**SCR 39 Task Force Meeting**

**Meeting Minutes**

**13 October 2015 – Tatnall Building**

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| Harris McDowell | Senator |
| Michael Morton | Controller General |
| Colin Bonini | Senator  |
| Brian Townsend | Senator |
| Harvey Kenton | Representative |
| Ann Visalli | Budget Director |
| Meredith Tweedie | Governor’s Office |
| James Taylor | Charter Schools |
| Laure Ergin | University of Delaware |
| David Sheppard | Delaware State University |
| John Baker | Non-Profits |

Meeting was called to order by Senator McDowell at 10:04am

**Senator McDowell** welcomed and thanked everything for attending. I would like to reiterate that none of us really have the authority to give an answer to this issue. The sub-committee consisting of attorney’s has met and will brief this body of their findings. It is my intention to conclude this committee today.

**Meredith Tweedie** – Yes, Senator, we have met and I am passing out our memo for review of this committee. The main question was around DSU as they are unique.

**Representative Kenton** – Does the word “corporation” mean the same today as it did back then?

**Meredith Tweedie – No, it doesn’t.**

**James Taylor – Please look at the footnote on page two.**

**Senator McDowell** – It looks like to me that the State didn’t do this, it was the feds? Is that relevant?

David Sheppard – It isn’t like the State of Delaware is out on a limb; Pennsylvania also does it this way.

**Senator Bonini** – Does the PA constitution require a three fourths vote?

David Sheppard – I don’t know the answer to this Senator.

**Senator Bonini** – We have given money to DuPont and MNBA in the past, the question is do we need to do anything to make sure this isn’t an issue in the future?

**Senator McDowell** – It is important to get as much clarity as possible - #1, is this report sufficient to satisfy this issue? #2 – it is three fourths for corporations? I want to be clear on both.

**Senator Bonini** – 1st of all, my satisfaction isn’t what you want here.

**Senator McDowell** – I disagree Senator.

**Senator Bonini** – I disagree on this approach but will go with this committee and will not challenge the outcome. I could have made this a real issue as this was all about following the constitution. I am happy to agree but I am not a lawyer.

**Senator McDowell** – I am not asking you that.

Senator Bonini – Harris, turning this into how I behave is silly. I came across this and it is our responsibility to follow the constitution.

Senator McDowell – We have to get resolution to this before the next budget cycle.

Senator Bonini – This was a fair process but we do need resolution on these

Senator McDowell – Comments? Hearing none, do I have a motion?

Senator Bonini – Regarding this process, are we going to issue our findings?

Senator McDowell – No, just recommendations and a path to back them up.

Ann Visalli – I suggest that we circle this memo to those that are absent and if everyone is satisfied, we don’t need any further action.

Senator McDowell – Any questions or comments?

Senator Bonini – My point is are these recommendations about DSU, UD and Charter Schools? I think this process has turned into let’s force Colin to go along and I am uncomfortable.

Meredith Tweedie – We have limited answers to these questions.

Senator Bonini – We have to do things to make this right.

Senator McDowell – You are missing the point. None of us have any authority on what the constitution says. If we can agree, we will have to go to the next level and I believe that this is the next best thing.

Ann Visalli – We are not required to have findings as no further action is required based on this memo.

Representative Kenton – A constitution amendment may be the right thing to do but do we need that?

Senator McDowell – No, I believe that this memo is sufficient.

Ann Visalli – Are you asking for a motion, Mr. Chair?

Senator McDowell – are we comfortable?

Senator Bonini – Can I read this memo before moving forward? I ask for a recess Mr. Chair.

Senator McDowell – Yes, we can take a 15 minute recess – we are in recess until 10:55 am.

Senator McDowell – CTO at 10:57 am

Senator McDowell – Senator Bonini, did you read the memo?

Senator Bonini – Yes and I also pulled SCR 39 – I am resentful on how this turned out. It has become “if Colin is ok, we move on.” I am confused on the recommendation here folks. I am comfortable with saying that this should be a straight majority bill. I want some language this isn’t defendant end all. Can this language be in the motion?

Ann Visalli – I would not support this recommendation; I agree with the memo.

Laure Ergin – Is your focus on the budget bill Senator?

Senator Bonini – Yes

Senator McDowell – I think that you are mistaken here.

Meredith Tweedie – Regarding the non-profits, we can touch on those for a minute?

Laure Ergin – Fact specific

Meredith Tweedie – I am happy to help with this memo

Senator Bonini – I am happy to the support the institutions that we are taking about.

Senator McDowell – We have done what we were asked to do.

Senator Bonini – Harris, I wanted to go to the courts, have a press conference and make this a topic of conversation for everyone in Delaware but I didn’t do that. We need to justify what we are doing here.

Ann Visalli – Specific to what Senator?

Senator Bonini – Courts – A whole series of things to look at here.

Senator McDowell – What “things” are you taking about Senator? Are we ready to put a motion on the floor here?

Ann Visalli – I motion that committee support the conclusion of the memo submitted by the Governor’s legal counsel and others and that no further action is required by the committee.

Senator McDowell – Do I have a second?

John Baker – I second

Senator McDowell – Discussion?

Senator Bonini – This memo is pretty limited but happy to approve this memo.

Mike Morton – Colin, this does address what we were asked to do.

Senator McDowell – All in favor –

8 yes

3 absent

Motion passes –

Please write up and sent to the President Pro Temp and the Governor.

Dawn Hill – if anyone has any corrections to previous minutes, please have them to me by the end of the week.

John Taylor – I do have a comment from the 27 August meetings.

Senator Bonini – Thanks everyone

Senator Townsend – I am sorry that I am late to this meeting.

Senator McDowell – Do I have a motion to adjourn? Representative Kenton – I motion that we adjourn – John Baker – I second. We are adjourning the meeting of the SCR39 Task Force at 11:16 am. Thank you.