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**July  
2014**

**STATEMENT  
OF  
PRINCIPLE**

Monitor and selectively evaluate government actions including laws, regulations and policy.

Provide appropriate forums for informing as well as soliciting input from the public.

Establish positions based on responsible studies consistent with the aims and purpose of the organization.

Advocate these positions.

Founded in 1962, the Civic League is a non-profit volunteer organization, which studies and illuminates County and State government actions concerning comprehensive developments and the quality of life and is a vocal advocate of relevant positions.

*County Comments* is the official publication of the Civic League for New Castle County.

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# COUNTY COMMENTS

CIVIC LEAGUE FOR NEW CASTLE COUNTY  
Informed Citizens for Sound County Growth

**MEETING**  
**Tuesday, July 15, 2014**  
**7:00PM**

Public Safety Building  
3601 N. DuPont Hwy. (Route 13)  
New Castle, DE

**AGENDA**  
**General Business Meeting**

## 147th Delaware Legislative Session 2014 Report

by Nancy Willing

In general, the budget and bond bills passed for FY 2015 are augmenting an ever-burgeoning state bureaucracy and debt. We even "borrowed" \$40 million dollars from the Transportation Trust Fund to balance the budget.

On a brighter note, there is some indication that the leadership of both parties will be meeting together during the break - a la the Big Head Committee of old - to work on longer-term solutions.

We all need to work together to get the best outcome. For instance, good government bills for FOIA and campaign finance reform that passed this year were largely partisan half-measures, the GOP having had many companion bills that never got a committee hearing, much less a chance for debate on the chamber floor. We also ended up with no additional funding for the Public Integrity Commission, a cornerstone recommendation of the Veasey Report.

In truth, Democratic leadership idled or blocked many good bills coming from both sides of the aisle in either chamber. Pressure from powerful lobbying included directives from the Governor's office. One such Governor's directive resulted in the now-infamous HB 334, an education Common Core testing bill the Senate voted down, then rescinded and then passed - all in the course of one hour. Ouch!

Here's the fate of some of the legislation we've been tracking this year:

**HB 398** - allowing local governments, in coordination with the DeIDOT, to create transportation improvement districts (TIDs) and an appropriate fee schedule for such studies - never got a committee hearing because New Castle County got involved. What was DeIDOT thinking?

(continued)

**HB 418** - Vic Singer's Buck-A-Barrel proposal - was introduced but never got a serious look, not even when Senator Brian Bushweller went scrambling for casino money (SB 220 w/SA 3) in the wee hours of July 1st.

**HB 410** - removing the City of Newark Alderman's Court - was also not taken seriously except, perhaps, by Newarkers with long memories. The other punitive action relating to the data center and power plant - \$3 million stripped from UD's portion of the budget - was restored in SB 266 Grant-In-Aid, which was not introduced until late on June 30th and was passed well after midnight.

**SB 266 Section 38** (b) "Amend Section 1 of the Fiscal Year 2015 Operating Budget Act of the 147th General Assembly (Senate Bill 255) page 54 by deleting the numbers "87,212.9" on line 7, "113,778.0" on line 18, and "115,633.0" on line 25, and inserting in lieu thereof the numbers "90,212.9", "116,778.0" and "118,633.0", respectively."

**HB 375's** "preservation" of Charter School Transportation Funds was blocked on the House floor but essentially lives on in epilogue language of Grant-In-Aid (which also calls for a working group to try to satisfy all stakeholders).

**SB 266 Section 368.** (a) Notwithstanding 14 Del. C. § 508 or any regulation to the contrary, a charter school may negotiate a contract (multi-year, if desired) for contractor payment for school transportation up to the maximum rate specified which is currently 70 percent of the average cost per student of transportation within the vocational district in which the charter school is located or the charter school may publicly bid the transportation routes. If the actual negotiated or bid costs are lower than the maximum rate specified above, the charter school may keep the difference for educational purposes. If the charter school includes a fuel adjustment contract provision, the charter school shall be responsible for increased payments to the contractor or it may keep funds taken back from the contractor.

The passage of **HB 13 w/HA 2 + SA 1** - which places limitations on Legislators who want to become lobbyists - was a surprising win for Representative John Kowalko.

And of the bills coming from the Joint Sunset Committee (JSC), **HS 1 FOR HB 231 w/HA 1 + SA 1** and **HB 354** for the Port of Wilmington and **HB 365** for the Cash Management Policy Board (CMPB) will become law. But **HB 381** - adding an annual financial disclosure requirement by defining CMPB members as "public officers" - never got a floor vote, which is odd, considering that requirement was enacted recently for the Public Advocate (**SB 104**) and others (**SB 105**).

But the will of the legislature may have never been so dramatically met as when a reluctant Senator Harris McDowell was finally persuaded, well after 3AM July 1st, to accept an amendment, **SB 150 w/HA 2**, that challenged "his" Sustainable Energy Utility's turf. That amendment was introduced after midnight and sponsored by the House leadership of both parties.

Other controversial bills that made it all the way through include **HB 331 w/HA 2** that partially removes the University of Delaware and Delaware State University exemption from the Freedom of Information Act; **SB 241 w/SA 2, SA 3** that restructures the office of the Medical Examiner; **HS 1 for HB 310 w/HA 1, HA 2** that creates the Fort DuPont Redevelopment Corporation; **HB 333 w/HA 3, HA 1 to HA 3** that prohibits taxation through an "all powers" clause in a municipal charter; **SB 198** relating to the Hazardous Substances Cleanup Act and **HB 308 w/HA 1, HA 2, HA 3, HA 4 + SA 1** creating the Office of Common Interest Community Ombudsman.