

DELAWARE ECONOMIC DEVELOPMENT OFFICE
DELAWARE COUNCIL ON DEVELOPMENT FINANCE
29 Del.C. Ch. 11, Subch. III

FINAL

**ORDER ADOPTING AND PROMULGATING REGULATION SETTING FORTH PROCEDURE FOR
PUBLIC COMMENT AT MEETINGS**

Procedure for Public Comment at Meetings

ORDER ADOPTING AND PROMULGATING REGULATION

AND NOW this 28th day of February, 2005, in accordance with the procedures set forth in 29 Del.C. Ch. 11, Subch. III and 29 Del.C. Ch. 101 and more particularly in accordance with 29 Del.C. §10113(b) a quorum of the members of the Council on Development Finance (the "Council") hereby enter this ORDER adopting informally and promulgating the regulation set forth below in connection with the Council's Procedure for Public Comment at Meetings.

NATURE OF PROCEEDINGS: SYNOPSIS OF THE SUBJECT AND SUBSTANCE OF THE PROPOSED REGULATION:

Pursuant to 29 Del.C. §5007, the Council serves as an advisor to the Director of the Delaware Economic Development Office ("DEDO") and considers matters relating to the financing and modernization of agricultural, industrial, commercial and other facilities in Delaware and such other matters as may be referred to it by the Governor or the Director of DEDO. In addition, under 29 Del.C. §5055(d), the Council is statutorily delegated the authority and responsibility for conducting public hearings following reasonable public notice prior to the issuance by The Delaware Economic Development Authority ("DEDA") of any bond or the provision by DEDA of any other form of financing support to assisted persons. The Council desires to establish procedures to enable members of the public to make comments at the hearings that the Council conducts in a manner consistent with the fair, efficient and orderly conduct of the Council's business. In accordance with the procedures set forth in 29 Del.C. Ch. 11, Subch. III, 29 Del.C. Ch. 101, in particular, 29 Del.C. §10113(b)(2), the Council is adopting informally this regulation pertaining to the Council's Procedure for Public Comment at Meetings.

DECISION AND ORDER CONCERNING THE REGULATION

NOW THEREFORE, under the statutory authority and for the reasons set forth above, the members of the Council, ORDER that the regulation be, and that it hereby is, adopted and promulgated as set forth below. The effective date of this Order is ten days from the date of its publication in the *Delaware Register of Regulations*, in accordance with 29 Del.C. §10118(g).

Steven L. Biener
Nancy W. Cook
Andrew M. Lubin
Donald J. Lynch
Roger P. Roy
Fred C. Sears, II
Ann T. Tansey
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Richelle A. Vible

TEXT OF REGULATION

1.0 Procedure for Public Comment at Meetings

1.1 The Acting Chairperson shall call on meeting attendees from the general public so they can identify themselves for the record. This shall be done immediately following the Call to Order. Members of the general

public are not allowed to participate in the meeting at this point in any way other than by identifying themselves. In the event that the Call to Order occurs before the posted Agenda start time, the Acting Chairperson shall call on attendees immediately after the posted start time or upon the entry of such attendees to the meeting room, if after the posted start time.

1.2 For each project on the respective Agenda, the Acting Chairperson shall be responsible for asking members of the general public if they would like to make comments. This shall occur after the project has been introduced but before any motion has been made and voted upon. Comments shall be limited to ten minutes or at the discretion of the Acting Chairperson. Members of the general public are not entitled to ask questions and Council members, State employees and private-sector individuals associated with the project are not obligated to answer questions. Pursuant to 29 Del.C. §10004 (d), members of the general public whose comments exceed ten minutes and/or willfully disrupt the conduct of the meeting are subject to removal.

1.3 The Council members shall vote on a project after all members of the general public have had a chance to comment.

8 DE Reg. 1417 (4/1/05)