Representatives, President of the Senate, or a member who presides over and maintains order and decorum of the Senate or House of Representatives.

(6) “Virtual meeting” means a meeting that meets the requirements under Rule 3 of this Concurrent Resolution.

(7) “Witness” means a non-member permitted to address a virtual meeting.

**Rule 2. Authorization to hold virtual meetings due to an emergency.**

(a) The Senate or House of Representatives or a legislative committee may convene and conduct a virtual meeting if the President Pro Tempore of the Senate and the Speaker of the House of Representatives issue a public notice that members of the Senate or House of Representatives or a legislative committee are authorized to convene and conduct a virtual meeting due to an emergency.

(b) The public notice is valid until rescinded by the President Pro Tempore and the Speaker.

**Rule 3. Virtual meeting requirements.**

If a public notice under Rule 2 of this Concurrent Resolution is issued, the Senate or House of Representatives or a legislative committee may conduct a meeting and transact public business at which members participate through the use of any means of communication by which all of the following occur:

(1) The identity of a member or witness is verified, and the actions of a member are authenticated, in a manner satisfactory to the presiding officer or chair.

(2) During the meeting, all participating members or witnesses simultaneously hear or read the comments of each member or witness who is recognized by the presiding officer or chair.

(3) A document that is used during the meeting by a member or witness and that is accepted by the presiding officer or chair is immediately transmitted to each member or witness participating in the meeting.

(4) Except as provided under Rule 4 of this Concurrent Resolution, the public is able to do the following:

- 82 a. Contemporaneously access materials presented at the meeting.
- 83 b. Monitor the proceedings.
- 84 c. For a meeting of a legislative committee under this rule, provide public comment, if the committee is
- 85 required to accept, or provides an opportunity for, public comment.
- 86 d. Review a recording of the meeting within a reasonable time after the meeting concludes.

87 **Rule 4. Exceptions to virtual meeting requirements.**

88 (a) Rule 3(4) of this Concurrent Resolution does not apply if, under § 11 of Article II of the Delaware

89 Constitution, “the business is such as ought to be kept secret”.

90 (b) A technological failure that prevents, or a technological limitation that limits, public access otherwise required

91 under Rule 3(4) of this Concurrent Resolution does not invalidate a virtual meeting or an action taken at a virtual meeting.

92 **Rule 5. Legal effect of virtual meeting.**

93 A virtual meeting complies with § 5 of Article II of the Delaware Constitution and, thus, all actions taken during a

94 virtual meeting have the same legal effect as if the members were physically present at the seat of government.

95 **Rule 6. Quorum requirements; voting requirements; procedures for participating and voting at a virtual**

96 **meeting.**

97 (a) For the purposes of determining quorum for a meeting of Senate or House of Representatives or a legislative

98 committee, a member participating in a virtual meeting is considered present as if the member were physically present at

99 the meeting.

100 (b) For the purposes of voting during a meeting of the Senate or House of Representatives or a legislative

101 committee, a member participating in a virtual meeting is able to vote as if the member were physically present at the

102 meeting.

103 (c) Notwithstanding a rule of the Senate or House of Representatives to the contrary, the following procedures

104 apply:

105 (1) Members participating in a virtual meeting should join the meeting at least 30 minutes before the

106 scheduled start time of the meeting. The presiding officer or chair, or their designee, shall make reasonable efforts to

107 contact a member who has not joined the meeting 30 minutes before the scheduled start time to determine if the

108 member is having technical difficulties joining the meeting and shall work with the member to provide a solution to

109 enable the member to join the meeting. If a member is unable to join the meeting the presiding officer or chair shall

110 announce the reason to other members, if known.



(2) The presiding officer or chair shall cause members or witnesses participating in a virtual meeting to be muted on entry into the meeting.

(3) To be recognized to speak by the presiding officer or chair, a member or witness shall use a technological function that enables the member or witness to be recognized. If a technological failure occurs, the presiding officer or chair may adopt an alternative method for members or witnesses to be recognized.

a. The presiding officer or chair shall cause the member or witness recognized to speak to be unmuted.

b. On being recognized to speak, the recognized member or witness shall state their name each time before addressing the virtual meeting.

(4) Votes must be taken by roll call.

**Rule 7. Notice requirements for a virtual meeting.**

(a) A virtual meeting must be preceded by the same or substantially equivalent public notice as would be required if the meeting were to be held at a physical location.

(b) The notice must include information on how the public can monitor a meeting of the Senate or House of Representatives or a legislative committee or participate in a meeting of a legislative committee that is required to accept, or provides an opportunity for, public comment.

**Rule 8. Interpretation of rule of Senate, House of Representatives, or legislative committee.**

(a) The presiding officer or chair presiding over a virtual meeting shall interpret and apply all rules of the Senate or House of Representatives or the legislative committee that presume or require the physical presence or act of members or witnesses in such a manner to accomplish the same purposes for which the rules were adopted.

(b) Except as otherwise provided by a rule of the Senate or House of Representatives, for purposes of affixing signatures required under rules of the Senate or House of Representatives, a member may, in lieu of a wet signature, authorize, in writing or electronically, the Secretary of the Senate or Chief Clerk of the House of Representatives, as appropriate, to affix the member's signature. The Secretary of the Senate and Chief Clerk of the House of Representatives shall maintain records of authorizations made under this subsection.

**Rule 9. Convening of the General Assembly and limitations on length of legislative sessions.**

Notwithstanding § 1711(a), (b), and (d) of Title 29 of the Delaware Code, the following apply:

(1) The method for convening the General Assembly is as provided under § 4 of Article II and § 16 of Article III of the Delaware Constitution and the rules of the Senate or House of Representatives adopted under § 9 of Article II of the Delaware Constitution.

140 (2) The limitations on the length of legislative session are as provided under § 4 of Article II of the Delaware  
141 Constitution.

#### SYNOPSIS

This Concurrent Resolution accepts and approves the January 8, 2021, actions of the President of the Senate and the Speaker Pro Tempore of the House of Representatives, declares an emergency under § 5 of Article II and § 1 of Article XVII of the Delaware Constitution, and adopts rules of procedure for conducting virtual meetings of the 151st General Assembly and its legislative committees during an emergency.

Specifically, this Concurrent Resolution:

(1) Authorizes the Senate or House of Representatives or a legislative committee to convene and conduct a virtual meeting if the President Pro Tempore of the Senate and the Speaker of the House of Representatives issue a public notice that the Senate or House of Representatives or a legislative committee is authorized to convene and conduct a virtual meeting due to an emergency.

(2) Provides protections to ensure the integrity of the legislative process and public access and transparency for meetings held virtually.

(3) Notwithstanding § 1711 of Title 29 of the Delaware Code, makes clear that the method of convening the General Assembly and the limitations on the length of legislative session are as provided under the Delaware Constitution and the rules of the Senate or House of Representatives adopted under § 9 of Article II of the Delaware Constitution.

Rep. David Bentz, Chair  
Rep. Andria L. Bennett  
Rep. Jeffrey N. Spiegelman  
Rep. Sherry Dorsey Walker  
Rep. Lyndon D. Yearick



Sen. S. Elizabeth Lockman, Vice-Chair  
Sen. Anthony Delcollo  
Sen. Stephanie L. Hansen  
Sen. Ernesto Lopez  
Sen. John Walsh

## STATE OF DELAWARE

### JOINT LEGISLATIVE OVERSIGHT AND SUNSET COMMITTEE

#### Meeting Minutes – March 11, 2020 (DRAFT)

Chair Bentz called the meeting to order at 6:04 p.m. Committee members present included Vice-Chair Lockman; Representatives Dorsey Walker, Spiegelman, and Yearick; Senators Delcollo, Hansen, Lopez, and Walsh. Staff present included Mark Brainard, Jr. & Amanda McAtee, JLOSC Analysts; Holly Vaughn Wagner, Legislative Attorney for the JLOSC and Deputy Director of the Division of Research; and Natalie White, Administrative Specialist. A quorum was met.

Chair Bentz welcomed everyone to the meeting for the Joint Legislative Oversight and Sunset Committee (“JLOSC”) of the 150th General Assembly, Second Session and called for introductions. The meeting was a presentation meeting for the Delaware Health Resources Board.

Chair Bentz moved to item 2 on the agenda, the approval of the March 9, 2020 meeting minutes. Representative Spiegelman motioned to approve the March 9, 2020 minutes, and Representative Dorsey Walker seconded the motion. The motion carried 8-0, with Representatives Bentz, Dorsey Walker, Spiegelman, and Yearick, and Senators Lockman, Hansen, Lopez, and Walsh voting in favor, no opposed, 2 members not present at the time of vote, Representative Bennett and Senator Delcollo.

Chair Bentz moved to item 3 on the agenda, to discuss additional 2020 meeting dates and introduced Amanda McAtee to provide an overview. After discussion, additional meetings were scheduled for April 20 and May 5, 2020. Committee analysts would send out a Doodle poll to schedule additional meetings.

Chair Bentz moved to item 4 on the agenda, the presentation by the Delaware Health Resources Board. Chair Bentz introduced Elisabeth Massa, Executive Director of the Delaware Health Care Commission, who delivered the presentation. Those in attendance from the Delaware Health Care Commission were Executive Director Elisabeth Massa, Latoya Wright, Manager of Statistics and Research; and Delaware Health Care Commission Chair Dr. Nancy Fan.

After the presentation, Representatives Bentz, Dorsey Walker, Spiegelman, and Yearick, Senators Delcollo, Hansen, Lockman, Lopez, and Walsh, and JLOSC staff Holly Vaughn Wagner and Amanda McAtee asked questions. Elisabeth Massa, Latoya Wright, and Dr. Nancy Fan provided clarification.

Chair Bentz thanked the Delaware Health Care Commission for their presentation and assistance during the review process and called for public comment. Christina Bryan, Communications and Policy Director for the

Delaware Healthcare Association and John Toedtman, Executive Director of the Caesar Rodney Institute provided public comment.

Chair Bentz thanked Committee members, staff, and the public for attending an informative and productive meeting and reminded the Committee of the next and final presentation meeting scheduled for Tuesday, March 17, 2020 at 12:00 p.m. in the JFC Hearing Room

The meeting concluded at 7:54 p.m.

Respectfully prepared by:

Amanda McAtee and Mark Brainard, JLOSC Analysts, Joint Legislative Oversight and Sunset Committee.

*Access to the audio recording of this proceeding is available upon request.*

## **AGENCIES ON HOLDOVER**

---

### **2021 GOALS:**

- **Resuming unfinished business and moving forward with new work.**
- **Research is complete for all holdovers.**

In 2021 there will be legislation for almost all holdovers, and entities can be released from review while legislation is in process. All legislation was halted in March of 2020 due to the pandemic. The Committee's legislative attorney and staff will resume drafting and working with entities on legislation. Due to the pandemic, no entities were selected for 2021 review and all entities were held over to 2021. Below is a brief synopsis of all review work.

### **Held Over from 2020:**

- **Conservation District Operations Program: DNREC Division of Watershed Stewardship.**
- **Delaware Health Resources Board ("HRB")**
- **Delaware Interscholastic Athletic Association ("DIAA")**
- **Delaware Nursing Home Resident Quality Assurance Commission ("DNHRQAC")**

Presentation meetings with public comment were held in March 2020 for the **Conservation District Operations Program** and **HRB**. **Recommendation meetings for both entities will need to be scheduled in 2021.**

Presentation meetings for **DIAA** and **DNHRQAC** were canceled in 2020 due to the pandemic. **Presentation meetings (with public comment) and recommendation meetings will need to be scheduled for both entities in 2021.**

### **Held Over from 2018 and 2019:**

- **Council on Correction** was first reviewed and held over in 2018. Updates were presented in 2019 and the review continued. Council on Correction was held over again in 2019 and 2020. In February 2020, JLOSC adopted a recommendation to sponsor legislation amending the Council's governing statute in Chapter 89, Title 29 to add language enabling the Criminal Justice Council to provide administrative assistance. The legislation will establish this partnership as a PILOT Partnership Program and include a 5-year sunset provision. Due to the pandemic this legislation was put on hold and the drafting process will resume in 2021. A holdover meeting will not be required.

## **Held Over from 2019:**

- **Adult Protective Services (“APS”)**
- **Delaware Advisory Council on Career and Technical Education (“DACCTE”)**
- **Delaware Health Information Network (DHIN”)**
- **Division for the Visually Impaired (“DVI”)**

**APS, DACCTE, DHIN, and DVI** were first reviewed in 2019 and presented updates to the Committee in scheduled holdover meetings in February of 2020. As part of their holdover work, JLOSC staff facilitated task force meetings in the fall and winter of 2019 for DVI and DHIN and presented task force updates to the Committee in early 2020.

**APS & DHIN:** During February 2020 holdover meetings, JLOSC adopted recommendations to release APS and DHIN from review upon enactment of technical corrections legislation. Due to the pandemic this legislation was put on hold and the drafting process will resume in 2021. They will only need meetings to approve bills for release.

**DACCTE** was released from review in 2020 upon the submission of its annual report.

**DVI:** Additional research and task force meetings took place in the fall and winter of 2019; updates were presented to JLOSC in early 2020. Committee staff modified recommendations and JLOSC adopted them in February 2020. Recommendations adopted focused on the oversight mechanism of the JLOSC review process and on key areas in need of strength and support that were highlighted during research. The recommendations also held the agency over to 2021 and required progress reports regarding recommendation implementation. The following is an update and status of this review:

- Progress reporting received in 2020 as requested.
- Analysts will prepare a meeting supplement with all pertinent information.
- **Schedule agency for holdover meeting in February 2021.**
  - DVI will present updates to JLOSC.
  - JLOSC to review progress reporting and status of adopted recommendations, ask questions, and determine release or terms of additional monitoring.

# Joint Legislative Oversight and Sunset Committee

## Review Process Timeline

Revised January 2021

This schedule is subject to change.

### ***JLOSC REVIEW PROCESS***

#### ***January***

- JLOSC members' orientation held in January to address administrative matters. Entities are not required to attend.
- JLOSC staff presents list of potential entities to review next session (2022 reviews).

#### ***February***

- Holdover meetings held; public comment not accepted.
- Draft Reports distributed to JLOSC members and entities.
- Presentation meetings held; public comment accepted.
- Entities are to supply analysts' digital copies of visual aids used during the presentation meeting at least 3 days prior to the meeting.

#### ***March / April***

- Recommendation meetings held; public comment not accepted.
- Recommended legislation is drafted, reviewed, and introduced.
- JLOSC discussion and selection of entities for review (2022 reviews).
- Selected entities notified via email of review and include virtual presentation of JLOSC process.
- JLOSC staff prepares and distributes self-reporting document, due within 90 days of notification.
- JLOSC discussion and selection of Component Reviews.

#### ***May / June***

- JLOSC finalizes recommendations, which includes a recommendation to release from review, terminate the entity, or hold over the entity.
- JLOSC staff prepares the Final Report.
- Recommended legislation continues to be drafted, reviewed, and introduced.
- JLOSC selection and discussion of Component Reviews.

#### ***July - October***

- Analysts publish completed self-reports to Committee's website.
- Analysts continue review fieldwork; conduct interviews, launch public engagement initiatives.
- Analysts finalize research, write draft reports.
- Draft reports edited and prepared for entity review and comment.

#### ***November / December***

- Analysts send draft reports to entities for review and written comment.
- Draft reports finalized and prepared for the Committee.

### ***PROGRESS AND IMPLEMENTATION UPDATES FOR HOLDOVERS***

<b><i>August</i></b>	First progress report due.
<b><i>October</i></b>	Second progress report due.
<b><i>December</i></b>	Third progress report due.
<b><i>February</i></b>	JLOSC reviews progress reports.

## 2021 Legislative Calendar

January						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

February						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

March						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

April						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

May						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

June						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Legislative Session  
JFC/Bond Hearings  
Easter Break  
JFC Markup

January						
18: Martin Luther King Day						
February						
15: President's Day						
April						
04: Easter Sunday						
May						
31: Memorial Day						

### February

- 1 holdover meeting for DVI.
- 2 presentation meetings for DIAA & DNHRQAC, public comment accepted.
- 1-2 Recommendation meetings.

### March

- 2-3 additional Recommendation meetings.
- 1 meeting for legislation approval & 2022 entity selection

### April

- 1 meeting for legislation approval & 2022 entity selection.
- 1 meeting for legislation approval & Component Review discussion.

### May/June

- 1 meeting for legislation approval & Component Review discussion, OSM development.
- 1 meeting for legislation & 2021 Final Report approval.



# DELAWARE LEGISLATIVE OVERSIGHT AND SUNSET ACT

## DELAWARE CODE – TITLE 29, CHAPTER 102

---

### § 10201. Definitions

For purposes of this chapter, unless the context otherwise requires:

(1) "Agency" means any regulatory, administrative, advisory, executive, or legislative body of this State, including a board, bureau, commission, department, division, committee, council, association, authority, or any other entity established by an act of the General Assembly of this State that meets any of the following:

- a. Is given authority in the Delaware Code to regulate a business, occupation, or profession.
- b. Is supported in whole or in part by public funds.
- c. Expends or disburses public funds.
- d. Is specifically charged by a public body to advise or make recommendations.

(2) "Committee" or "Joint Legislative Oversight and Sunset Committee" means the joint legislative committee established by this chapter.

(3) "Performance evaluation" means an assessment of how well an agency has performed and is performing its functions, and how well the agency has served and is serving the public need.

### § 10202. Declaration of policy

(a) It is essential to the maintenance of a healthy state economy and of a government that has the confidence of its citizens that the State establish a system of periodic legislative review of its agencies. This review of agency performance and activities is consistent with other activities and goals of the General Assembly. The primary purpose of this review is to determine whether there is a genuine public need for the agency under review and, if so, to determine whether the agency is correctly performing to meet that need.

(b) The purpose of this chapter is to provide an action-forcing mechanism designed to increase the accountability of various agencies through increased legislative scrutiny of agencies and their activities. The intent of the General Assembly is to establish a timetable for the initial review of certain agencies, and ultimately to review all agencies established by or receiving financial assistance from the State. The action-forcing mechanism is to terminate agencies under review on certain dates, unless affirmatively re-established by law.

(c) The purpose of this chapter is not to terminate agencies which are sufficiently meeting a recognized State need and which are accountable to and responsive to the public interests. Rather, the purpose of this chapter is to use the review mechanism to strengthen and support these agencies.

### § 10203. Joint Legislative Oversight and Sunset Committee composition; Chairperson; appointment; quorum; reimbursement; meetings

(a) The Joint Legislative Oversight and Sunset Committee is composed of 5 members of the Senate appointed by the President Pro Tempore and 5 members of the House of Representatives appointed by the Speaker of the House. Not more than 3 Senate appointees, nor 3 House appointees, may belong to the same political party. The Chairperson and Vice Chairperson of the Committee alternate each year between a Representative appointed by the Speaker of the House and a Senator appointed by the President Pro Tem of the Senate. During odd-numbered years, a Senator serves as chairperson and a Representative serves as Vice Chairperson; during even-numbered years, a Representative serves as Chairperson and a Senator serves as Vice Chairperson.

(b) In each General Assembly, new members of the Committee must be appointed within the month of January, or within 1 week of the organization of each respective house, whichever is later.

(c) A quorum consists of at least 6 Committee members. A quorum must be present in order to transact business. If a quorum is present, a proposition is carried by a majority of the entire Committee, unless a statute or rule requires a larger number of affirmative votes.

(d) A member of the Committee is entitled to reimbursement from the appropriate funds of the member's house for the expenses that the member actually and necessarily incurs in performing the duties of the Committee. A request for reimbursement must be approved by the Chairperson of the Committee.

(e) A member of the Joint Finance Committee or Legislative Council may not serve on the Committee. However, this subsection does not apply when the minority party in either house has less than 7 members.

(f) Although all meetings of the Committee are open to the public, only members of the Committee and persons designated by the Chairperson are permitted to speak or otherwise participate.

#### **§ 10204. Committee staff; appropriations**

Employees of the Division of Research of Legislative Council and of the Office of the Controller General serve as the permanent staff of the Committee. The Committee may, by the affirmative vote of at least 6 members, provide for other assistance, equipment, or expenditures that are within the limits of the Committee's budget. The General Assembly shall appropriate funds that it considers necessary to carry out the activities and goals of the Committee.

#### **§ 10205. Committee rules and regulations**

The Committee may adopt Committee rules and regulations necessary to carry out the activities and goals of this chapter.

#### **§ 10206. Committee subpoena powers**

(a) The Committee may issue process to witnesses at any place in this State and compel their attendance, and compel the production of books, records, papers, and other objects that may be necessary or proper for the purposes of the Committee's proceedings. The Committee may issue attachments when necessary to obtain compliance with subpoenas or other process. An attachment so issued may be addressed to and served by any peace officer in this State. The Chairperson of the Committee shall issue in the name of the Committee any subpoenas requested by the Committee, if the request received the affirmative vote of at least 6 members of the Committee. If the Chairperson of the Committee is unavailable, the designee of the Chairperson may issue subpoenas or any other lawful process in accord with the provisions of this subsection.

(b) All testimony taken under subpoena must be given under oath subject to the penalties of perjury, and must be reduced to writing.

#### **§ 10207. Agency reports to the Committee**

(a) Each agency under review by the Committee shall forward to the Committee an annual report containing all of the following information:

(1) A chart or diagram showing the greater agency of which it is a part, if any, and all agencies over which it has jurisdiction.

(2) Agency goals and objectives, and the statutory authority for the goals and objectives, if any.

(3) All programs in being at any time for the period of 1 year immediately prior to the date of the annual report.

(4) The total value of state funds or materials, or both, used by the agency for each of the last 5 fiscal years.

(5) A listing of all Delaware Code provisions from which the agency derives its rights, duties, and functions.

(b) Each year on or before January 15, each agency under review by the Committee shall forward all of the following to the Committee:

(1) The last 5 budget reports relating to all program priorities, activities, and accomplishments, if the agency is subject to zero-based budgeting requirements.

(2) A concise and specific statement setting forth the performance or achievement of the agency relating to the criteria for review set forth in § 10211 of this title, and addressing no other subject except the criteria for review.

(3) Any additional information requested by the Committee, including any record, document, or file over which the agency has custody or jurisdiction, if the additional information is available.

(c) Notwithstanding any other law or statute to the contrary, upon notification to an agency that it is under review by the Committee, the agency shall forward all information set forth in this section to the Committee, and shall update the information and provide additional information that the Committee or its staff may from time to time request.

#### **§ 10208. [Reserved.]**

#### **§ 10209. Committee responsibilities and duties**

(a) The Committee should try to give 2 weeks' notice to an agency under review of dates scheduled for Committee meetings, public hearings, and other related assemblages; however, lack of notice does not affect the lawfulness of the Committee's activities or decisions.

(b) Each year on or before February 7, the Committee shall do all of the following:

(1) Conduct a thorough review of all information furnished to the Committee by the agency under review.

(2) Obtain, verify, and review any reports, audits, or actions taken by other state agencies concerning the agency under review.

(3) Conduct a performance evaluation of the agency under review based, at least in part, on the following criteria:

a. If the agency is a licensing agency, the extent to which the agency has permitted qualified applicants to be licensed.

b. The extent to which the agency has served the public interests.

c. The extent to which the agency has recommended statutory changes, and whether those changes directly benefit the public or whether those changes primarily benefit the agency or other entities, and are of only indirect benefit to the public.

(4) Direct staff to prepare a draft report to be used in public hearings. Following review and comment by the Committee, the draft report must be made available to the public. The draft report must contain information that assists the Committee in conducting a review of the agency, including background information on, and an introductory analysis of, the information submitted by the agency under review, together with any preliminary evaluations or recommendations arising from the information in the draft report.

(5) Review the implementation of recommendations contained in the final reports presented, pursuant to § 10213 of this title, to the General Assembly and the Governor during previous legislative sessions.

#### **§ 10210. Public hearings**

(a)(1) Between February 7 and the second Tuesday of March of each year, the Committee shall regularly and uniformly convene initial public hearings scheduled by the Chairperson, in order to provide an opportunity for the Committee to meet with the agencies under review and to help formalize a timetable for the reviews.

(2) Following an initial public hearing for an agency, the Committee may, at the call of the Chairperson, meet to discuss and consider actions and recommendations relating to the agency, with or without the staff of the agency under review.

(3) The Committee may, at the call of the Chairperson, hold a public hearing for an agency prior to February 7, if the draft report of the agency is complete.

(4) To encourage participation by the general public, hearings and meetings convened pursuant to this subsection must be held occasionally in the early evening hours.

(b) The highest administrative officer of an agency under review must be present at each public hearing or meeting relating to the agency and convened pursuant to this chapter, unless excused by the Chairperson, and at any Committee meeting where the officer's attendance is requested. The officer must be prepared to answer questions from members of the Committee and members of the general public.

(c) Notwithstanding the provisions of § 10203(f) of this title, at each initial public hearing held in accordance with the provisions of this chapter, individuals in attendance, including members of the general public, representatives of the agency under review, and witnesses on behalf of either the agency or the public, are entitled to be heard and to present their evidence for the record.

(1) Testimony and written materials that are offered by members of the general public may not be unreasonably refused, and must be retained and considered by the Committee during its evaluation of an agency.

(2) Testimony and written materials that are offered by an agency or by witnesses on behalf of the agency, including officers and others having a direct interest in the continued existence of the agency, must be accepted, but the testimony and written materials are not considered to have been offered by "members of the general public."

#### **§ 10211. Criteria for review**

(a) The genuine public need for an agency under review by the Committee and whether the agency is satisfactorily meeting that need may not be assumed. The agency has the burden of showing, through the criteria for review under subsection (b) of this section, that there is a genuine public need and that the agency is meeting that need.

(b) The criteria for review required by the provisions of subsection (a) of this section are as follows:

(1) The purpose of the act establishing the agency and the manner of operation of the agency designed to achieve the purpose.

(2) Whether it can be independently established, apart from information supplied by the agency or by persons having a direct interest in the continued existence of the agency, that the termination of the agency would be detrimental to the public health, safety, or welfare; and whether a possibility exists that the termination would be beneficial to the public health, safety, or welfare.

(3) An assessment of less restrictive or other methods of achieving the stated objectives of the act establishing the agency, and if those other methods provide as much protection to the public.

(4) Whether statute establishes a clear mandate to the agency, and whether the agency has complied with the mandate, if any, in the best interests of the general public.

(5) Whether other programs, activities, or agencies of the state government have the same or similar objectives, and, if so, a comparison of the costs and effectiveness of those programs, activities, or agencies, and the identification of any duplicate programs, activities, or agencies with those of the agency under review.

(6) Whether, in the prior 3 years, the agency has recommended to the General Assembly only those statutory changes of primary benefit to the public, or if those changes were primarily of benefit to the agency or to the occupation, business, or institution which it serves or regulates.

(7) The efficiency with which the agency meets its statutory objectives.

(8) Whether applications and formal public complaints filed with the agency have been processed effectively and fairly.

(9) Whether the agency has issued professional or occupational licenses only to qualified applicants, and whether the agency has unfairly restricted access to any person wishing to engage in a regulated business, occupation, or profession.

(10) The extent to which the agency has encouraged participation by the public in making agency rules, regulations, and decisions, as opposed to participation solely by those it regulates, and the extent to which public participation has resulted in rules, regulations, and decisions compatible with the objectives of the agency.

(11) Whether the agency has operated in an open and accountable manner with public access to records and meetings, and whether there are safeguards against possible conflicts of interests.

(12) Whether "ethical conduct" provisions or rules of an agency, if any, are in fact limited to ethical or moral conduct, or if the provisions or rules contain primarily commercial prohibitions and restrictions relating to profits, advertising, and other business topics.

(13) The extent to which the agency has been complying with Chapters 58, 100, and 101 of this title; §§ 6506, 6512, and 6519 of this title; and § 8, article XV of the Delaware Constitution, or with the requirements of any laws which are direct successors to those listed in this paragraph.

(14) Any claimed impact as a result of federal intervention or loss of federal funds if the agency is terminated, the impact of which must be fully substantiated.

(15) Any additional criteria designated by the Committee as applicable to the particular agency under review.

## **§ 10212. Agency "rules review"**

(a) The Committee may conduct a specialized or focused review of 1 or more rules or regulations of an agency. This review is known as a "rules review," and does not include the same schedules and procedures as an agency review.

(b) The Committee may select an agency for a rules review in the same manner that it selects an agency for review under this chapter, or it may select an agency upon a written request by the chairperson of a standing committee of either house. If the Committee decides to conduct a rules review of an agency, the name of the agency must be included among those agencies scheduled for the next immediate review. A rules review may begin immediately if, in the determination of the Committee, an emergency exists.

(c) When the Committee conducts a rules review of an agency, it must first hold an information-gathering hearing in which any agency, individual, or business has the right to testify about any issue, concern,

defect, or problem relating to the rules or regulations under review by the Committee. The Committee must also permit members of the public and any state agency to send written testimony and other materials to the Committee. The Committee shall, from the information-gathering hearing and submitted materials, compile a list of concerns which must include those issues, concerns, defects, or problems which the Committee feels merit closer study and consideration.

(d) Within 1 week following the information-gathering hearing, the Committee shall meet to consider the accumulated testimony and submitted materials, and may meet as many times thereafter to continue its review for as long as the Committee determines that meetings are necessary. Upon the conclusion of its review, the Committee shall list those changes in the agency's rules or regulations that the Committee considers necessary or appropriate, and shall meet with the highest administrative officer of the agency, or the administrative officer's designee to determine what changes, if any, can be agreed upon between the agency and the Committee. If an agreement or possible solutions to the remaining items set forth in the list of concerns cannot be obtained, the Committee shall issue its recommendations in the next final report, and shall cause legislation to be drafted that will, in the determination of the Committee, best accomplish its recommendations.

### **§ 10213. Final report**

(a) On or before May 30 of the calendar year in which an agency under review is automatically terminated in accordance with the provisions of this chapter, the Committee shall present its final report to the General Assembly and to the Governor. The final report must contain a complete description of the agency and its objectives, including all sub-agencies or programs within the agency; a review of all material obtained pursuant to §§ 10207-10211 of this title; a determination of whether or not there is genuine public need for the agency, and whether the agency is satisfactorily meeting that need; recommendations of the Committee; and other matters or information that the Committee may wish to include.

(b) The final report required by subsection (a) of this section must contain the Committee's review schedule of those agencies recommended for review during the year following the final report. The review schedule for that year must contain no less than 4 agencies and should take into consideration the following:

- (1) Any agency whose review is being continued to the following year.
- (2) Any agency automatically scheduled for review.
- (3) Any agency added by the General Assembly.
- (4) Any agency added by the Committee by 6 affirmative votes.

(c) The Committee may, by 6 affirmative votes, add agencies to, remove agencies from, or replace agencies on the Committee's review schedule.

### **§ 10214. Committee recommendations**

In its final report concerning an agency, the Committee may recommend 1 or more of the following:

(1) The continuance of the agency, as is; termination of the agency; termination of any program within the agency; the consolidation, merger, or transfer of the agency or of functions of the agency to another agency; or the termination of the agency unless certain conditions are met or modifications are made, by legislation or otherwise, within a specified period of time.

(2) Budget appropriation limits for an agency.

(3) In general or specific terms, legislation which the Committee considers necessary to carry out its decision as to whether an agency should be continued or terminated.

### **§ 10215. Review schedules.**

(a) An agency that has successfully completed a review under this chapter or that has been re-established is not subject to another review until the sixth year following its last review, unless the Committee believes that a sooner review is reasonable and necessary. The termination date in a review schedule does not apply to an agency recommended for continuance.

(b) An agency which has been recommended for termination or reorganization, but which nevertheless is continued by legislative action or otherwise, must be placed on the Committee's review schedule for review at the end of 4 calendar years from the date of the agency's originally scheduled review date. An agency which is reorganized in accordance with the recommendation of the Committee must be placed on the review schedule for review at the end of 4 calendar years from the date of the agency's originally scheduled review date.

### **§ 10216. Termination of an agency; re-establishment**

(a) If the Committee recommends the termination of an agency and the agency is not re-established by an act of the General Assembly, the agency is automatically terminated at the end of June 30 immediately following the date of the Committee's final report.

(b) When an agency is terminated pursuant to this chapter, each lesser-included agency of the terminated agency is also terminated at the same time and under the same conditions, unless the lesser-included agency is specifically exempted from termination by the Committee or by law enacted before the end of June 30 immediately following the date of the Committee's final report.

(c) If the Committee recommends the reorganization of an agency under review or a merging of the agency with another agency, the agency under review must be terminated on the June 30 following the final report, unless prior to June 30 a bill is introduced setting forth a proposed reorganization or merger. If the bill is not enacted into law within 7 months from the date of its introduction, the agency is automatically terminated.

(d) If the Committee recommends continuance of an agency, but only upon its meeting certain conditions or making certain modifications, the agency terminates 6 months from the date of the final report or on the termination date recommended by the Committee, whichever is later, unless the conditions have been met or the modifications have been made to the satisfaction of the Committee.

(e) A bill to re-establish an agency that has been recommended for termination or reorganization must relate only to that specific agency, and the name of the affected agency must be set forth in the title of the bill.

### **§ 10217. Concluding year for terminated agencies.**

(a) Notwithstanding the termination of an agency, it may continue in temporary existence until the end of the next succeeding calendar year in order to properly conclude its business. Unless otherwise provided by law, termination does not reduce or otherwise limit the power and authority of a terminated agency during its concluding year. Upon the expiration of the concluding year, all rights, powers, and functions of the agency cease. Any unobligated or unexpended appropriations of an agency terminated under this chapter lapse at the end of the concluding year.

(b) At the end of a terminated agency's concluding year, money in a dedicated fund of a state agency must be immediately transferred to the General Fund of the State Treasury, unless otherwise provided for by law. Any law or portion of a law which dedicates money to a specific fund of a terminated state agency is automatically repealed at the end of the agency's concluding year.

(c) If a terminated agency is funded in the Budget Appropriation Act for each year of the General Assembly, the agency has no authority to spend or obligate any of the funds after December 31 of the concluding year, unless specifically provided for by law.

(d) If a terminated agency is part of a larger agency, all property and records in the custody of the terminated agency must be transferred at the end of its concluding year to the next largest entity of which the terminated agency was a part. If the terminated agency was itself the largest entity or was an independent agency, the property and records must be transferred to the Secretary of State.

(e) If a terminated agency has any outstanding bonded indebtedness remaining at the end of its concluding year, the responsibility for the management of the repayment of the bonded indebtedness through the continuation of the agency's functions, limited merely to the repayment function, is vested in the State Treasurer. Any claims by the agency and any claims against the agency continue and may not be terminated with the agency.

(f) All Delaware Code references to a terminated agency are invalid upon the expiration of the agency's concluding year, unless specifically retained.

#### **§ 10218. Merit system employees.**

If the termination of an agency or of an agency's programs or activities results in unemployment for a person employed under the Merit System of Personnel Administration [Chapter 59 of this title], the unemployed person is entitled to first preference in all other state employment opportunities which arise thereafter for which the unemployed person is qualified. The unemployed person has the right of first refusal for state employment opportunities until the person obtains permanent employment.

#### **§ 10219. Monitoring of recommendations**

During each legislative session, the staff of the Committee shall monitor legislation affecting agencies that have undergone review by the Committee and shall periodically report to the members of the Committee any proposed changes which might modify prior recommendations of the Committee.



## Entities Eligible for Review

*\*note that this list is continually updated and is not exhaustive*

*Entire departments and divisions are listed, however in interest of available resources, consider a Component Review.*

ENTITY	TITLE	Dates Reviewed by JSC	Notes
DE Code Revisors	1		
governing board... [see § 944]	2		
DE Transportation Authority	2		
Office of Aeronautics	2		
DE Transit Corporation	2		
DE Aquaculture Council	3		
DE Viticulture Council	3		
Agricultural Commodity Advisory Boards	3		
DE Agricultural Lands Preservation Foundation	3	1986; 1994; 2017	
Farmland Preservation Advisory Boards	3		
DE Department of Agriculture Urban and Community Forestry Program	3		
Community Forestry Council	3		
Department of Agriculture Forest Service	3		
Pesticide Advisory Committee	3		
DE Nutrient Management Commission	3		
Commission to administer the Northeast Interstate Dairy Compact	3		
DE Delegation to the Northeast Interstate Dairy Compact	3		
Governing Board of the Insurance Fund...[see §9001]	3		
Advisory and Technical Committees [see §9001]	3	DE Advisory Council on Career and Technical Education, 2019	
DE Harness Racing Commission	3	1981; 1990-1991; 2004	
DE Thoroughbred Racing Commission	3	1981; 1990-1991; 2004	

ENTITY	TITLE	Dates Reviewed by JSC	Notes
Compact Committee [§10207]	3		
Division of Alcoholic Beverage Control and Tobacco Enforcement	4	1988; 1989; 1999-2000; 2008 (perf. Eval.) (Alco Bev. Cont. Comm & Div)	
State Bank Commissioner	5		
DE State Clearing Committee	6		
Office of Retail Gasoline Sales	6		
Council to Advise the Office of Retail Gasoline Sales	6		
State Human Relations Commission	6	1985-1986; 2002-2003, 2017	
Division of Securities (under DOJ)	6	1985; 2000	
Advisory Council on Tidal Finfisheries	7	2015	
Atlantic States Marine Fisheries Commission	7		
Department of Dog Law Management	7		
Dog Control Panel	7		
University of Delaware (Chapter 37, §3703, §5502)	7		
State Advisory Board	7		
Board of District Supervisors (Chapter 39, §3906)	7		
Soil and Water Division of DNREC	7		
Board of Ditch Commissioners	7		
Board of Lagoon Management Commissioners	7		
Public Lands Commission (27 Del. Laws C. 5)	7		
Fort Delaware Advisory Board	7		
DE Society for the Preservation of Antiquities	7		
Environmental Appeals Board	7		

ENTITY	TITLE	Dates Reviewed by JSC	Notes
Source Water Protection Citizen & Technical Advisory Committee	7		
Title V Operating Permit Program Advisory Committee	7		
DE Solid Waste Authority	7	1992; 1993-1994; 2004-2006;	
DE River Basin Commission (given the power to create advisory committees)	7		
State Coastal Zone Industrial Control Board	7		
Office Of Nature Preserves	7		
DE Natural Areas Advisory Council	7		
Leaking Underground Storage Tank Committee	7		
Open Space Council	7	2014	
Center for the Inland Bays	7		
Pollution Prevention Implementation Committee	7		
Appalachian States Low-Level Radioactive Waste Commission	7		
COUNTY GOVERNMENT			
New Castle County	9		
Kent County	9		
Sussex County	9		
County Parks and Recreation Commission	9		
County Library Agency	9		
County Library Advisory Board	9		
County Council of New Castle County	9		
[county council has the power to create agencies]	9		
State Farmland Advisory Committee	9		

ENTITY	TITLE	Dates Reviewed by JSC	Notes
NEW CASTLE COUNTY			
Department of Land Use	9		
Planning Board	9		
Board of Adjustment	9		
Board of License Inspection and Review	9		
Board of Building Standards	9		
Board of Assessment and Review	9		
County Police	9		
Department of Special Services	9		
Department of Special Services Board	9		
Department of Community Services	9		
Department of Community Services Board	9		
Office of Administrative Services	9		
Office of Finance	9		
Office of Human Resources	9	1988-1990 (Office of State Personnel & Personnel Commission)	
Human Resources Advisory Board	9		
Office of Law	9		
Department of Public Works	9		
Local Planning Agency	9		
Regional Planning Commission of NCC	9		
KENT COUNTY			
Kent County Levy Court	9		
Kent County Volunteer Fireman's Association	9		

ENTITY	TITLE	Dates Reviewed by JSC	Notes
Personnel Administration Board	9		
Parks and Recreation Commission	9		
Arbitration Commission for Kent County	9		
Regional Planning Commission of Kent County	9		
Kent County Zoning Commission	9		
Board of Adjustment	9		
Local Planning Agency	9		
Board of Assessment for Kent County	9		
Receiver of Taxes and County Treasurer	9		
<b>SUSSEX COUNTY</b>			
County Planning and Zoning Commission	9		
Board of Adjustment	9		
Government of Sussex County	9		
Department of Finance	9		
Department of Law	9		
County Advisory Retirement Board	9		
Administrative Office of the Courts	10		
Committee on Dispositional Guidelines for Juveniles	10		
Law Libraries	10		
Board of Examiners of Constables	10		
Board of Parole	11	2013-2014	
Board of Pardons	11		
Department of Correction	11		

ENTITY	TITLE	Dates Reviewed by JSC	Notes
Division of Statistics, Research and Planning	11		
Division of Field Services	11		
Diagnostic Services	11		
Institutional Classification Board	11		
Institutional Release Classification Board	11		
De Sentencing Accountability Commission	11		
Treatment Access Committee	11		
State Bureau of Investigation	11		
DE Criminal Justice Information System Board of Managers	11		
Criminal Justice Council	11		
Statistical Analysis Center	11		
Violent Crimes Compensation Board	11	2009-2011; 2014	AKA Victims Compensation Assistant Prog.
Office of the Public Guardian	12		
Board of the DE CarePlan Trust	12		
Commission on Family Law	13		
Domestic Violence Coordinating Council	13		
Division of Child Support Enforcement	13	2005-2007	
Department of Education	14		
State Board of Education	14	2017	
Advisory Board to the Secretary of Education	14		
Student Assessment and Accountability Committee	14		
DE Higher Education Commission	14	2010-2012	
Wilmington Neighborhood Schools Committee	14		

ENTITY	TITLE	Dates Reviewed by JSC	Notes
DE Interscholastic Athletic Association	14	1981; DSSAA 2001-2002; DIAA 2020 Boxing Com 2003, 2008 (Perf. Eval.)	
Local Boards of Education	14		
District Advisory Committee	14		
District Transit Team	14		
School Boards of Education (Chapter 10, Subchapter III)	14		
DE Professional Standards Board	14		
Family Services Cabinet Council	14		
Early Childhood Advisory Committee	14		
Advisory Council for Exceptional Citizens	14		
Higher Education Commission	14	2010-2012	
Delaware College Investment Board	14		
State Drug-free School Advisory Committee	14		
Local Drug-free School Advisory Committees	14		
Public Employment Relations Board	14		
DE Center for Educational Technology	14		
University of DE (Chapter 51)	14		
Board of Trustees of the University	14		
District Library Commission	14		
Education Commission of the States	14		
Steering Committee	14		
DE Educational Council	14		
Advisory Committee on Private Business & Trade Schools	14		
DE Advisory Council on Career Education	14	2002-2003	

ENTITY	TITLE	Dates Reviewed by JSC	Notes
Board of Trustees of the DE Institute of Veterinary Medical Education	14		
DE Office of Volunteerism	14		
Board of Trustees of the Delaware Technical and Community College	14		
DE Higher Education Supplemental Loan Authority	14		
Student Assessment and Accountability Committee	14		
Health Advisory Council	14		
Department of Elections	15	2015 (Performance Review)	
Corps of Oral Hygienists	16		
Interagency Coordinating Council	16		
Child Protection Accountability Commission	16		
Division of Services for Aging and Adults with Physical Disabilities	16		
Office of Substance Abuse Services	16		
Childhood Lead Poisoning Advisory Committee	16		
Medical Council	16		
Organ and Tissue Donor Awareness Board	16		
Office of Vital Statistics	16		
Institutional Review Board	16		
State Emergency Response Commission	16		
State Fire Prevention Commission	16	1992-1993; 2009	
Fire School Advisory Board	16		
Fire Marshal's Advisory Board	16		
Advisory Committee on Ambulance Service	16		
Advanced Life Support Standards Committee	16		



ENTITY	TITLE	Dates Reviewed by JSC	Notes
Authority on Radiation Protection	16		
Health Facilities Authority	16		
DE Health Resources Board	16	1993, 2005, 2012, 2020	
Commission for the Purchase of Products and Services of the Blind and Other Severely Handicapped Individuals	16	2014-2015	
DE Emergency Medical Services Oversight Council	16		
Office of Emergency Medical Services	16		
DE Health Care Commission	16	(Health Care Injury Ins. Study Comm) - 1988-1989; 2004; 2012	
Board of Directors of the DE Institute of Medical Education and Research	16	1986; 1995-1996	
DE Health Information Network	16	2010-2012, 2019	
Board of Directors of the DE Institute for Dental Education and Research	16	1985; 1995; 2010-2012	
Committee to review the need for a 3-digit number for public safety purposes (10004)	16		
Enhanced 911 Emergency Service Board	16		
Controlled Substance Advisory Committee	16		
State Scenic and Historic Highway Advisory Board	17		
DE Memorial Bridge Division	17		
Division of Communications	17		
DE River and Bay Authority (created by Congress/commissioners appointed by governor)	17	2006-2007	
Board of Trustees-Worker's compensation Self-Insurance Groups	18		
DE Insurance Fraud Prevention Bureau	18		
Advisory Council (Section 3823)	18		
DE Insurance Guaranty Association	18		
DE Life and Health Insurance Guaranty Association	18		

ENTITY	TITLE	Dates Reviewed by JSC	Notes
Insurance Coverage Determination Committee	18		
State Insurance Coverage Office	18	1984; 1985; 1944	Office of St. Ins. Comm
Medical Negligence Review Panels	18		
Health Benefit Plan Committee	18		
Department of Labor - Review Board (Section 710(9))	19		
Industrial Accident Board (Section 2301A)	19	1997-1998	
Unemployment Insurance Appeal Board	19	2003; 2012	
Unemployment Compensation Advisory Council	19		
DE National Guard	20		
DE State Defense Forces	20		
DE Militia	20		
Department of Military Affairs	20		
DE State Defense Forces	20		
DE Emergency Management Agency	20		
Public Health Emergency Planning Commission	20		
Special Animal Welfare License Plate Fund Committee (Section 2139F)	21		
Environmental License Plates (Section 2140A)	21		
Medical Advisory Board	21		
Municipalities	22		
Board of Pilot Commissioners	22	1983; 1992	
State Board of Accountancy	24	1985; 1992	
Board of Landscape Architecture	24	1982; 1989; 1991; 1994	
Board of Architects	24	1982; 1989; 2004	

ENTITY	TITLE	Dates Reviewed by JSC	Notes
State Board of Podiatry	24	1982; 1988-1989; 1998	
State Board of Chiropractic	24	1986; 1995	
Board of Dental Examiners	24	1985; 1995; 2010-2012	
Dental Hygiene Advisory Committee	24	1985; 1995; 2010-2012	
Panel to review denial of Dental License (C.11 s. 1194)	24		
DE Board of Examiners of Private Investigators and Private Security Agencies	24	1986; 1994	Board of Private Detectives
State Board of Electrical Examiners	24	1991; 1998-1999	
Commission on Adult Entertainment Establishments	24	1981; 1990; 2009	
Physician's Assistant Regulatory Council	24		
Board of Medical Licensure and Discipline	24	1995; 2002; 2008 (perf. evaluation), 2015	
Board of Plumbing Examiners	24		
DE Board of Nursing	24	1985; 1993	
Board of Occupational Therapy Practice	24	1988; 1996	
Board of Examiners in Optometry	24	1985; 1995; 2015	
State Board of Pharmacy	24	1986; 1995; 2003	
State Examining Board of Physical Therapists	24	1983; 1992; 2014-2015	
State Board of Professional Land Surveyors	24	1985; 1993; 1999	
DE Association of Professional Engineers	24		
Council of DE Association of Professional Engineers	24		
Real Estate Commission	24	1982; 1991; 2001; 2011	
Real Estate Appraiser Certification Committee (C. 29 s. 2905; noted in title of section but no information within the body of the section)	24		
Council on Real Estate Appraisers	24		
Board of Professional Counselors of Mental Health	24	1988; 1997	

ENTITY	TITLE	Dates Reviewed by JSC	Notes
Board of Funeral Services	24	1981; 1997;2014-2015	
Board of Veterinary Medicine	24	1982; 1991; 1997	
Board of Examiners of Psychologists	24	1985; 1993; 2001-2002	
Board of Geologists	24	1986; 1997	
State Board of Speech/Language Pathologists, Audiologists, and Hearing Aid Dispensers	24	1981; 1985; 1993; 2009	
State Committee of Dietetics/Nutrition	24		
Board of Clinical Social Work Examiners	24	1981; 1991?; Social Services 1992; Clinical 1996; 2014	
Board of Cosmetology and Barbering	24	1981; 1990; 1998	
Board of Examiners of Nursing Home Administrators	24	1983; 1991; 1998	
Board of Massage and Bodywork	24	1995; 2010-2012	
Board of Athlete Agent Examiners	24		
Midwifery Advisory Council	16		
Delaware Manufactured Home Relocation Authority	25	2013-2014	
Public Service Commission	26	1984; 1984-1985; 1992; 2007-2008	
Dual Party Realty Advisory Committee	26		
Temporary Water Coordinator for NCC (C. 13 S. 1305; S. 1308 – says the council is to be reauthorized beginning 6/30.01)	26		
Water Supply Coordinating Council	26		
Sustainable Energy Utility (SEU)	26	2013-2014	
Permit Commission for Religious Camps	27		
De Thoroughbred Racing Commission	28	1981; 1990-1991; 2004	
Board of Trustees of the Standard bred Development Fund	28		
DE Gaming Control Board	28	1981 (Bingo);1990; 2011-2012	
DE Bicycle Council	28		

ENTITY	TITLE	Dates Reviewed by JSC	Notes
Advisory Committee on Information Services	29		
Advisory Council For Children, Youth and Their Families	29	1994-1995	
Advisory Council on Public Health	29		
Advisory Council on State Service Centers	29		
Advisory Council to the Div. Of Substance Abuse and Mental Health	29		
Advisory Council to the Division of Developmental Disabilities Services	29		
Architectural Accessibility Board	29		
Auditor of Accounts	29		
Bicentennial Community Improvement Committee	29		
Board of Pension Trustees	29	2001	
Board of Review [business registration/licensing system - DEDO]	29		
Budget Commission	29		
Cabinet Committee on State Planning Issues	29		
Cash Management Policy Board	29	1986; 1994;2014	
Commission on State Surplus Real Property	29		
Commission on Uniform State Laws	29		
Community Involvement Advisory Council and Community Ombudsman	29		
Consumer Protection Board	29	1982; 1990 (Div. of Consumer Affairs; 2001 (Con. Pro. Unit); 2008 (Council on Con. Prot)	
Consumer Protection Division	29	1982; 1990 (Div. of Consumer Affairs; 2001 (Con. Pro. Unit); 2008 (Council on Con. Prot)	
Contracting and Purchasing Advisory Council	29		

ENTITY	TITLE	Dates Reviewed by JSC	Notes
Council on Apprenticeship and Training	29		
Council on Archives	29		
Council on Banking	29		
Council on Boiler Safety	29	1983; 1999	
Council on Consumer Protection	29	1982; 1990 (Div. of Consumer Affairs; 2001 (Con. Pro. Unit); 2008 (Council on Con. Prot)	
Council on Correction	29	2018-present (current holdover in 2021)	
Council on Development Finance	29	2006-2007	
Council on Emergency Planning and Operations	29		
Council on Environmental Control	29		
Council on Family Services	29		
Council on Forestry	29		
Council on Game and Fish	29		
Council on Libraries	29		
Council on Manufactured Housing	29	2015- Sunset	
Council on Police Training	29		
Council on Science and Technology	29		
Council on Services for Aging and Adults with Physical Disabilities	29		
Council on Shell Fisheries	29		
Council on Soil and Water Conservation	29		
Council on the Blind	29		
Council on Transportation	29		

ENTITY	TITLE	Dates Reviewed by JSC	Notes
DE Center for Educational Technology	29		
DE Commission of Veterans' Affairs	29		
DE Commission on Interstate Cooperation	29		
DE Compensation Council	29		
DE Council on Greenways and Trails	29		
DE Council on Volunteer Fire Service	29		
DE Development Corporation	29		
DE Economic and Financial Advisory Council	29		
DE Economic Development Office	29		
DE Emergency Management Agency	29		
DE Geographic Data Committee	29		
DE Health Statistics Program	29		
DE Heritage Commission	29		
DE Nursing Home Residents Quality Assurance Commission	29	2020	
DE Public Archives	29		
DE State Arts Council	29		
DE State Housing Authority	29		
DE State Museum	29		
Deferred Compensation Council	29		
Delaware Commission for Women	29	1986; 2008	
Delmarva Advisory Council	29		
Department of Administrative Services	29		
Department of Agriculture	29		

ENTITY	TITLE	Dates Reviewed by JSC	Notes
Department of Correction	29		
Department of Finance	29		
Department of Health and Social Services	29		
Department of Justice	29		
Department of Labor	29		
Department of Natural Resources and Environmental Control	29		
Department of Public Safety	29		
Department of Services for Children, Youth & Their Families	29		
Department of Services for Children, Youth & Their Families, Division of Family Services	29		
Department of Services for Children, Youth & Their Families, Division of Family Services – Independent Living Services Program	29	2015 (specific to youth aging out of foster care)	
Department of State	29		
Department of Technology and Information	29		
Department of Transportation	29		
Development Advisory Service	29		
Diamond State Port Corporation	29	2014-2016	
Division for Visually Impaired	29	2019	
Division of Accounting	29		
Division of Administration	29		
Division of Alcoholic Beverage Control and Tobacco Enforcement	29	1988; 1989; 1999-2000; 2008 (perf. Eval.)	Alcoholic Bev. Control Commission & Division
Division of Consumer Protection	29		
Division of Corporations	29		
Division of Developmental Disabilities Services	29		



ENTITY	TITLE	Dates Reviewed by JSC	Notes
Division of Employment Services	29		
Division of Facilities Management	29		
Division of Fish and Wildlife	29		
Division of Highways	29		
Division of Historical and Cultural Affairs	29		
Division of Industrial Affairs	29		
Division of Libraries	29		
Division of Long-Term Care Residents Protection	29	1998; 2006	
Division of Motor Vehicles	29		
Division of Parks and Recreation	29		
Division of Professional Regulation	29		
Division of Promotion and Production Support	29		
Division of Public Health	29		
Division of Public Utility Control	29		
Division of Purchasing	29		
Division of Resource Management	29		
Division of Revenue	29		
Division of Services for Aging and Adults with Physical Disabilities	29		
Division of Social Services	29		
Division of Soil and Water Conservation	29	Conservation District Operations section of DNREC's Division of Watershed Stewardship, 2020	
Division of State Police	29		
Division of State Service Centers	29		

ENTITY	TITLE	Dates Reviewed by JSC	Notes
Division of Substance Abuse and Mental Health	29		
Division of the Arts	29		
Division of the Public Advocate	29	1990-1991; 2007; 2013-2014	
Division of the Treasury	29		
Division of Unemployment Insurance	29		
Division of Vocational Rehabilitation	29		
Division on Boiler Safety	29	1983; 1999	
Davison of Air and Waste Management and Division of Water Resources	29		
Drug Control Coordinator	29		
Emergency Housing Fund Administrative Board	29		
Governor's Advisory Council on Planning Coordination	29		
Governor's Council on Agriculture	29		
Governor's Council on Labor	29		
Governor's Council on Natural Resources and Environmental Control	29		
Governor's Council on Public Safety	29		
Governor's Council on Volunteer Services	29		
Human Investment and Partnership Program	29		
Industrial Accident Board	29	1997-1998	
Industrial Revenue Bond Committee	29		
Legislative Council	29		
Legislative Executive Committees	29		
Merit Employees Relation Board	29		
Office of Administration	29		

ENTITY	TITLE	Dates Reviewed by JSC	Notes
Office of Fleet Services	29		
Office of Highway Safety	29		
Office of Human Relations	29	1985-1986; 2002-2003	
Office of Information Services	29		
Office of Medical Examiner	29	1987; 1999	
Office of Planning, Research and Evaluation	29		
Office of State Planning Coordination	29		
Office of the Child Advocate	29		
Office of Women's Health	29		
Offices of the Prothonotaries - NCC, Kent, Sussex	29		
Parks and Recreation Council	29		
Poet Laureate	29		
Public Archives	29		
Recreation Advisory Council	29		
Renal Disease Advisory Committee	29		
Revenue Management Unit	29		
Secretary of State	29		
State Bank Commissioner	29	1982; 1984; 1992	
State Clearing House Committee	29	1982; 1984; 1992	
State Council for Persons with Disabilities	29		
State Emergency Response Commission	29		
State Employee Benefits Advisory Council	29		
State Employee Benefits Committee	29		

ENTITY	TITLE	Dates Reviewed by JSC	Notes
State Employee Benefits Committee	29		
State Energy Office	29		
State Lottery Office	29		
State Mapping Advisory Committee	29		
State Pension Advisory Council	29		
State Public Integrity Council	29		
State Treasurer	29		
Tax Appeal Board	29		
Technology Investment Council	29		
Tourism Advisory Board	29		
Training and Development Advisory Board	29		
Unemployment Insurance Appeal Board	29		
Wastewater Facilities Advisory Council	29		
DE State Clearinghouse Committee	29		
Tax Appeal Board	30		
Advisory Board (S. 362)	30		
DE State Historic Preservation Office	30		
Office of Child Care Licensing	31		
Children's Home, Inc.	31		
Elizabeth W. Murphey School, Inc. (S. 362)	31		
DE Children's Trust Fund Board of Directors	31		
State Law Enforcement Bureau	31		
Welfare Employment Committee	31		

ENTITY	TITLE	Dates Reviewed by JSC	Notes
Commission for the Blind (power for DHSS to create is in Title 29)	31		
State Human Relations Commission	31	1985-1986; 2002-2003	
Task Force on Housing for Senior Citizens	31		
Child Placement Review Board	31	1997; 2011	
Child Placement Executive Committee	31		
Advisory Committee - Protective Services System - Adult Protective (S. 3903)	31	2020	
DE Housing Authority	31		
Council on Housing	31	2006	Newark Housing Authority 2010
County Housing Authorities (s. 4303; DHSA has the power to create)	31		
Wilmington Housing Authority	31		
Creation of Slum Clearance and Redevelopment Authority	31		
Board of Commissioners (S. 4507)	31		
Woods Haven School for Girls	31		
<b>TOTAL</b>	<b>451</b>		