## NEW CASTLE COUNTY

1. Dennis P. Williams, 3414 North Madison Street, Wilmington
2. Hazel D. Plant, 523 Eastlawn Avenue, Wilmington
3. Helene M. Keeley, 1501 West Fifth Street, Wilmington
4. Gerald L. Brady, 1804 Shallcross Avenue, Wilmington
5. Melanie George Marshall, 12 Calvarese Drive, Bear
6. Melanie L. George, 12 Calvarese Drive, Bear - March 24, 2010
8. Bryon H. Short, 14 Chestnut Street, Wilmington
9. Richard C. Cathcart, 226 Milford Drive, Middletown
10. Dennis E. Williams, 3329 South Rockfield Drive, Wilmington
11. Gregory F. Lavelle, 500 Whitby Drive, Wilmington
12. Deborah D. Hudson, 1022 Oriente Avenue, Wilmington
13. Valerie J. Longhurst, 11 Winchester Court, Bear
14. Diana M. McWilliams, 810 Bezel Road, Wilmington - Resigned November 17, 2008
15. S. Quinton Johnson, IV, 151 Back Creek Drive, Middletown
16. Michael P. Mulrooney, 32 Saratoga Drive, New Castle
17. John L. Mitchell, Jr., 1234 Sycamore Avenue, Wilmington
18. Robert F. Gilligan, 2628 Sherwood Drive, Wilmington
19. Valerie J. Longhurst, 11 Winchester Court, Bear
20. Nick T. Manolakos, 227 Charleston Drive, Wilmington
21. Michael J. Ramone, 211 Nathan Court, Newark
22. Joseph E. Miro, 5 Firechase Circle, Newark
23. Teresa L. Schooley, 2 Chapel Hill Drive, Newark
24. William A. Oberle, Jr., 2 Danver’s Way, Newark
25. John A. Kowalko, Jr., 134 North Dillwyn Road, Newark
26. John J. Viola, 9 Orangeburg Court, Newark
27. Earl G. Jaques, Jr., 82 Cann Road, Newark

## KENT COUNTY

28. William J. Carson, Jr., 680 Lake Drive West, Smyrna
29. Pamela J. Thornburg, 176 Cardinal Hills Parkway, Dover
30. William R. Outten, 206 Delaware Avenue, Harrington
31. Darryl M. Scott, 102 Cobblestone Lane, Dover
32. E. Bradford Bennett, 52 Stuart Drive, Dover
33. Robert E. Walls, 2645 Milford Harrington Highway, Milford
34. Donald A. Blakey, 956 Bison Road, Dover

## SUSSEX COUNTY

14. Peter C. Schwartzkopf, 24 Coventry Road, Rehoboth Beach
15. David L. Wilson, 17968 Haflinger Road, Lincoln
16. V. George Carey, 24625 Sugar Hill Road, Milford
17. Joseph W. Booth, 200 Garden Street, Georgetown - Resigned August 3, 2009
18. Ruth Briggs King, 3 Par Court, Georgetown - Elected - September 12, 2009
19. Gerald W. Hocker, Sr., 38489 Hickman Road, Ocean View
20. Daniel B. Short, 133 North Cannon Street, Seaford
21. Clifford G. Lee, 705 South Central Avenue, Laurel
22. John C. Atkins, 29980 Millsboro Highway, Millsboro

## STAFF MEMBERS

145th GENERAL ASSEMBLY

- Richard Puffer - Chief Clerk
- JoAnn Hedrick - Chief Clerk Emeritus
- Debra Brander - Majority Page
- Blaine Breeding - Majority Legislative Assistant
- Karen Brown - Bill Prep Clerk
William Bullock - Majority Page
William Bush - Senior Majority Attorney
Cerron Cade - Majority Legislative Assistant
Melanie Callaway - Recorder
Josephine Conaty - Minority Head Page
Jean Diener - Minority Secretary
Elizabeth Donaway - Podium Secretary
Janice Durham - Majority Receptionist
Kristin Dwyer - Director of Technology & Data
Janice Fischbach - Majority Secretary
Hilda Flowers - Majority Receptionist
Joseph Fulgham - Minority Director of Communications
Luisa Georgov - Minority Page
Jerry Grant - Majority Legislative Assistant
Catherine Gregory - Majority Legal Secretary
John Hammerer - Majority Page
Rylene Harper - Majority Legislative Assistant
Nancy Hickman - Majority Legislative Assistant
Barbara Holton - Majority Head Page
Melissa Hopkins - Majority Legislative Assistant
Eleanor Hussey - Majority Page
Alexis Jamison - Minority Legal Secretary
May Jarmon – Majority Page
Tammie Kanich - Minority Page
Joyce Keeler - Majority Legislative Assistant – Retired July 1, 2009
Janet Kilpatrick - Minority Legislative Assistant
Amanda Lamar - Coordinator of Communications
Scott Long - Majority Page
Edward McTaggart - Sergeant-at-Arms
Connie Malin - Bill Prep Clerk
Stephanie Mantegna - Minority Policy & Communications
Joyce Martin - Minority Page
Dolores Michels - Tributes & Memoriams
Sandra Mifflin - Recorder
Michael Migliore - Majority House Attorney
Margaret Moore-Dean - Minority Legislative Assistant
Rachel Murray - Bill Prep Clerk
Karen Nickerson - Recorder
James Nutter - Majority Attorney
Cynthia Oates – Majority Page
Judy O’Brien - Office Manager - Wilmington Office
Matthew Pazoles - Director of Technology & Data
Pam Price - Minority Chief of Staff
Barbara Rossiter - Bill Prep Clerk
Nancy Ruberto - Minority Secretary
Frances Schmidt - Minority Page
Erik Schramm - Majority Chief of Staff
Susanne Schwarz - Majority Legal Secretary
Jordan Seemans - Assistant to the Speaker
Lorraine Sexton - Financial Officer
Albert Shields - Assistant to the Speaker
Ron Smith - Senior Minority Attorney
Alice Stark - Minority House Attorney
Meredith Stewart - Majority House Attorney
Pam Townsend - Majority Legislative Assistant
Dana Tracy - Podium Secretary
Eli Turkel - Majority Legislative Assistant
Khon Tuy - Majority Legal Secretary
Douglas VanSant - Reading Clerk
Andrew Volturo - Majority Director of Communications
Gale Warren - Journal Clerk
Molly Warren - Sergeant-at-Arms
Kenneth Watkins - Sergeant-at-Arms
Kay Wilson - Minority Legislative Assistant
STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES
January 14, 2009

AGRICULTURE: Representative Robert E. Walls – Chair; Representative John C. Atkins, Vice-chair; Representative William J. Carson, Jr.; Representative S. Quinton Johnson, IV; Representative Valerie J. Longhurst; Representative V. George Carey; Representative Gerald W. Hocker; Representative William R. Outten; Representative Pamela J. Thornburg.

APPROPRIATIONS: Representative Dennis P. Williams, Chair; Representative Melanie George Marshall; Representative James Johnson; Representative John L. Mitchell, Jr.; Representative Joseph W. Booth; Representative Joseph E. Miro.

CAPITAL INFRASTRUCTURE: Representative Helene M. Keeley, Chair; Representative Michael P. Mulrooney; Representative Teresa L. Schooley; Representative John J. Viola; Representative V. George Carey; Representative William A. Oberle, Jr.

CORRECTIONS: Representative James Johnson, Chair; Representative John C. Atkins, Vice-chair; Representative William J. Carson, Jr.; Representative Hazel D. Plant; Representative Dennis P. Williams; Representative Clifford G. Lee; Representative William R. Outten; Representative David L. Wilson.

ECONOMIC DEVELOPMENT, BANKING, INSURANCE & COMMERCE: Representative Bryon H. Short, Chair; Representative Dennis E. Williams, Vice-chair; Representative E. Bradford Bennett; Representative Gerald L. Brady; Representative Helene M. Keeley; Representative John J. Viola; Representative Gerald W. Hocker; Representative Deborah D. Hudson; Representative Gregory F. Lavelle; Representative Michael Ramone.

EDUCATION: Representative Teresa L. Schooley, Chair; Representative Darryl M. Scott, Vice-chair; Representative Michael A. Barbieri; Representative Earl G. Jaques, Jr.; Representative S. Quinton Johnson, IV; Representative John A. Kowalko; Representative Michael P. Mulrooney; Representative Robert E. Walls; Representative Donald A. Blakey; Representative Joseph W. Booth; Representative Thomas H. Kovach; Representative Nick T. Manolakos; Representative Joseph E. Miro; Representative William A. Oberle, Jr.

ENERGY: Representative John A. Kowalko, Chair; Representative Michael P. Mulrooney, Vice-chair; Representative John C. Atkins; Representative Michael A. Barbieri; Representative William J. Carson, Jr.; Representative S. Quinton Johnson, IV; Representative Bryon H. Short; Representative Robert E. Walls; Representative Dennis E. Williams; Representative V. George Carey; Representative Thomas H. Kovach; Representative Nick T. Manolakos; Representative Gerald W. Hocker; Representative William R. Outten; Representative Pamela J. Thornburg.

ETHICS: Representative Peter C. Schwartzkopf, Chair; Representative Robert F. Gilligan; Representative Valerie J. Longhurst; Representative Richard C. Cathcart; Representative Daniel B. Short.

GAMING AND PARI-MUTUELS: Representative John J. Viola, Chair; Representative Helene M. Keeley, Vice-chair; Representative Michael A. Barbieri; Representative E. Bradford Bennett; Representative John L. Mitchell, Jr.; Representative Peter C. Schwartzkopf; Representative Darryl M. Scott; Representative Clifford G. Lee; Representative William R. Outten; Representative Daniel B. Short.

HEALTH & HUMAN DEVELOPMENT: Representative Michael A. Barbieri, Chair; Representative S. Quinton Johnson, IV, Vice-chair; Representative Gerald L. Brady; Representative Earl G. Jaques, Jr., Representative John A. Kowalko; Representative Teresa L. Schooley, Representative Darryl M. Scott; Representative Robert E. Walls; Representative Donald A. Blakey; Representative Thomas H. Kovach; Representative Nick T. Manolakos; Representative Joseph E. Miro; Representative William A. Oberle, Jr.

HOUSE ADMINISTRATION: Representative Peter C. Schwartzkopf, Chair; Representative Robert F. Gilligan; Representative Valerie J. Longhurst; Representative Richard C. Cathcart; Representative Daniel B. Short.

HOUSING & COMMUNITY AFFAIRS: Representative Gerald L. Brady, Chair; Representative E. Bradford Bennett, Vice-chair; Representative Hazel D. Plant; Representative Bryon H. Short; Representative John J. Viola; Representative Dennis E. Williams; Representative Gerald W. Hocker; Representative Deborah D. Hudson; Representative Gregory F. Lavelle; Representative Michael Ramone.

JUDICIARY: Representative Melanie George Marshall, Chair; Representative William J. Carson, Jr., Vice-chair; Representative James Johnson; Representative John L. Mitchell, Jr.; Representative
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HEALTH & HUMAN DEVELOPMENT: Representative Michael A. Barbieri, Chair; Representative S. Quinton Johnson, IV, Vice-chair; Representative Gerald L. Brady; Representative Earl G. Jaques, Jr.; Representative John A. Kowalko; Representative Teresa L. Schooley; Representative Darryl M. Scott; Representative Robert E. Walls; Representative Donald A. Blakey; Representative Thomas H. Kovach; Representative Nick T. Manolakos; Representative Joseph E. Miro; Representative William A. Oberle, Jr..

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LABOR: Representative Hazel D. Plant, Chair; Representative Michael P. Mulrooney, Vice-chair; Representative Michael A. Barbieri; Representative Earl G. Jaques, Jr.; Representative James Johnson; Representative Dennis E. Williams; Representative Donald A. Blakey; Representative Thomas H. Kovach; Representative Nick T. Manolakos; Representative William A. Oberle, Jr..

MANUFACTURED HOUSING: Representative Valerie J. Longhurst, Chair; Representative William J. Carson, Jr., Vice-chair; Representative John A. Kowalko; Representative John C. Atkins; Representative Gregory F. Lavelle.

NATURAL RESOURCES: Representative Michael P. Mulrooney, Chair; Representative William J. Carson, Jr., Vice-chair; Representative John C. Atkins; Representative S. Quinton Johnson, IV; Representative John A. Kowalko; Representative Robert E. Walls; Representative Dennis E. Williams; Representative V. George Carey; Representative Thomas H. Kovach; Representative Nick T. Manolakos; Representative Gerald W. Hocker; Representative William R. Outten; Representative Pamela J. Thornburg.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY/JOINT SUNSET: Representative John A. Kowalko, Chair; Representative John C. Atkins; Representative E. Bradford Bennett; Representative Thomas H. Kovach; Representative Clifford G. Lee.

PUBLIC SAFETY AND HOMELAND SECURITY: Representative John L. Mitchell, Jr., Chair; Representative John C. Atkins, Vice-chair; Representative William J. Carson, Jr.; Representative Melanie George Marshall; Representative James Johnson; Representative Dennis P. Williams; Representative Clifford G. Lee; Representative William R. Outten; Representative David L. Wilson.

REVENUE & FINANCE: Representative John A. Viola, Chair; Representative Helene M. Keeley, Vice-chair; Representative Gerald L. Brady; Representative Valerie J. Longhurst; Representative Michael P. Mulrooney; Representative Bryon H. Short; Representative Gerald W. Hocker; Representative Deborah D. Hudson; Representative Gregory F. Lavelle; Representative Michael Ramone.
PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES
OF THE 145th GENERAL ASSEMBLY
2009-2010

HOUSE RESOLUTION NUMBER 40

I. RULES OF ORDER

RULE 1 - CONVENING OF HOUSE
The House of Representatives shall meet every Tuesday, Wednesday and Thursday at 2:00 P.M., unless otherwise ordered. The Speaker or his or her designee shall take the chair at that time and shall call the House to order. At the beginning of each legislative day, the Speaker or his or her designee shall cause the names of the members to be called in alphabetical order. If a quorum is present, he or she shall proceed with the opening prayer, the pledge to the flag, and the business of the day.

RULE 2 - ORDER OF BUSINESS
(a) After the convening of the House, the order of business shall include the following:
   (1) The minutes of the previous day shall be made public and posted by the Chief Clerk prior to the next legislative day. With the consent of a majority of members, the reading of the minutes for the previous day may be omitted.
   (2) Presentation of petitions, memorials, tributes, memorials, citations or communications.
   (3) Reports from standing and special committees.
   (4) Introduction and first reading of bills and resolutions.
   (5) Consideration of Agenda.
   (6) Consent Calendar, or Consent Agenda, when available.
   (7) Announcement of committee meetings.
   (8) Announcement of Agenda for next legislative day.
(b) The order of business may be changed when necessary by the Speaker unless a majority of the members present object.

RULE 3 – MESSAGES
Messages from the Senate or from the Governor may be received at any time except when the roll is being called.

II. DUTIES OF THE SPEAKER

RULE 4 - ORDER AND DECORUM
(a) The Speaker shall preside and have general direction over the House Chamber, and shall preserve order and decorum. In debate, the Speaker shall confine the members to the question under discussion. No member shall have the floor except when recognized by the Speaker, or when the Speaker grants open debate between members.
(b) Cameras, recording instruments, and similar equipment or electronic devices are permitted in the House Chamber only with the permission of the Speaker.

RULE 5 - QUESTIONS OF ORDER; APPEAL
The Speaker shall decide all questions of order. An appeal from his or her decision may be made by any member, if properly seconded. The appeal shall be upheld only upon the affirmative vote of a majority of the elected members. The Speaker shall not vote on any such appeal.

RULE 6 - TEMPORARY PRESIDING OFFICER, SPEAKER PRO TEMPORE
(a) The Speaker may appoint a member to serve as the Temporary Presiding Officer to perform the duties of Speaker; but such appointment shall not extend beyond an adjournment or recess except when the Speaker takes a leave of absence, in which case the Speaker Pro Tempore shall perform the duties of
Speaker during such leave. The Temporary Presiding Officer or the Speaker Pro Tempore shall not have authority to realign any measure to a committee unless specifically required to do so by Rule 20, or the Speaker has taken a leave of absence or pursuant to the direction of the Speaker.

(b) When neither the elected Speaker nor the appointed Presiding Officer is present, the House shall be called to order and presided over by the Senior Member of the majority party. The Speaker Pro Tempore shall be the Senior Member of the majority party. The Senior Member is the member who has served in the House the longest current consecutive period of time. In the event more than one member has served the same length of time, the member originally sworn first shall be the Senior Member. If two or more members were sworn in at the same time, then of those two or more members the member whose name would appear first in alphabetical order shall be the Senior Member.

**RULE 7 - SIGNING OF BILLS, RESOLUTIONS, AND OTHER DOCUMENTS**

The Speaker shall sign all bills and resolutions passed by the House. All warrants, writs and subpoenas issued by the House shall be signed by the Speaker and attested to by the Chief Clerk. In the absence of the Speaker, the Temporary Presiding Officer or Speaker Pro Tempore shall have authority to sign such documents.

**RULE 8 - APPOINTMENT OF COMMITTEES**

(a) The Speaker shall appoint all committees and subcommittees.

(b) Where illness, stated conflict of interest, or other sufficient cause shall compel the absence or non-participation of any committee member, the Speaker, in his or her discretion, may fill such vacancy from the same political party as the absent or non-participating member during said absence or period of non-participation.

**RULE 9 - ASSIGNMENT OF BILLS AND RESOLUTIONS TO COMMITTEE**

The Speaker shall determine the principal objective of a bill or resolution and, subject to the provisions of Rule 20, assign the same to the appropriate committee. All prefiled measures shall be pre-assigned to committees by the Speaker and each member notified in writing of assignments. When the measure is introduced from the floor, the Speaker shall at that time announce the committee to which the measure is assigned.

**RULE 10 - SETTING THE AGENDA**

The Speaker sets the Agenda and may place an item on the Agenda only if the item is on the Ready List and has been requested to be placed on the Agenda by the Prime House Sponsor or Floor Manager of a Senate bill. The Ready List shall consist of all items that have been reported out of committee or have been laid on the table.

**RULE 11 - SUBPOENA ISSUANCE**

The Speaker may sign a subpoena if requested by a majority vote of a standing committee, a special committee, a joint committee, a task force, or any similar entity if the committee, task force or entity was created by the House of Representatives or an action of the General Assembly. No subpoena shall be issued unless it is first signed by the Speaker. Upon the majority vote of all members elected to the House, a subpoena shall be signed and issued by the Speaker, Presiding Officer or Speaker Pro Tempore.

**III. RIGHTS AND DUTIES OF MEMBERS**

**RULE 12 - ATTENDANCE OF MEMBERS**

(a) No member shall knowingly absent himself or herself from any session of the House without notifying the Speaker that he or she is unable to attend. A member who is absent without notifying the Speaker may be considered in contempt, and may be subject to the censure of the House.

(b) Each member shall answer each roll call from his or her assigned seat in the Chamber.

**RULE 13 - QUORUM**

Twenty-one (21) members of the House shall constitute a quorum. The House shall not convene without a quorum. In the absence of a quorum, the Sergeant-at-Arms shall notify those members who are absent from the Chamber, but not from Legislative Hall, that their presence is required. Upon receiving the notification, the absent members shall report to the House Chamber. After a proper interval for such notifications, the Speaker shall order a roll call of the House to ascertain if a quorum is present.

**RULE 14 - ADDRESSING THE HOUSE**

(a) When a member wishes to speak, such member shall rise but shall not proceed to speak until recognized by the Speaker. Upon acknowledgment by the Speaker, the member may be seated until called upon. If two or more members seek recognition at the same time, the Speaker shall determine who shall speak first.

(b) Remarks shall be confined to the subject before the House, or to the purpose for which recognition was obtained.

**RULE 15 - DECORUM OF MEMBERS ON FLOOR OF HOUSE**

(a) Each member shall conduct himself or herself in a dignified manner at all times.

(b) No member or other person may walk across the House Chamber, or converse privately, in such a manner as to interrupt the House proceedings.

(c) A member shall not be interrupted when speaking except for the following reasons:

1. a call to order by the Speaker,
2. a point of order by a member, or
(3) a motion by a member to move the previous question, to adjourn, or to recess.
(d) A member shall not make derogatory personal comments about or to other members.
(e) No member shall use a cellular phone in the House Chamber while the House is in session.
(f) No member shall use a pager in the House Chamber while the House is in session unless the pager is set to a non- audible setting.

RULE 16 - RULES OF LEGISLATIVE CONDUCT

(a) A member of the House shall be subject to discipline by the House for the violation of any of the following Rules of Legislative Conduct, which shall be deemed to constitute “disorderly behavior” within the meaning of Article II, Section 9 of the Delaware Constitution. The Rules of Legislative Conduct are as follows:

(1) Restrictions relating to “personal or private interests” within the meaning of Article II, Section 20 of the Delaware Constitution and Chapter 10, Title 29 of the Delaware Code are as follows:

A. A member who has a personal or private interest in any measure or bill pending before the House shall disclose the fact and shall not participate in the debate nor vote thereon; provided, however, that (i) upon the request of any other member of the House, a member who has such a personal or private interest may nevertheless respond to questions concerning any such measure or bill, or (ii) a member who has a personal or private interest may add factual matter to the debate which he or she believes will correct wrong or false information. A personal or private interest in a measure or bill is an interest which tends to impair a member’s independence of judgment in the performance of his or her legislative duties with respect to that measure or bill.

B. A member has an interest which tends to impair his or her independence of judgment in the performance of his or her legislative duties with regard to any bill or measure when, (i) the enactment or defeat of the measure or bill would result in a financial benefit or detriment to accrue to the member or a close relative to a greater extent than such benefit or detriment would accrue to others who are members of the same class or group of persons, (ii) the member or a close relative has a financial interest in a private enterprise which enterprise or interest would be affected by a measure or bill to a greater extent than like enterprises or other interests in the same enterprise, or (iii) a person required to register as a legislative agent pursuant to Chapter 16, Title 29 of the Delaware Code is a close relative of the legislator and that person acts to promote, advocate, influence or oppose the measure or bill.

C. If the member is present, the disclosure required under paragraph (A) shall be made in open session, (i) prior to the vote on the measure or the bill by any committee of which the member is a member, and (ii) prior to the vote on the measure or bill in the House. Disclosure may be made by written statement submitted to the Chairperson of a committee or the Speaker of the House, and read in open session in the committee or the House as the case may be. If the member is absent when a measure or bill is voted on which would have required disclosure required under paragraph (A), then the member shall make the required disclosure as soon as possible upon returning to the committee or House.

D. For the purposes of this Rule:

(I) A "close relative" means a person’s parents, spouse, children (natural or adopted) and siblings of the whole and half-blood.

(II) A "private enterprise" means any activity, whether conducted for profit or not for profit, and includes the ownership of real or personal property; provided that "private enterprise" does not include any activity of the State of Delaware, any political subdivision or any agency, authority or instrumentality thereof.

(III) A person has a "financial interest" in a private enterprise if he or she (i) has a legal or equitable ownership interest in the enterprise with a fair market value in excess of $5,000, or owns more than 10% of the enterprise if not traded on an established securities market, or owns more than 1% in the case of an enterprise whose securities are regularly traded on an established securities market, (ii) is associated with the enterprise and received from the enterprise during the last calendar year or might reasonably be expected to receive from the enterprise during the current or the next calendar year income in excess of $5,000 for services as an employee, officer, director, trustee, or independent contractor, or (iii) is a creditor of an insolvent private enterprise in an amount in excess of $5,000.

(IV) A "person" means an individual, partnership, corporation, trust, joint venture and any other association of individuals or entities.

(2) A member shall not receive unlawful gratuities in violation of § 1206, Title 11 of the Delaware Code.

(3) A member shall not receive a bribe in violation of § 1203, Title 11 of the Delaware Code.

(4) A member shall not profiteer in violation of § 1212, Title 11 of the Delaware Code.

(5) A member shall not engage in conduct constituting official misconduct in violation of § 1211, Title 11 of the Delaware Code.

(6) A member shall not fail to comply with the campaign finance disclosure requirements set forth in Chapter 80, Title 15 of the Delaware Code.

(7) A member shall not fail to comply with the financial disclosure requirements of Chapter 58, Title 29 of the Delaware Code.

(8) A member shall not appear for, represent, or assist another in respect to a matter before
the General Assembly or one of its committees for compensation other than that provided by law.

(9) A member shall not release, without authorization of the Ethics Committee, any confidential matter pertaining to proceedings of the Ethics Committee.

(10) A member shall not knowingly file a false statement with the Ethics Committee or the House in connection with any proceeding involving a Rule of Legislative Conduct.

(11) A member shall not engage in conduct which the House determines (i) brings the House into disrepute or (ii) reflects adversely on the member’s fitness to hold legislative office.

(b) A member shall be subject to sanction for any disorderly behavior occurring subsequent to being elected to the House.

(c) A complaint alleging a violation of a Rule of Legislative Conduct shall be filed in writing by a member with the Ethics Committee for investigation and recommendation to the House as to disposition. A complaint must be accompanied by a written statement signed by any person, sworn under oath, setting forth the facts supporting the complaints. No such complaint shall be considered by the House prior to its consideration and recommendation by the Ethics Committee.

(d) If the Ethics Committee recommends some disciplinary action with respect to a complaint, it shall present a resolution to the House requesting that the House conduct a proceeding to consider the matter. If the Ethics Committee votes to dismiss a complaint, and there are no votes against dismissal in the Committee, the House shall take no action with respect thereto. If the Ethics Committee votes to dismiss a complaint, but there are dissenting votes in the Committee, the House may consider the matter upon the motion of any member of the House, approved by a majority vote of the House. In any proceeding before the House involving an alleged violation of a Rule of Legislative Conduct, the accused member shall be given an opportunity to be heard after notice, to be advised and assisted by legal counsel, to produce witnesses, and offer evidence and to cross-examine any witnesses. A transcript of any such proceeding shall be made and retained, and rules of procedure for ethics violations as may be adopted by the House shall apply.

(e) If the House finds by a majority vote that a member has violated a Rule of Legislative Conduct, it may impose such disciplinary action as it deems appropriate, provided that no member may be suspended or expelled without the vote of two-thirds of the members of the House concurring therein.

IV. BILLS, RESOLUTIONS AND OTHER MEASURES

RULE 17 - RESOLUTIONS AND OTHER MEASURES; DEFINITIONS

(a) The following types of resolutions may be considered by this body:

Simple Resolutions: A Simple Resolution is an expression of a majority of members on a specific subject, and deals with the internal affairs of the House only. The effect of its passage does not go beyond the bounds and the authority of the House.

Concurrent Resolutions: A Concurrent Resolution is used to accomplish the same purpose in relation to the entire General Assembly that the Simple Resolution achieves for either the House or Senate singly. It must be passed by both the House and Senate to become effective. A Concurrent Resolution adopted by the General Assembly does not become a statute, nor does it have the force and effect of law, nor can it be used for any purpose which requires the exercise of legislative power.

Joint Resolutions: A Joint Resolution is the most formal type of resolution, and is addressed to matters which are not internal affairs of either the House individually, nor the internal affairs of the General Assembly as a whole. It is of no legal effect unless passed by both Houses and approved by the Governor. Although a Joint Resolution is not a law, it is employed to provide for temporary measures, and has the force of law while in effect for a wide variety of limited purposes. A Joint Resolution is effective only for the General Assembly in which it was passed and approved. The requirement of the Governor’s signature for Joint Resolutions stems from its original use in instances where it was expedient or necessary to express the joint will and action of the General Assembly and Governor combined.

(b) Each member of the House may issue tributes and memoriams at any time during his or her term of office. Tributes and memoriams shall be sequentially numbered by the Chief Clerk and made a part of the House Journal. Each tribute or memoriam shall be signed by the Prime Sponsor, the Speaker and the Chief Clerk. The Speaker, or his or her designee, shall cause to be read into the permanent record of the House such tributes and memoriams as have been filed with the Chief Clerk. Tributes and memoriams shall not require a vote; however, at the time such items are officially read into the record, any member may comment on the tributes or memoriams. Tributes and memoriams issued when the House stands in recess or adjournment shall be administratively managed by the Chief Clerk, who shall cause such items to be made a part of the official proceedings of the House.

(c) A measure, as used in these Rules, means a bill, resolution, amendment, motion, or other questions before the House.

RULE 18 - PREPARATION AND CUSTODY

(a) Each bill and resolution shall be introduced with as many backed copies as are deemed necessary by the Speaker. The original of the bill or resolution shall at all times remain in the custody of the Chief Clerk of the House or the Chairperson of the committee to which it has been assigned. A “duplicate” backed copy may go (on request) to the following: the Speaker, the Sponsor, and the Division of Research. Upon
introduction of a bill or resolution a copy shall be delivered to every member. Copies shall also be
delivered to the Division of Research.

(b) No bill or joint resolution shall be introduced into the House unless it be "prefaced" by a brief
statement of its purpose which shall be known as the title, and the bill or resolution shall also contain the
text of such bill or resolution in full. Each bill or resolution shall have an appropriate enacting or resolving
clause. If a bill by its terms requires an extraordinary majority for enactment, such vote requirement shall be
announced by the Speaker prior to roll call, and such vote requirement should be plainly indicated on the
bill. At the end of each bill or joint resolution introduced, the author shall include a brief synopsis of the
intent of the bill or joint resolution. In the lower left hand corner of page one shall be the initials of the unit
preparing the bill or resolution, the initials of the drafter, and the initials of the typist; and, if prepared by
automatic equipment, the identification number.

c) If a bill or resolution provides for the appointment or selection of members to a committee, task
force or similar entity, there shall be a brief synopsis of the need for the creation of the task force or similar
entity. A copy of such bill or resolution shall be delivered to each person who is to make an appointment or
selection, and delivered to any person designated in the bill or resolution to be a member of the committee,
task force or similar entity. Such bill or resolution shall contain the criteria for the selection of the
Chairperson and members of the task force or similar entity.

RULE 19 - INTRODUCTION OF BILLS AND RESOLUTIONS; FILING WITH CHIEF CLERK

(a) Each bill or resolution shall be numbered in order as introduced, beginning with HB 1 for House
Bills, HR 1 for House Resolutions, HCR 1 for House Concurrent Resolutions and HJR 1 for House Joint
Resolutions, and the original backer shall contain the signatures of all the Sponsors of the original bill.

(b) Every bill or resolution shall be introduced by:

(1) filing it with the Chief Clerk of the House not less than one (1) hour prior to the opening
of the session by one of the two following procedures:

A. the Sponsor’s written direction to the Chief Clerk; or

B. verbal approval from the Sponsor to the Chief Clerk (original bill must be signed
by the Sponsor before start of session).

(2) introduction from the floor while the House is in session if permitted by the Speaker.

(c) At the beginning of the day’s session following the filing of a bill or resolution with the Chief
Clerk, the Chief Clerk shall read the bill or resolution into the record. A bill or resolution that is filed with
the Chief Clerk of the House while the House stands in recess, in adjournment, or is not otherwise meeting,
shall be given a number and entered upon a docket kept for that purpose.

(d) Introduction of a bill or resolution shall be considered the first reading of that bill or resolution,
unless otherwise ordered by the House. The bill or resolution shall be read by title only, or by reference to
the prefile list, and then be assigned by the Speaker to its appropriate committee.

(e) Resolutions of condolence, congratulations or other non-controversial subject matters may be
considered as part of the Consent Calendar without being assigned to a committee, unless any member
objects. A suspension of the Rules is required in order to consider any other type of resolution without
referring it to a committee.

(f) The Prime Sponsor of a bill or resolution shall be the member who has responsibility of the
drafting and introduction of a bill or resolution. The Prime Sponsor of a bill or resolution is that House
member listed first to the right of the word "SPONSOR:" on the upper right side of the first page of a bill or
resolution. Other House members may be Co-prime Sponsors if listed after the Prime Sponsor and if joined
by the word "and" or the symbol "&". The Floor Manager of a House bill or House resolution shall be the
Prime Sponsor. A Joint Sponsor is any member of the House or Senate whose name is printed on the
measure after the name of all Prime and Co-prime Sponsors. A Co-Sponsor is a member of the House or
Senate whose name is not otherwise shown on the measure, but who signs the backer of the measure.

(g) The Chairperson of the House standing committee to which a Senate bill or resolution has been
assigned shall also be the Floor Manager of that measure, unless he or she declines to serve, or defers to a
House Sponsor. If the committee Chairperson declines to serve as Floor Manager, the Speaker shall
designate a House member to be the Floor Manager of that measure.

(h) In order to withdraw his or her sponsorship of a bill or resolution, a Sponsor shall submit to the
Chief Clerk a written notice for this purpose. The written notice shall then be attached to the original of the
bill or resolution.

RULE 20 - ASSIGNMENT TO APPROPRIATIONS COMMITTEE

Each bill or joint resolution, whether emanating from the House or the Senate, containing an
appropriation or which may involve any net financial loss or obligation on the part of the State, including
Transportation Trust Funds, if any, of $50,000 or more in any one (1) of the next three (3) fiscal years
(which has been previously referred by the Speaker under the Rules to any committee of the House other
than the Committee on Appropriations) shall, after the same has been reported back to the House, be
referred to the Committee on Appropriations.
RULE 21 - FISCAL NOTES
(a) No bill or resolution either authorizing expenditures, or increasing or affecting the Transportation Trust Fund, or reducing revenues as described in Chapter 19, Title 29 of the Delaware Code shall be placed before the House for consideration unless accompanied by a fiscal note.
(b) (1) All legislation proposing new fees or increases in existing fees charged by any state agency shall include therewith an explanation of:
   A. the expected total amount of funds to be generated by the proposed fee or fee increase;
   B. the purpose of the proposed new fee or fee increase;
   C. a general identification of the persons, business entities or organizations affected by the legislation;
   D. the impact of the proposed new fees or fee increases on these affected persons, business entities or organizations; and
   E. the intended use by the agency of the revenues generated by the new fees or fee increases.
(2) The Office of the Controller General shall conduct such review or audit of the information offered by the state agency pursuant to paragraph (b)(1) of this Rule as is deemed necessary to evaluate the information required therein, and shall issue a written report of its findings. The written report of the Office of the Controller General’s findings shall be attached to the legislation, by the Sponsor of the legislation, prior to the legislation’s initial committee consideration in the House of origin.
The House may waive the requirements of this Section as to any specific legislation pending before the House by a vote of the majority of all members elected to the House.

RULE 22 - FINAL READINGS AND CONSIDERATION BY HOUSE
(a) When brought before the House for consideration, each bill and joint resolution shall be given its final reading by title, unless the Speaker directs a reading in full.
(b) Each bill or joint resolution, in order to pass the House, shall be read on two (2) different days of the session unless a majority of the members elected to the House determine otherwise, or unless the bill or joint resolution is on a Consent Agenda or Calendar, and voted on by a single vote. No bill or joint resolution shall be brought before the House for passage on the same Calendar day it is reported out of committee, nor in the absence of the Prime Sponsor without his or her written consent.

RULE 23 - AMENDMENTS
(a) An amendment to a measure shall be introduced by prefiling the amendment if the amendment changes the nature and intent of the bill or resolution, or may be introduced when the measure is being discussed on the floor, if the amendment makes only technical corrections and does not change the nature and intent of the bill or resolution.
(b) When an amendment to a bill would significantly change the nature and intent of the bill, such amendment shall contain a brief synopsis outlining the basic changes incurred.
(c) When an amendment to a bill would change its fiscal impact by increasing expenditures or reducing revenues by $50,000 or more, a new fiscal note shall accompany the amendment.
(d) If a bill becomes significantly changed by amendment, the Speaker may reassign the amended bill to committee. The title of a bill or resolution shall not be amended.
(e) Before final action on the main bill or resolution all prefilled amendments shall be acted upon in numerical order except as is provided in Rule 35(d) hereof. All amendments shall be floor managed by the Prime Sponsor thereof. In the absence of the Prime Sponsor the amendment shall be floor managed by a Co-prime Sponsor or member designated in writing by the Prime Sponsor. In the absence of the Prime Sponsor or any Co-prime Sponsor and there being no member designated to floor manage the amendment by the Prime Sponsor then the Speaker may designate a Floor Manager for the amendment. The passage of an amendment to a bill, resolution, concurrent resolution, or joint resolution shall require an affirmative vote of a majority of the elected members.
(f) An amendment previously attached to a bill in either House may be stricken from the bill by:
   (1) an amendment which directs a specific House or Senate amendment be stricken; or
   (2) an amendment to an amendment shall only be considered prior to the adoption of the amendment it is amending. However, an amendment once passed may be removed by a subsequent amendment.

RULE 24 - SUBSTITUTE BILLS
(a) A substitute bill may be introduced by the Prime Sponsor of the bill for which it is a substitute and shall be assigned to committee and follow the same procedure as other bills.
(b) Once introduced, the substitute bill shall render null and void the bill for which it is a substitute.
(c) The title of a substitute bill must be identical to the title of the bill for which it is substituted.

RULE 25 - PETITION OF BILL OR RESOLUTION OUT OF COMMITTEE
Every bill or resolution which has been in committee for a period of more than twelve (12) legislative days, except those assigned to the Appropriations Committee pursuant to Rule 20, shall, upon written request of the majority of the members elected to the House, be reported to the House for a decision as to its further disposal.
RULE 26 - VOTING  
(a) Except as provided for in Rule 46 or Rule 47, each bill or joint resolution which comes before the House for final action shall be acted upon by a separate roll call vote.  
(b) The names of the members of the House shall be called alphabetically, except for the Speaker, Temporary Presiding Officer when acting as Speaker, or Speaker Pro Tempore when acting as Speaker, who shall vote last, and each member shall, without debate or comments, answer "Yes", or "No", or "not voting", from his or her respective seat.  
(c) No member shall be permitted to change his or her vote after the roll call has been announced by the Chief Clerk.  
(d) A roll call may not be laid on the table.  
(e) The passage of a bill, resolution, concurrent resolution, or joint resolution shall require an affirmative vote of a majority of the elected members unless otherwise provided in the Delaware Constitution of the United States Constitution.

RULE 27 - STRIKING A BILL OR RESOLUTION  
Only the Prime Sponsor of a bill or resolution or a member authorized by the Prime Sponsor in writing can strike said bill or resolution. A bill or resolution may not be stricken once it has been voted upon. Upon the expulsion, death or resignation of any member from the House, any bill not yet acted upon by the House which has that member as the only Sponsor shall automatically, without motion, be stricken.

V. COMMITTEES

RULE 28 - STANDING COMMITTEES  
(a) The standing committees and subcommittees of the House shall include members of both political parties and shall be appointed by the Speaker. The Speaker shall designate a Chairperson, and may designate a Vice-chairperson who shall act as the Chairperson of the committee in the Chairperson’s absence, for each committee and subcommittee he or she appoints. The Chief Clerk shall keep a list of current standing committees and members appointed thereto.  
(b) The following standing committees and subcommittees shall be appointed by the Speaker at the beginning of each General Assembly.

Standing Committees:

  ( 1) Agriculture  
  ( 2) Appropriations  
  ( 3) Capital Infrastructure (formerly Bond Bill)  
  ( 4) Corrections  
  ( 5) Economic Development, Banking, Insurance & Commerce  
  ( 6) Education  
  ( 7) Energy  
  ( 8) Ethics  
  ( 9) Gaming & Pari-Mutuels  
  (10) Health & Human Development  
  (11) House Rules  
  (12) Housing & Community Affairs  
  (13) Judiciary  
  (14) Labor  
  (15) Manufactured Housing  
  (16) Natural Resources  
  (17) Public Safety & Homeland Security  
  (18) Revenue & Finance  
  (19) Sunset Committee (Policy Analysis & Government Accountability)  
  (20) Telecommunication, Internet & Technology  
  (21) Transportation, Land Use & Infrastructure  
  (22) Veterans Affairs

(c) There shall also be a House Administration Committee which membership shall be the Speaker, Majority Leader, Majority Whip, Minority Leader and Minority Whip. The Majority Leader shall be the Chairperson of the House Administration Committee.

RULE 29 - APPOINTMENT OF SPECIAL COMMITTEES  
The Speaker, on his or her own initiative or upon order of the House, may appoint Special Committees.

RULE 30 - ETHICS COMMITTEE  
(a) The Ethics Committee shall be a standing committee consisting of five (5) members, three (3) appointed by the Speaker and two (2) appointed by the Minority Leader, at the beginning of each General Assembly.  
(b) The powers and duties of the Ethics Committee shall be as follows:  
(1) to recommend to the House, from time to time, such rules of conduct for members of the House as it shall deem appropriate;
(2) to issue written advisory opinions upon the request of any member as to the applicability of any Rule of Legislative Conduct to any particular fact situation;

(3) to investigate any alleged violation by a member of any Rule of Legislative Conduct and, after notice and hearing, to recommend to the House by resolution such disciplinary action as the committee may deem appropriate;

(4) to report to the appropriate federal or State authorities any substantial evidence of a violation by any member of any law involving a Rule of Legislative Conduct which may come to its attention in connection with any proceeding whether advisory or investigative;

(5) to maintain a file of its proceedings and advisory opinions with a view toward achieving consistency of opinions and recommendations. Upon the request of a legislator involved in an advisory opinion, to publish that advisory opinion;

(6) to follow such rules of procedure for ethics violations as may be adopted by the House, and to establish such other procedural rules as shall not be inconsistent with the rules prescribed by the House;

(7) to act only upon a majority vote of its members; and

(8) such other duties and responsibilities as may be assigned by the House from time to time.

(c) All proceedings before the Ethics Committee in connection with an advisory opinion shall be confidential subject to the following: (i) the member involved may waive the privilege of confidentiality, (ii) the proceedings shall no longer be confidential and may be made public in any subsequent disciplinary proceeding if the member acts in disregard of an advisory opinion, and (iii) the Ethics Committee shall maintain records of its proceedings and advisory opinions which shall be available for reference by the Committee, subsequent Committees and their staff.

(d) The Committee may undertake an investigation of an alleged violation by a member of any Rule of Legislative Conduct only upon a written complaint submitted by a member of the House. The complaint must be accompanied by a written statement signed by any person, sworn under oath, setting forth the facts supporting the complaint. In any such investigation or proceeding, the accused member shall be given an opportunity to be heard after notice, to be advised and assisted by legal counsel, to produce witnesses and offer evidence, and to cross-examine witnesses. A transcript of any such proceeding shall be made and retained. In any such proceeding, the rules of procedure for ethics violations, as may be adopted by the House, shall apply.

(e) A member of the Committee shall be ineligible to participate as a member of the Committee in any Committee proceeding relating to his or her legislative conduct. In any such case, the person appointing that member (either the Speaker or the Minority Leader) shall designate a member of the House to act as a member of the Committee in any Committee proceeding relating to the legislative conduct of such ineligible member. A member of the Committee who has been found by the House to have violated a Rule of Legislative Conduct shall be ineligible to serve again as a member of the Committee.

(f) A member of the Committee may disqualify himself or herself from participating in any investigation of the conduct of a member of the House upon submission in writing and under oath of an affidavit of disqualification stating that he or she cannot render an impartial and unbiased decision in the case in which he or she seeks to disqualify himself or herself. If the Committee approves and accepts such affidavit of disqualification, the Chairperson shall so notify the person appointing that member (either the Speaker or the Minority Leader) and request that person to designate a member of the House to act as a member of the Committee in any Committee proceeding relating to such investigation.

(g) Any member who acts in good faith reliance upon any written advisory opinion of the Ethics Committee rendered to that member shall not be subject to any discipline by the House with respect to the matters covered by the advisory opinion, provided there was a full disclosure to the Ethics Committee of all facts necessary for the opinion.

(h) The Committee may function without regard to recess periods or adjournment.

RULE 31 - JOINT COMMITTEES

The House of Representatives and the Senate by mutual agreement may establish a joint committee or committees. The House members of any Joint Committee shall be appointed by the Speaker, unless otherwise provided by statute or resolution.

RULE 32 - QUORUM ON COMMITTEES

Four (4) members or a majority, whichever is less, of the members of any committee, subcommittee or special committee shall constitute a quorum.

RULE 33 - COMMITTEE MEETINGS

(a) During the legislative sessions, each standing committee of the House shall be assigned a regular meeting time by the Speaker. This assignment shall not preclude the option of a committee Chairperson to cancel a regular or special meeting or call additional meetings when necessary, provided that such special or additional meetings are not scheduled during regular meeting times of standing committees. No committee meetings shall be held while the House is in session without the consent of the Speaker.

(b) All committee meetings shall be chaired by the Chairperson, or in his or her absence by the Vice-chairperson, if any; if the committee does not have an appointed Vice-chairperson, then the Chairperson shall designate a member of the committee to chair the committee in his or her absence.
RULE 34 - DELIBERATIVE PROCESS AND PROCEDURES OF STANDING COMMITTEES

(a) Each bill, resolution or other legislative matter assigned to a standing committee shall pass through a prescribed deliberative process before being brought to the floor of the House, unless it is sooner petitioned out of committee. Such deliberative process shall include regularly scheduled, pre-announced meetings whereby the committee or subcommittee, after notice to the Sponsor, makes time available for each formal Sponsor to explain the legislation and answer possible questions, considers an analysis of the proposed legislation and receives testimony from the general public.

(b) On the last legislative day of each week, each standing committee shall release a Committee Agenda which shall include, among other things, all matters to be considered by the committee at its next meeting, and any other announcements from the committee including the times, places and dates of future meetings.

(c) Minutes shall be recorded for each formal standing committee meeting, and the results of any committee votes shall be included. If a measure is tabled, reasons for such action shall also be included. Committee members who dissent from any committee decision shall be permitted, in the minutes, to state such dissent and the reasons therefor.

RULE 35 - PASSAGE OF MEASURES OUT OF COMMITTEE

(a) Bills and resolutions shall be reported out of committee by a majority of the committee or subcommittee by signing the backer. A bill or resolution may be tabled in any committee or subcommittee by a majority vote of the full committee or subcommittee.

(b) All bills and resolutions shall be acted upon by the appropriate committee within twelve (12) legislative days after being assigned to that committee. All bills and resolutions not acted upon by the appropriate committee within twelve (12) legislative days after being assigned to that committee can be petitioned out of committee pursuant to Rule 25.

(c) The Chairperson shall return the bill or resolution to the Chief Clerk within two (2) legislative days after a bill or resolution has been voted out of committee.

(d) If a bill is unacceptable to the committee, a substitute bill may be introduced or the committee Chairperson, on behalf of the committee, may offer one (1) or more amendments which shall take precedence in floor action over any other amendment(s). If the committee amendment(s) fails, the bill may be reassigned to the committee by the Speaker.

(e) Upon a majority vote of the full committee, a subpoena may be requested by the committee and presented to the Speaker for consideration pursuant to Rule 11.

RULE 36 - COMMITTEE REPORTS

Each bill and resolution reported out of committee may at the discretion of a majority of the full committee or the committee Chairperson have a printed or typewritten report which includes a summary of the committee’s discussion of the legislation. A copy of this report shall be placed in each member’s Agenda book when the legislation appears on the Agenda.

RULE 37 - COMMITTEE RECOMMENDATIONS TO APPROPRIATIONS COMMITTEE

The committee Chairperson on behalf of the committee shall make budgetary recommendations to the Appropriations Committee.

RULE 38 - COMMITTEE OF THE WHOLE

The committee of the whole shall mean and include a committee of the entire membership of the House, with the Speaker as Chairperson, called into session by the Speaker. So far as may be applicable, the Rules of the House shall be observed in the committee of the whole.

VI. MOTIONS

RULE 39 - DEBATE AND VOTE ON MOTIONS

(a) After debate or discussion, the motion shall be repeated by the Speaker before putting the question to the House.

(b) Every motion shall be decided in a fair and impartial manner by the Speaker. The vote of a majority of the members present shall prevail in the case of a motion to recess, incidental motions, subsidiary motions, or other motions presenting questions of a general procedural nature. The vote of a majority of the members elected to the House shall prevail in the case of privileged motions (except a motion to recess), main motions, or other motions presenting questions of a substantive nature. Such voting shall prevail unless contrary to these Rules, or unless it is in conflict with the statutes, or provisions of the Constitution of the State of Delaware.

(c) The Speaker may cause or any member may call for a roll call or division in which case the members voting in the affirmative shall be required to rise for the purpose of being counted by the Chief Clerk of the House.

(d) At the request of any member, the vote on any measure shall be by roll call vote.
RULE 40 - PRECEDENCE OF MOTIONS

(a) If a question is before the House, no motion may be received except one (1) of the following, and they have precedence in the order listed:

( 1) to adjourn sine die. This motion is not debatable.
( 2) to adjourn. This motion is not debatable and cannot be amended nor reconsidered.
( 3) to recess. This motion is not debatable. This motion is passed by a majority of those members present.
( 4) question of privilege.
( 5) all incidental motions.
( 6) to table.
( 7) motion to call the previous question. A motion to call the previous question shall not be entertained except at the request of five (5) members arising for that purpose and so indicating, and shall be determined by roll call vote without debate. When the previous question has been called and sustained, it shall not cut off action on amendments to the main measure, and the vote shall be taken without debate first on the amendments in order and then on the main measure.
( 8) to limit debate.
( 9) postpone to a day certain.
(10) to commit to committee.
(11) to amend. An amendment may be offered to an amendment, but no motion may be accepted which would amend an amendment to an amendment.
(12) to reconsider.
(13) to take from the table.

(b) No motion may be received after a vote upon the question then before the House has been called for by the Speaker.

RULE 41 - MOTION FOR RECONSIDERATION

(a) No motion for reconsideration shall be in order unless made on the same legislative day or on one (1) of the three (3) next succeeding legislative days. If the original vote was taken by a recorded vote of yes and no, this motion can be made only by a member who voted with the prevailing side; i.e., a reconsideration can be moved only by one who voted "yes" if the motion involved was adopted or "no" if the motion was lost. If the original vote was not taken by a recorded vote of yes or no, it is in order for any member to move for the reconsideration thereof.

(b) When a bill, resolution, report, amendment, order or message, upon which a vote has been taken, shall have gone out of possession of the House and been communicated to the Senate, or to the Governor, the motion to reconsider shall be accompanied by a motion in writing, attested to by the Speaker, to request the Senate or the Governor to return the same, which last motion shall be acted upon immediately and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

RULE 42 - MOTION TO TAKE FROM THE TABLE

(a) After a measure has been laid on the table, only the following persons may move to lift such measure from the table:

(1) in the case of a House measure, only one (1) of the Prime Sponsors of the measure or a member authorized in writing by all the Prime Sponsors.
(2) in the case of a measure without a House Prime Sponsor, only the Floor Manager of a measure or a member authorized in writing by the Floor Manager.

(b) A motion to take a measure from the table may only be made on the same legislative day the measure is tabled (or if this motion is listed on the Agenda). The motion is not debatable.

RULE 43 - SUSPENSION OF RULES

The suspension of any Rule requires the concurrence of at least a majority of the members elected to the House. This motion is debatable but does not permit discussion of the main question. It cannot be reconsidered, laid on the table, nor postponed indefinitely, and while it is pending no motion may be made except to adjourn. A separate suspension of the Rules is necessary for each measure.

VII. CALENDAR AND AGENDA

RULE 44 - HOUSE CALENDAR

The Chief Clerk of the House shall keep a House Calendar on which shall be placed the number and title of all bills and resolutions, the name of the Prime Sponsor, and the current status of each bill or resolution. Said bills and resolutions shall be kept on the Calendar and final action recorded.

RULE 45 - AGENDA

(a) The Speaker shall place items on the Agenda pursuant to Rule 10 of these Rules.
(b) In lifting bills from the table, the motion to lift is the Agenda item.
(c) Any House Bill amended by the Senate shall either be placed on the Agenda or assigned to committee, at the discretion of the Speaker.
(d) Measures brought to the top of the Agenda for the day shall be permitted only to be:

(1) deferred to day certain two (2) times only; or
(2) deferred to the end of Agenda one (1) time only; or
(3) laid on the table. A measure which has been on the table for six (6) legislative days shall be returned to the Ready List; or
(4) brought to a vote.

RULE 46 - CONSENT AGENDA
(a) Any member of the House may propose any bill or joint resolution for inclusion on a Consent Agenda for final reading. If any bill or joint resolution on a particular Consent Agenda has a super majority vote requirement then such Consent Agenda will require the highest such vote requirement.
(b) A bill or joint resolution shall be removed from a Consent Agenda if any member objects to its being included thereon. In addition, a bill or joint resolution may not be included on a Consent Agenda if at the time of reading a Consent Agenda an unattached amendment to it has been proposed.
(c) All bills and joint resolutions on a Consent Agenda shall be read and voted upon as a single group.

RULE 47 - CONSENT CALENDAR
(a) Any member of the House may propose any resolution for inclusion on a Consent Calendar for final reading. The proposal shall be made in writing in the Office of the Chief Clerk on any day.
(b) A resolution shall be removed from a Consent Calendar if any member objects to its being included thereon. In addition, resolutions may not be included on a Consent Calendar if at the time of reading a Consent Calendar an unattached amendment to it is proposed.
(c) All resolutions on a Consent Calendar shall be read and voted upon as a single group.

RULE 48 - ANNOUNCEMENT OF AGENDA; DELIVERY OF BILLS AND RESOLUTIONS
(a) The Chief Clerk shall place upon the desk of the Speaker at the beginning of each day’s session all bills, resolutions and motions pending before the House that day, properly arranged and classified.
(b) Prior to the beginning of each legislative day, the Chief Clerk shall provide to each member a printed copy by number, Sponsor and/or title, of the bills, resolutions or other measures that are being placed on the Agenda for that legislative day.
(c) All bills, concurrent resolutions, or joint resolutions originating in the House, or Senate bills or resolutions to which the House has added amendments or its concurrence, shall be delivered to the Senate by the Chief Clerk of the House or by the Bill Clerk of the House within the three (3) next succeeding legislative days of such House action.

VIII. MISCELLANEOUS

RULE 49 - OFFICES, PARKING SPACES AND SEATS
Desks on the floor of the House, offices, and parking spaces shall be allocated to the members by the Speaker.

RULE 50 - AUTHORIZED MANUAL OF PARLIAMENTARY PROCEDURE
In all cases to which they are applicable and in which they are not inconsistent with these Rules, the latest edition of Mason’s Manual of Legislative Procedure shall govern the House.

RULE 51 - CHIEF CLERK, CHIEF CLERK EMERITUS AND ASSISTANT CHIEF CLERK
The House shall elect a Chief Clerk and an Assistant Chief Clerk who, in the absence of the Chief Clerk, shall perform the Chief Clerk’s duties. The Assistant Chief Clerk shall be compensated at a per diem rate to be determined by the Speaker while serving as Chief Clerk.

The House may, whenever it deems necessary, elect a Chief Clerk Emeritus/Emerita who shall serve at the pleasure of the Speaker with all rights, duties and privileges of the Chief Clerk.

RULE 52 - SUPERVISION OF LEGISLATIVE STAFF
The legislative staff shall report to such supervisory staff as may be determined by the Speaker. The financial officer of the House shall maintain on file job descriptions for all positions within the legislative staff.

RULE 53 - REGISTRATION OF NEWS MEDIA
(a) Accredited representatives of the daily and weekly press, press associations, and of radio and television stations shall be accorded equal press privileges by the Speaker. Any person wishing to report proceedings of the House may apply to the Speaker for assignment of suitable available space in the House Chamber.
(b) On approval of the Speaker, radio and television stations shall be permitted to air and record sessions of the House.
(c) Any use or reproduction of House tapes will require permission of the Speaker and the request shall be communicated to the Chief Clerk in writing. A fee may be charged for this service.

RULE 54 - REGISTRATION OF LOBBYISTS
Lobbyists shall be registered by the State Public Integrity Commission pursuant to Chapter 58, Title 29 of the Delaware Code. No lobbyist shall be granted privilege of the floor unless so registered.

RULE 55 - PRIVILEGE OF FLOOR
The privilege of the floor may be granted by the Speaker upon request of any member, unless an objection is sustained by a majority of members present and voting.
RULE 56 - EXPEDITED PROCEDURES
The Speaker may designate the procedure by which certain items are to be expedited. Such rules as would interfere with the introduction of and/or action on such items shall automatically be deemed suspended unless one (1) or more members object to an item being determined by expedited procedures.

RULE 57 - PERSONS ON THE FLOOR OF THE HOUSE
(a) No person may be admitted to the floor of the House while the House is in session unless specifically invited by a member and with the consent of the Speaker except the following: former Governors, former members of the House, former members of the Senate (but none of the foregoing has this privileged admission without consent if he or she is paid to act as a registered lobbyist as defined in Chapter 58, Title 29 of the Delaware Code), duly designated representatives of the Governor of Delaware, members of the House and the Senate and their staffs, staff members from the Division of Research, representatives of each Cabinet Department, reporters for each of the daily newspapers published in the State, a reasonable number of other accredited correspondents as determined by the Speaker and a reasonable number of representatives of radio and television broadcasting stations (together with necessary equipment) as determined by the Speaker.
(b) No one other than a member shall sit in a member’s seat while the House is in session.
(c) No one shall be allowed to smoke in the House Chamber.
(d) While the House is in session no one shall use a cellular phone in the House Chamber, including the balcony area and all pagers shall be set to a non-audible setting.

RULE 58 - NON-MEMBER INVITED SPEAKERS OR GUESTS
(a) A non-member speaker or guest shall be allowed to address the House of Representatives provided they are noted on the Agenda together with the name of the Representative sponsoring said speaker or guest and the time allotted for their remarks.
(b) A speaker noted per subsection (a) of this rule shall be granted a time limit of one (1) minute, three (3) minutes or five (5) minutes by the Speaker of the House.
(c) On the day of the scheduled address, the sponsoring member shall be recognized and shall move that the invited speaker or guest be granted privilege to address the House and shall state the allotted time granted by the Speaker of the House.
(d) The Speaker of the House may grant an unlimited amount of time for the Governor to address the House as deemed necessary by the Speaker or the members of the House.
(e) This rule is only applicable to appearances by non-members giving remarks unrelated to Agenda items and shall not be construed so as to limit the speaking time of witnesses to legislation.

RULE 59 - REPEAL OR AMENDMENT OF RULES
No motion, order or resolution to repeal or amend a Rule of the House may be considered or acted upon unless it has been submitted in writing to the House at least one (1) day prior thereto, together with the written text of any proposed amendment. The repeal or amendment of any Rule of the House requires the concurrence of at least a majority of the members elected to the House.

RULE 60 - RULES TO BE PRINTED
These Rules shall be printed by the Division of Research, upon adoption, in a pocket-sized edition which shall also contain the following materials:
(a) a list of the Officers of the House;
(b) the membership of the Standing Committees of the House;
(c) the Constitutional vote requirements for passage of legislation; and
(d) requirements set forth elsewhere directly relating to House action such as the fiscal note requirement.

RULE 61 - STATE MAIL, POSTAGE AND MAILING PRODUCTION OR DISTRIBUTION LIMITATIONS.
(a) No House member or staff member shall use state mail services and/or state-paid for postage for his or her own personal use.
(b) No member or employee of the House of Representatives may use state funds, state materials or state equipment for the production or distribution of fifty (50) or more pieces of substantially identical material distributed during the period sixty (60) days prior to the general election day or within thirty (30) days prior to the date of a special election or a primary involving that member.
(c) Subsection (b) of this Rule shall not apply to the following, when not done for a political election campaign purpose:
   (1) answers to communications; or
   (2) actions taken pursuant to a specific law, resolution, ordinance or regulation which authorizes or directs the action to be taken.

RULE 62 - DISTRIBUTION OF LITERATURE TO MEMBERS' DESKS OR MAILBOXES
No person except a member or employee of the House of Representatives shall distribute or cause to be distributed any pamphlets, material, or other printed literature to the members' desks or mailboxes in the House. An employee of the House shall only distribute such literature if directed to do so by a member or the Chief Clerk of the House.
All copies of pamphlets, materials, or printed literature distributed by a member or employee of the House of Representatives shall bear the name of the source of origin. Members should distribute such literature through the Office of the Chief Clerk.

**RULE 63 - FREEDOM OF INFORMATION ACT**

All members and employees of the House of Representatives shall adhere and comply with the requirements of Delaware’s Freedom of Information Act, in Chapter 100, Title 29 of the Delaware Code, as it applies to the House of Representatives.

**RELATING TO PERMANENT PROCEDURES OF THE HOUSE OF REPRESENTATIVES OF THE 145th GENERAL ASSEMBLY OF THE STATE OF DELAWARE FOR ETHICS VIOLATIONS 2009-2010**

**HOUSE RESOLUTION NUMBER 4**

**RULES OF PROCEDURE, ETHICS VIOLATIONS.**

**Rule 1 - Scope and Authority.** These rules govern the procedures to be followed by the Ethics Committee and by the House in proceedings involving allegations of violations of the Rules of Legislative Conduct. So far as applicable, these rules and the Rules of the House of Representatives shall be the rules of the Ethics Committee which may prescribe additional rules not inconsistent therewith.

**PROCEEDINGS BEFORE THE ETHICS COMMITTEE.**

**Rule 2 - Meetings and Quorum.**

(a) The Committee shall meet at the call of the Chair. Notice of a Committee meeting shall be given pursuant to the Rules of the House of Representatives.

(b) A quorum of the Committee consists of a majority of the members of the Committee.

**Rule 3 - Committee Records.**

(a) The Chair of the Committee shall, with the approval of the Committee, establish such procedures as in the Chair's judgment may be necessary to prevent the unauthorized disclosure of any testimony or other information received by the Committee or its staff.

(b) (1) Unless otherwise authorized by the Committee, no information received by the Committee respecting any alleged violation by a member of the House of Representatives of any Rule of Legislative Conduct shall be disclosed to the public before the transmittal, under Rule 8 of these rules, to such member of a statement of alleged violation in connection with such violation. After the service of such a statement on the member:

(2) the statement and any other paper filed pursuant to Rule 8 respecting such violation shall be made available for public inspection at reasonable hours; and

(3) any other paper filed with the Committee respecting such violation shall be made available as authorized by the Committee, except that no paper shall be made available if its disclosure would violate any law or regulation.

**Rule 4 - Special Procedures.** The Committee may adopt, by Resolution, any special procedures deemed necessary to a particular matter before the Committee. Copies of such special procedures shall be furnished to all parties and witnesses in the matter.

**Rule 5 - Changes in Committee Rules.** The rules of the Committee other than these rules may be modified, amended or repealed by a vote of a majority of the Committee.

**COMMITTEE INVESTIGATIVE AUTHORITY.**

**Rule 6 - Complaints.**

(a) A complaint may be submitted to the Committee pursuant to Subsection (c) of this rule and shall be in writing and under oath, setting forth in simple, concise and direct statements the following:

(1) the name and address of the party filing the complaint (hereinafter referred to as the ‘complainant’);

(2) the name of the member of the House of Representatives alleged to be in violation of a Rule of Legislative Conduct (hereinafter referred to as the ‘respondent’);

(3) a statement of each violation, identifying the Rule of Legislative Conduct alleged to have been violated, divided into counts with each violation representing a separate count; and

(4) the facts alleged to give rise to the violation. The facts supporting the complaint may be sworn to by any person. When facts are alleged upon the information and belief of the complainant, the complaint shall so state and set forth the basis for such information and belief.

(b) All documents in the possession of the complainant that are relevant to and in support of the allegations shall be appended to the complaint.

(c) A complaint may be filed only by a member of the House of Representatives (including a
member of the Committee) and shall be transmitted directly to the Committee.

**Rule 7 - Processing Complaints.**

(a) (1) The Staff of the Committee shall examine each complaint submitted to the Committee for compliance with the Rules of the House of Representatives and any other applicable Committee rules.

(2) If the staff determines that a complaint does not comply with House and Committee rules, the complaint shall be returned to the complainant with a general statement that the complaint is not in compliance with such rules and a copy of such rules. A complainant may resubmit a complaint.

(3) If the staff determines that a complaint is in compliance with House and Committee rules, the complaint shall be filed with the Committee and a copy shall be transmitted to each member of the Committee.

(4) The Chair shall place the complaint on the Committee agenda for consideration, and shall schedule a Committee meeting as soon as practical thereafter.

A. The Committee shall consider the complaint and determine if the complaint should be dismissed because it fails to allege facts which constitute a violation of a Rule of Legislative Conduct or if the complaint merits further inquiry.

B. The decision under subparagraph A of this paragraph shall be transmitted in writing to the complainant and respondent.

(b) (1) If the Committee determines that the complaint fails to allege facts which constitute a violation of a Rule of Legislative Conduct, the Committee shall deliver to the House a report of the action taken and a brief statement of the reasons therefor.

(2) If there are no dissenting votes to the determination in paragraph (b)(1) of this rule the complaint shall be considered dismissed, and neither the Committee nor the House shall take any further action with respect thereto.

If there are any dissenting votes to the determination in paragraph (b)(1) of this rule, the complaint shall be considered dismissed and neither the Committee nor the House shall take any further action with respect thereto provided that the Committee's determination shall be considered reversed and the investigation shall be pursued by the Committee upon the written petition of any member of the House filed with the Speaker and approved by the majority vote of the elected members of the House.

**Rule 8 - Preliminary Inquiry and Statement of Alleged Violation.**

(a) (1) If the Committee determines under Rule 7 that the allegation of a violation in a complaint is not in compliance with such rules and a copy of such rules, a statement of the reasoning shall be returned to the complainant with a general statement that the complaint is not in compliance with such rules and a copy of such rules. A complainant may resubmit a complaint.

(2) In the preliminary inquiry:

A. the respondent shall have an opportunity to present to the Committee, orally or in writing, a statement respecting the allegations with respect to which the inquiry is being held;

B. the staff may interview witnesses and examine documents and other evidentiary matter;

C. the Committee may order the testimony of witnesses to be taken under oath, in which event the oath may be administered by a member of the Committee or by any person authorized by law to administer oaths;

D. the Committee may require, by subpoena or otherwise, the attendance and testimony of witnesses and the production of such books, records, correspondence, memoranda, papers, documents and other things as it deems necessary to the conduct of the inquiry; and

E. any probative evidence may be used.

(3) Upon the completion of the preliminary inquiry, the staff of the Committee shall prepare and transmit to the Committee a report containing a comprehensive summary of the information received in the inquiry; and may include in the report a recommendation for action by the Committee respecting the alleged violations which was the subject of the inquiry.

(b) If the Committee determines on the basis of the report of the Committee staff on the preliminary inquiry respecting an alleged violation that there is reason to believe that the violation occurred, the Committee shall direct the staff to transmit to the respondent a statement of alleged violation. A statement shall be divided into counts and each count shall relate to a separate violation and shall contain a plain and concise statement of the alleged facts of such violation, and include a reference to the provision of the Rule of Legislative Conduct alleged to have been violated.

(c) (1) If the Committee determines on the basis of the report of the Committee staff on the preliminary inquiry that there is no reason to believe that the violation occurred, the Committee shall deliver to the House a report of the action taken together with a statement of the reasons therefore.

(2) If there are no dissenting votes to the determination in paragraph (c)(1) of this rule, the complaint shall be considered dismissed and neither the Committee nor the House shall take any further action with respect thereto.

(3) If there are any dissenting votes to the determination in paragraph (c)(1) of this rule, the complaint shall be considered dismissed and neither the Committee nor the House shall take any further action with respect to the matter provided that the House shall consider the matter upon the written petition.
of any member of the House filed with the Speaker and approved by the majority vote of the members of the House.

(d) If any such proceeding is initiated in the House, the matter shall be prosecuted by the members of the Committee who dissented from the vote to dismiss the complaint. In such case, the dissenting members shall direct the Committee staff to transmit to the House and to the respondent, a statement of alleged violation as described in Subsection (b) which shall be the basis of the House's consideration of the matter.

Rule 9 - Answers and Motions and Committee Action.

(a) If a statement of alleged violation is transmitted under Rule 8(b), the respondent shall have twenty (20) calendar days in which to respond. The response shall be by way of answer or motion, shall be in writing and signed by the respondent or his counsel, and shall be limited to the following:

1. An admission or denial of, under oath, each count set forth in the statement plus any supportive evidence and any other relevant information which the respondent may desire to submit.

2. An objection to any count in the statement on the grounds that it fails to state a fact which constitutes a violation of a Rule of Legislative Conduct.

3. An objection to the jurisdiction of the Committee to consider the allegations contained in the statement.


5. An objection to the participation of any member of the Committee in the consideration of the allegations contained in the statement on the grounds that such member cannot render an impartial or unbiased decision. The Committee member against whom the objection is made shall be the sole judge of his qualifications. A motion under this paragraph is not in lieu of an answer. Any motion submitted pursuant to this rule shall be accompanied by a memorandum of points and authorities. Except for good cause shown, no pleading or motion not described in paragraphs (1) through (5) of this subsection will be considered by the Committee and the Committee will not consider any answer or motion in such paragraphs which is submitted under this rule after the expiration of such twenty (20) calendar days.

(b) Within ten (10) calendar days after the receipt of any motion under Subsection (a) of this rule, the Committee shall consider such motion. Notice of the decision of the Committee respecting such motion shall be furnished the respondent. When the Committee has acted on all motions submitted under paragraphs (2), (3) and (4) of Subsection (a) of this rule, the respondent shall, in accordance with paragraph (a)(1) of this rule, submit, within ten (10) calendar days of the date of the last Committee action, an answer to each count in the statement not dismissed by the Committee.

(c) Failure to submit, within the applicable time period, an answer to a count of a statement which has not been dismissed by the Committee, shall constitute an admission to the violation alleged in the count.

(d) The Chair, in his discretion, may extend or shorten any time limitations imposed by this rule if he or she determines that the extension would facilitate a fair and complete inquiry or the shorter time is required because of special circumstances.

(e) (1) As soon as practical after the expiration of all applicable time limitations for action under Subsections (a) and (b) of this rule, the Committee shall act, by the vote of a majority of the members of the Committee, to:

A. hold a disciplinary hearing on the violation charged in the statement;
B. defer action on the statement, but only if there is a grand jury or judicial proceeding pending; or
C. dismiss the statement.

(2) The respondent shall be notified in writing of action taken under paragraph (1) of this Subsection.

(f) (1) If the Committee votes to dismiss the statement, the Committee shall deliver to the House a report of the action taken together with a statement of the reasons therefor.

(2) If there are no dissenting votes to the decision in paragraph (f)(1) of this rule, the statement shall be considered dismissed and neither the Committee nor the House shall take any further action with respect thereto.

If there are any dissenting votes to the decision in paragraph (f)(1) of this rule, the statement shall be considered dismissed and neither the Committee nor the House shall take any further action with respect to the matter provided that the House shall consider the matter upon the written petition of any member of the House filed with the Speaker and approved by a majority vote of the members of the House. If any such proceeding is initiated in the House, the matter shall be prosecuted by the members of the Committee who dissented from the vote to dismiss the statement. The statement shall be the basis of the House's consideration of the matter and the dissenting members shall cause a copy of the statement to be delivered to the House and served upon the respondent.

Rule 10 - Disciplinary Hearings before the Committee.

(a) A disciplinary hearing respecting a violation charged in a Statement of Alleged Violation shall be held by the Committee to receive evidence upon which to base findings of fact and recommendations, if any, to the House respecting such violation. A disciplinary hearing shall consist of two phases. The first phase shall be for the purpose of determining whether or not the count in the statement has been proved.
The second phase shall be for the purpose of determining what action to recommend to the House with respect to any count found to have been proved.

(b) At a disciplinary hearing the Committee may require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, documents and any other things as it deems necessary. Depositions, interrogatories and sworn statements taken under Committee direction may be accepted into the Committee record.

(c) Prior to setting a date for a disciplinary hearing and issuing subpoenas for witnesses, the Committee shall resolve the scope and purpose of the hearing. A copy of this statement of scope and purpose shall be furnished to all witnesses. During the course of the hearing the Committee may expand or contract the scope in light of evidence received.

(d) (1) The order of phase one of a disciplinary hearing shall be as follows:

A. The Chair shall open the hearing by stating the Committee's authority to conduct the hearing, the purpose of the hearing and its scope.

B. Testimony from witnesses and other evidence pertinent to the subject of the hearing shall be received in the following order whenever possible, (i) witnesses and other evidence offered by the Committee staff, (ii) witnesses and other evidence offered by the respondent, and (iii) rebuttal witnesses.

C. Witnesses at a hearing shall be examined first by the Committee counsel or authorized staff member. The Committee members may then question the witnesses. The respondent or his counsel may then cross-examine the witnesses. Redirect and recross may be permitted in the Chair's discretion. With respect to witnesses offered by the respondent, a witness shall be examined first by the respondent or his counsel, and then may be cross examined by Committee counsel or authorized staff member. Committee members may then question the witness. Redirect and recross may be permitted in the Chair's discretion.

(2) Testimony of all witnesses shall be taken under oath. The oath shall be administered by the Chair or Committee member designated by him to administer oaths.

(e) At a disciplinary hearing the burden of proof rests on the staff with respect to each count to establish the facts alleged therein clearly and convincingly by the evidence that it introduces.

(f) The second phase of a disciplinary hearing shall consist of oral and/or written submission by counsel for the Committee and counsel for the respondent as to the sanction the Committee should recommend to the House with respect to any count of the Statement of Alleged Violation which has been proved. Testimony by witnesses will not be heard at phase two except by a vote of a majority of the Committee.

**Rule 11 - Committee Recommendations.**

(a) (1) As soon as practicable after the completion of the first phase of a disciplinary hearing respecting a Statement of Alleged Violation, the Committee shall consider each count contained in the statement and with respect to each count as originally drawn or as amended shall vote either to find that the count has been proved or to dismiss the count. A count shall not be proved unless at least a majority of the Committee vote for a motion that the count has been proved.

(2) If the Committee votes that a count has been proved, the Committee may, upon completion of the second phase of the disciplinary hearing, by a majority vote of the Committee, consider and vote on a motion that a recommendation be made to the House for appropriate action respecting the violation charged in such count.

(b) With respect to any violation with which a member of the House was charged in a count which the Committee has voted as proved, the Committee may include in its recommendations to the House one or more of the following sanctions:

(1) Suspension or expulsion from the House.

(2) Censure.

(3) Reprimand.

(4) Fine.

(5) Any other sanction determined by the Committee to be appropriate.

(c) The Committee report accompanying a recommendation to the House adopted by the Committee under paragraph (a)(2) respecting a violation charged in a count shall contain a statement of the evidence which supported the finding as to that count and a statement of the Committee's reasons for the recommendation as well as a statement of the Committee's reasons for finding that any count was not proved. The Committee shall cause a copy of the Committee's report and the Statement of Alleged Violation to be served upon the respondent. The statement shall be the basis of the House’s consideration of the matter.

(d) (1) If the Committee votes to dismiss all counts of a statement and there are no dissenting votes, the statement shall be considered dismissed and neither the Committee nor the House shall take any further action with respect thereto.

(2) If there are any dissenting votes to the determination in paragraph (d)(1) of this subsection, the statement shall be considered dismissed and neither the Committee nor the House shall take any further action with respect thereto provided that the House shall consider the matter upon the written
petition of any member of the House filed with the Speaker and approved by a majority vote of all members of the House. If any such proceeding is initiated in the House, the matter shall be prosecuted by the members of the Committee who dissented from the vote to dismiss. The statement shall be the basis of the House's consideration of the matter and the dissenting members of the Committee shall cause a copy of the statement to be delivered to the House and served upon the respondent.

Rule 12 - Disclosure of Evidence.
Upon the request of a respondent, the Committee may permit the respondent to inspect, copy or photograph books, papers, documents, photographs or other tangible objects which the Committee intends to use as evidence against the respondent in a disciplinary hearing and which are material to the preparation of the defense of the respondent.

Rule 13 - Exculpatory Information.
If the Committee at any time receives any exculpatory information respecting a Statement of Alleged Violation against a member of the House of any law, rule, regulation or other standard of conduct, it shall forthwith make such information available to such member.

Rule 14 - Admissibility of Evidence.
(a) Any evidence that is relevant and probative shall be admissible in any hearing of the Committee, unless the evidence is privileged or unless the Constitution otherwise requires its exclusion. Objections going only to the weight that should be given to evidence will not justify its exclusion.

(b) The Chair or other member presiding at a hearing shall rule upon any question of admissibility at the hearing of testimony or evidence presented to the Committee. The Chair or other member presiding may limit the presentation of repetitious evidence. Rulings shall be final unless reversed or modified by a majority vote of the Committee members present.

Rule 15 - Witnesses.
(a) A subpoena to a witness to appear at a hearing shall be served sufficiently in advance of his scheduled appearance to allow him a reasonable period of time, as determined by the Committee, to prepare for the hearing and to employ counsel should he so desire.

(b) Except as otherwise specifically authorized by the Chair, no member of the Committee or staff shall make public the name of any witness subpoenaed by the Committee before the date of his scheduled appearance.

(c) Witnesses at hearings may be accompanied by their counsel for the purpose of advising them concerning their constitutional rights and to raise objections to the admissibility of testimony and evidence. Counsel for a witness other than the respondent shall not be permitted to engage in oral argument with the Committee. After a witness has testified, his counsel may submit to the Committee, in writing, any questions he wishes propounded to his client and any request for additional witnesses or other evidence. Such request may be granted at the Committee's discretion.

(d) The respondent may apply to the Committee for the issuance of subpoenas for the appearance of witnesses or the production of documents on his behalf. The application shall be granted upon a concise showing by the respondent that the proposed testimony or evidence is relevant and not otherwise available. The application shall be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.

(e) Each witness appearing before the Committee shall be furnished a printed copy of the rules of the Committee.

Rule 16 - Records of House Proceedings.
All papers filed in the House with respect to a proceeding involving an allegation of a violation of a Rule of Legislative Conduct shall be made available for public inspection at reasonable hours except that no paper shall be made available if its disclosure would violate any law or regulation.

Rule 17 - Special Procedures.
The House may adopt by Resolution any special procedures deemed necessary to a particular matter before the House. Copies of such special procedures shall be furnished to all parties and witnesses in the matter.

Rule 18 - Consideration of Complaints by the House.
(a) If a Statement of Alleged Violation is served upon a respondent pursuant to rules 8(c)(3), 9(f)(3),11(c) or 11(d)(2), the respondent shall have twenty (20) calendar days in which to respond. The response shall be by way of answer or motion, shall be in writing and signed by the respondent or his counsel, and shall be limited to the following:

(1) An admission or denial of, under oath, each count set forth in the Statement plus any supportive evidence and any other relevant information which the respondent may desire to submit.

(2) An objection to any count in the Statement on the grounds that it fails to state a fact which constitutes a violation of a Rule of Legislative Conduct.

(3) An objection to the jurisdiction of the House to consider the allegations contained in the Statement.

(4) A motion for a bill of particulars.

(5) An objection to the participation of any member of the House in the consideration of the
allegations contained in the Statement on the grounds that the member cannot render an impartial or unbiased decision. The member of the House against whom the objection is made shall be the sole judge of his qualifications. A motion under this paragraph is not in lieu of an answer.

Any motion pursuant to this rule shall be accompanied by a memorandum of points and authorities. Except for good cause shown, no pleading of motion not described in paragraphs (1) through (5) will be considered by the House and the House will not consider any answer or motion in such paragraphs which is submitted under this rule after the expiration of such 20 calendar days.

(b) As soon as practical after the receipt of any motion under Subsection (a) of this rule, the House shall consider such motion. Notice of the decision of the House respecting such motion shall be furnished the respondent. When the House has acted on all motions submitted under paragraphs (2), (3) and (4) of Subsection (a) of this rule, the respondent shall in accordance with paragraph (a)(1) of this rule, submit, within ten (10) calendar days of the date of the last House action, an answer to each count in the statement not dismissed by the House.

(c) Failure to submit, within the applicable time period, an answer to a count of a statement which has not been dismissed by the House shall constitute an admission to the violation alleged in the count.

(d) The Speaker, in his discretion, may extend or shorten any time limitations imposed by this rule if he determines that the extension would facilitate a fair and complete inquiry or the shorter time is required because of special circumstances.

(e) (1) As soon as practical after the expiration of all applicable time limitations for action under Subsections (a) and (b) of this rule, the House shall act, by the vote of the majority of the members, to:
   A. hold a disciplinary hearing on the violation charged in the statement;
   B. defer action on the statement but only if there is a grand jury or judicial proceeding pending; or
   C. dismiss the statement or any counts thereof.

(2) The respondent shall be notified in writing of action taken under paragraph (1) of this Subsection.

Rule 19 - Disciplinary Hearings.

(a) A disciplinary hearing respecting a violation charged in a Statement of Alleged Violation shall be held by the House to receive evidence respecting such violation. A disciplinary hearing shall consist of two (2) phases. The first phase shall be for the purpose of determining whether or not the counts in the statement have been proved. The second phase shall be for the purpose of determining what disciplinary action to take with respect to any count found to have been proved.

(b) At a disciplinary hearing the House may require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, documents and any other things as it deems necessary. Depositions, interrogatories and sworn statements taken under House direction may be accepted into the House record.

(c) Prior to setting a date for a disciplinary hearing and issuing subpoenas for witnesses, the House shall resolve the scope and purpose of the hearing. A copy of this statement of scope and purpose shall be furnished to all witnesses. During the course of the hearing the House may expand or contract the scope in light of evidence received.

(d) (1) The order of phase one of a disciplinary hearing shall be as follows:
   A. The Speaker shall open the hearing by stating the House's authority to conduct the hearing, the purpose of the hearing and its scope.
   B. Testimony from witnesses and other evidence pertinent to the subject of the hearing shall be received in the following order whenever possible, (i) witnesses and other evidence offered by the committee staff, (ii) witnesses and other evidence offered by the respondent, and (iii) rebuttal witnesses.
   C. Witnesses at a hearing shall be examined first by the committee counsel or authorized staff member. Members of the committee may then question the witnesses. The respondent or his counsel may then cross-examine the witnesses. Redirect and recross may be permitted in the Speaker's discretion. With respect to witnesses offered by the respondent, a witness shall be examined first by the respondent or his counsel and then may be cross-examined by committee counsel or authorized staff member. Committee members may then question the witness. Redirect and recross may be permitted in the Speaker's discretion.

(2) Testimony of all witnesses shall be taken under oath. The oath shall be administered by the committee member designated by the Speaker to administer oaths.

(e) At a disciplinary hearing the burden of proof rests on the committee with respect to each count to establish the facts alleged therein clearly and convincingly by the evidence that it introduces.

(f) Phase two of a disciplinary hearing shall consist of oral and/or written submission by counsel for the committee and counsel for the respondent as to the sanction the House should impose with respect to any count of the Statement which has been proved. Testimony by witnesses will not be heard at phase two except by a vote of a majority of the House.

(g) The House by Resolution may establish rules by which members of the House other than members of the Ethics Committee may participate in a disciplinary proceeding before the House.

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Rule 20 - Findings; Sanctions.

(a) (1) As soon as practicable after the completion of the first phase of a disciplinary hearing respecting a Statement, the House shall consider each count contained in the Statement and with respect to each count as originally drawn or as amended shall vote on a motion that the count has been proved. A count shall not be proved unless at least a majority of the House vote for a motion that the count has been proved. A count which is not proved shall be considered as dismissed by the House.

(2) If the House votes that a count has been proved, the House may upon completion of the second phase of the disciplinary hearing, by a majority vote consider and vote on a motion that any of the following sanctions be imposed respecting the violation charged in such count;
- A. Suspension or expulsion from the House.
- B. Censure.
- C. Reprimand.
- D. Fine.
- E. Any other sanction determined by the committee to be appropriate.

A member of the House may not be suspended or expelled from the House unless by a vote concurred in by two-thirds of the members.

Rule 21 - Disclosure of Evidence.

Upon the request of a respondent, the committee may permit the respondent to inspect, copy or photograph books, papers, documents, photographs or other tangible objects which the committee intends to use as evidence against the respondent in a disciplinary hearing before the House and which are material to the preparation of the defense of the respondent.

Rule 22 - Exculpatory Information.

If the Committee at any time receives any exculpatory information respecting a Statement of Alleged Violation against a member of the House of any law, rule, regulation, or other standard of conduct, it shall forthwith make such information available to such member.

Rule 23 - Admissibility of Evidence.

(a) Any evidence that is relevant and probative shall be admissible in any hearing before the House, unless the evidence is privileged or unless the Constitution otherwise requires its exclusion. Objections going only to the weight that should be given to evidence will not justify its exclusion.

(b) The Speaker or other member presiding at a hearing shall rule upon any question of admissibility at the hearing of testimony or evidence presented to the House. The Speaker or other member presiding may limit the presentation of repetitious evidence.

Rule 24 - Witnesses.

(a) A subpoena to a witness to appear at a hearing shall be served sufficiently in advance of his scheduled appearance to allow him a reasonable period of time, as determined by the Speaker, to prepare for the hearing and to employ counsel should he or she so desire.

(b) Except as otherwise specifically authorized by the Speaker, no member of the Committee or staff shall make public the name of any witness subpoenaed by the Committee before the date of his scheduled appearance.

(c) Witnesses at hearings may be accompanied by their counsel for the purpose of advising them concerning their constitutional rights and to raise objections to the admissibility of testimony and evidence. Counsel for a witness other than the respondent shall not be permitted to engage in oral argument before the House. After a witness has testified, his counsel may submit to the Speaker in writing, any questions he wishes propounded to his client and any request for additional witnesses or other evidence. Such request may be granted at the Speaker's discretion.

(d) The respondent may apply to the Speaker for the issuance of subpoenas for the appearance of witnesses or the production of documents on his behalf. The application shall be granted upon a concise showing by the respondent that the proposed testimony or evidence is relevant and not otherwise available. The application shall be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.

(e) Each witness appearing before the House shall be furnished a printed copy of the rules of the House.
Representative-Elect Gilligan called the House to order at 2:00 p.m. on January 13, 2009.
Representative-Elect Schwartzkopf moved that Representative-Elect Gilligan be made Temporary Speaker until a permanent Speaker of the House is elected. The motion was seconded by Representative-Elect Longhurst and adopted by voice vote.
Representative-Elect Schwartzkopf moved that Mrs. JoAnn Hedrick be made Temporary Chief Clerk until a permanent Chief Clerk is elected. The motion was seconded by Representative-Elect Longhurst and adopted by voice vote.

A prayer was offered by Reverend Christopher C. Schooley, Interim Associate Pastor, Bryn Mawr Presbyterian Church, Bryn Mawr, Pennsylvania.
Mr. Temporary Speaker led those present in a pledge of allegiance to the American Flag.
The Temporary Chief Clerk read the following communications into the record:

November 17, 2008

The Honorable Robert F. Gilligan
State Representative
Carvel State Office Building
Wilmington, DE 19801
By Hand Delivery
Dear Representative Gilligan:

Please accept my official resignation from my office as Delaware State Representative for the 6th District effective today. I am very fortunate to have had the opportunity to serve the State of Delaware as an elected official for two full terms. I am also humbled by the support my district residents have given me as their elected official, since they are a wonderful, caring and active community.

I also want to thank you for your service to Delaware. I have been treated by you, the other elected officials, and all the residents as a true “native” of the First State since I arrived in 1991. The public service I have fulfilled in Delaware as a graduate student from the University of Delaware, a government employee, a non-profit manager, and as an elected official has helped me grow professionally and personally.

I wish you much luck in your future endeavors, as well as much luck and success for the First State!
Sincerely,
Diana M. McWilliams
State Representative
6th District

STATE OF DELAWARE
EXECUTIVE DEPARTMENT
DOVER
WRIT OF ELECTION

TO: THE DEPARTMENT OF ELECTIONS, NEW CASTLE COUNTY
CARVEL STATE OFFICE BUILDING
820 NORTH FRENCH STREET
WILMINGTON, DELAWARE 19801

GREETINGS:

WHEREAS, a vacancy exists in the House of Representatives of the 145th General Assembly of the State of Delaware by reason of the resignation of Diana M. McWilliams of the 6th Representative District of New Castle County, State of Delaware, on November 17, 2008; and

WHEREAS, such a vacancy has occurred and exists while the General Assembly is not in session; and

NOW, THEREFORE, I, RUTH ANN MINNER, Governor of the State of Delaware, in accordance with the Constitution and the laws of the State of Delaware in such cases made and provided, do hereby issue this Writ of Election and declare that you shall cause a special election to be held in the 6th Representative District of New Castle County, State of Delaware, by the qualified electors thereof on a day to be assigned by you, such day not to be more than forty nor less than thirty days next after receipt of this Writ, exclusive of that day, for the purpose of filling the aforesaid vacancy, the person thereupon chosen to hold office for the residue of the term of the said, Diana M. McWilliams.

IN WITNESS WHEREOF, I, RUTH ANN MINNER, Governor of the State of Delaware, have hereunto set my hand and seal this 19th day of November in the year Two Thousand and Eight.
Lorilee J. Harrison
Ruth Ann Minner
NOTARY
GOVERNOR
STATE OF DELAWARE
The Temporary Chief Clerk read the names of the members-elect of the House of Representatives of the 145th General Assembly as follows:

Representative District No. 1 - Representative-Elect Dennis P. Williams
Representative District No. 2 - Representative-Elect Hazel D. Plant
Representative District No. 3 - Representative-Elect Helene M. Keeley
Representative District No. 4 - Representative-Elect Gerald L. Brady
Representative District No. 5 - Representative-Elect Melanie G. Marshall
Representative District No. 6 - Representative-Elect Thomas H. Kovach
Representative District No. 7 - Representative-Elect Bryon Short
Representative District No. 8 - Representative-Elect S. Quinton Johnson, IV
Representative District No. 9 - Representative-Elect Richard C. Cathcart
Representative District No. 10 - Representative-Elect Dennis E. Williams
Representative District No. 11 - Representative-Elect Gregory F. Lavelle
Representative District No. 12 - Representative-Elect Deborah D. Hudson
Representative District No. 13 - Representative-Elect John L. Mitchell, Jr.
Representative District No. 14 - Representative-Elect Peter C. Schwartzkopf
Representative District No. 15 - Representative-Elect Valerie J. Longhurst
Representative District No. 16 - Representative-Elect James Johnson
Representative District No. 17 - Representative-Elect Michael P. Mulrooney
Representative District No. 18 - Representative-Elect Michael A. Barbieri
Representative District No. 19 - Representative-Elect Robert F. Gilligan
Representative District No. 20 - Representative-Elect Nick T. Manolakos
Representative District No. 21 - Representative-Elect Michael J. Ramone
Representative District No. 22 - Representative-Elect Joseph E. Miro
Representative District No. 23 - Representative-Elect Teresa L. Schooley
Representative District No. 24 - Representative-Elect William A. Oberle, Jr.
Representative District No. 25 - Representative-Elect John A. Kowalko, Jr.
Representative District No. 26 - Representative-Elect John J. Viola
Representative District No. 27 - Representative-Elect Earl G. Jaques
Representative District No. 28 - Representative-Elect William Carson, Jr.
Representative District No. 29 - Representative-Elect Pamela J. Thornburg
Representative District No. 30 - Representative-Elect William R. Outten
Representative District No. 31 - Representative-Elect Darryl M. Scott
Representative District No. 32 - Representative-Elect E. Bradford Bennett
Representative District No. 33 - Representative-Elect Robert E. Walls
Representative District No. 34 - Representative-Elect Donald A. Blakey
Representative District No. 35 - Representative-Elect David L. Wilson
Representative District No. 36 - Representative-Elect V. George Carey
Representative District No. 37 - Representative-Elect Joseph W. Booth
Representative District No. 38 - Representative-Elect Gerald W. Hocker
Representative District No. 39 - Representative-Elect Daniel B. Short
Representative District No. 40 - Representative-Elect Clifford G. Lee
Representative District No. 41 - Representative-Elect John C. Atkins
Representative-Elect Schwartzkopf moved that the Certificates of Election be received and that a committee be appointed to examine the Certificates. The motion was seconded by Representative-Elect Longhurst and adopted by voice vote.

Mr. Temporary Speaker appointed Representative-Elect Michael P. Mulrooney and Representative-Elect Joseph W. Booth to examine the Certificates of Election of the Members-Elect. Representative-Elect Schwartzkopf introduced Miss Lori Christiansen, analyst in the Controller General’s office, who sang “The Battle Hymn of the Republic”.

Representative Schwartzkopf made a comment.

Representative-Elect Michael P. Mulrooney reported that the Certificates of Election had been examined and were found to be in order.

Mr. Temporary Speaker requested that the Temporary Chief Clerk read one of the Certificates of Election as follows:

The State of Delaware
New Castle County, ss

Be It Remembered, That at the General Election held on the Tuesday, next after the first Monday in November, in the year of our Lord Two Thousand and Eight for New Castle County, according to the Constitution and Laws of the State of Delaware,
Robert F. Gilligan  
was duly elected  
Representative – 19th District  

which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Election Districts of the County, according to the provisions made by law in this behalf.  

In Testimony Whereof, we, James T. Vaughn, Jr. and Richard R. Cooch constituting the Superior Court for New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 6th day of November, A.D. 2008.  

James T. Vaughn, Jr. President Judge  
Richard R. Cooch, Resident Judge  

Representative-Elect Schwartzkopf moved that the reading of one Certificate of Election constitute the reading of all. The motion was seconded by Representative-Elect Longhurst and adopted by voice vote.  

Representative-Elect Schwartzkopf moved that Honorable Alan Davis, Chief Magistrate, administer the oath of office to Representative-Elect Robert F. Gilligan and Representative-Elect Oberle, the other senior Member-Elect. The motion was seconded by Representative-Elect Longhurst and adopted by voice vote. Representative-Elect Gilligan invited Representative-Elect William A. Oberle, Jr. to join him on the podium. Representative-Elect Schwartzkopf made a comment. Chief Magistrate Davis administered the oath of Representative to Representatives-Elect Gilligan & Oberle as follows:  

“I, Robert F. Gilligan, do proudly swear to carry out the responsibilities of the office of Representative to the best of my ability, freely acknowledging that the powers of this office flow from the people I am privileged to represent. I further swear always to place the public interests above any special or personal interests, and to respect the right of future generations to share the rich historic and natural heritage of Delaware. In doing so I will always uphold and defend the constitutions of my Country and my State, so help me God.”  

Robert F. Gilligan  
State Representative  

Sworn and subscribed before me on this 13th day of January A.D. 2009  
Alan Davis  
Chief Magistrate  

Representative-Elect Schwartzkopf moved that Chief Magistrate Alan Davis administer the Oath of Office to the newly elected Representatives-Elect. The motion was seconded by Representative-Elect Longhurst and adopted by voice vote.  

Mr. Temporary Speaker Gilligan made an announcement. Chief Magistrate Davis administered the oath of office to the newest House Members in groups of three as follows: Representatives-Elect Michael A. Barbieri, E. Bradford Bennett and Earl G. Jaques, Jr.; Representatives-Elect S. Quinton Johnson, Thomas H. Kovach and Michael J. Ramone and Representatives-Elect Darryl M. Scott, Dennis E. Williams and David L. Wilson.  

Representative-Elect Schwartzkopf moved that the Chief Magistrate Davis administer the oath of office to the remaining Representatives-Elect. The motion was seconded by Representative-Elect Longhurst and adopted by voice vote.  

The oath was administered as above. Mr. Temporary Speaker made an announcement. Representative Schwartzkopf moved that the Temporary Chief Clerk call the roll of the Members of the House of Representatives of the 145th General Assembly. The motion was seconded by Representative Longhurst and adopted by voice vote.  

The roll call was taken and revealed:  
Members Present: 40.  
Member Absent: Representative Thornburg – 1.  

Representative Schwartzkopf moved that the roll as just called by the Temporary Chief Clerk be adopted as the permanent roll of the House of Representatives of the 145th General Assembly. The motion was seconded by Representative Longhurst and adopted by voice vote.  

Representative Schwartzkopf introduced and brought HR 1, jointly sponsored by Representatives Longhurst, Cathcart & D. Short, before the House for consideration.  

HR 1 - RELATING TO THE ELECTION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.  

BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware that Robert F. Gilligan be made, and is hereby elected to the Office of the Speaker of the House of Representatives for the duration of the 145th General Assembly of the State of Delaware.  

HR 1 was adopted by voice vote.  

Representative Schwartzkopf made comments and presented a gift to Speaker-Elect Gilligan. Representative D.P. Williams requested and was granted personal privilege of the floor to make a comment. Representative Cathcart made comments.
Representative Schwartzkopf moved that Justice Randy Holland administer the oath of Speaker of the House of Representatives to Representative Gilligan. The motion was seconded by Representative Longhurst and adopted by voice vote.

Justice Holland addressed the House and administered the oath of Speaker of the House to Representative Gilligan as follows:

“I, Robert F. Gilligan, do proudly swear to carry out the responsibilities of the office of Speaker of the House of Representatives to the best of my ability, freely acknowledging that the powers of this office flow from the people I am privileged to represent. I further swear always to place the public interests above any special or personal interests, and to respect the right of future generations to share the rich historic and natural heritage of Delaware. In doing so I will always uphold and defend the constitutions of my Country and my State, so help me God.”

Robert F. Gilligan
Speaker of the House

Sworn and subscribed before me this 13th day of January, A.D. 2009

Randy J. Holland
Supreme Court Justice

Mr. Speaker Gilligan thanked Justice Holland and made comments.

Representative Dennis P. Williams announced that the Majority Caucus has met and has elected Representative Peter C. Schwartzkopf of the Fourteenth Representative District as Majority Leader and Representative Valerie J. Longhurst of the Fifteenth Representative District as Majority Whip.

Representative William A. Oberle, Jr. announced that the Minority Caucus has met and has elected Representative Richard C. Cathcart of the Ninth Representative District as Minority Leader and Representative Daniel B. Short of the Thirty-Ninth Representative District as Minority Whip.

Representative Schwartzkopf introduced and brought HR 2, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Cathcart & Representative D. Short, before the House for consideration.

HR 2 – RELATING TO TEMPORARY RULES OF THE HOUSE OF REPRESENTATIVES OF THE 145TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE.

HR 2 was adopted by voice vote.

Representative Schwartzkopf introduced and brought HR 3, jointly sponsored by Representatives Gilligan, Longhurst, Cathcart & B. Short, before the House for consideration. Mr. Speaker Gilligan & Representative Cathcart made comments.

HR 3 - RELATING TO THE ELECTION OF THE CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES.

BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware that Richard L. Puffer is elected to serve as Chief Clerk of the House of Representatives and Dolores Michels is elected to serve Assistant Chief Clerk.

BE IT FURTHER RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware that JoAnn M. Hedrick is elected Chief Clerk Emerita of the House of Representatives to serve at the pleasure of the Speaker with all the rights, duties and privileges of the Chief Clerk.

Speaker Gilligan made comments

HR 3 was adopted by voice vote.

Representative Schwartzkopf introduced and brought HR 4, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Cathcart & Representative D. Short, before the House for consideration.

HR 4 - RELATING TO PERMANENT PROCEDURES OF THE HOUSE OF REPRESENTATIVES OF THE 145TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE FOR ETHICS VIOLATIONS.

HR 4 was adopted by voice vote.

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on HJR 1. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Schwartzkopf introduced and brought HJR 1, jointly sponsored by Representatives Gilligan, Longhurst, Cathcart & D. Short, before the House for consideration.

HJR 1 - RELATING TO THE ELECTION OF A BILL CLERK OF THE HOUSE OF REPRESENTATIVES.

BE IT RESOLVED by the House of Representatives and the Senate of the 145th General Assembly, with the approval of the Governor, that JoAnn M. Hedrick is elected to serve as Bill Clerk at the pleasure of the House of Representatives.

The roll call on HJR 1 was taken and revealed:

YES: 40.

ABSENT: Representative Thornburg – 1.

Therefore, having received a constitutional majority, HJR 1 was sent to the Senate for concurrence.
Representative Schwartzkopf moved that a committee of two members be appointed to notify the Governor that the House is organized and ready for business. The motion was seconded by Representative Longhurst and was adopted by voice vote. Mr. Speaker Gilligan appointed Representative John L. Mitchell, Jr. and Representative Clifford G. Lee to notify the Governor that the House is organized and ready for business.

Representative Schwartzkopf moved that a committee of two members be appointed to notify the Senate that the House is organized and ready for business. The motion was seconded by Representative Longhurst and was adopted by voice vote. Mr. Speaker Gilligan appointed Representative John L. Mitchell, Jr. and Representative Clifford G. Lee to notify the Governor that the House is organized and ready for business.

Mr. Speaker Gilligan appointed Representative William J. Carson, Jr. and Representative Joseph E. Miro to notify the Senate that the House is organized and ready for business.

Mr. Speaker Gilligan made an announcement. The House Members introduced their family members and friends who were present for the record. The House observed a moment of silence in memory of The Honorable William I. Houghton and The Honorable James P. Ferguson, former Speaker of the House, at the request of Mr. Speaker Gilligan. The House observed a moment of silence in memory of Elizabeth Walker, mother of Senator Patricia M. Blevins at the request of Representative Keeley.

Representative Mitchell announced that he and Representative Lee have notified the Governor that the House is organized and ready for business.

Representative Carson announced that he and Representative Miro have notified the Senate that the House is organized and ready for business.

Representative Atkins made a comment.

Mr. Speaker Gilligan made an announcement.

The following pre-session prefiled legislation was introduced:


HB 23 – HOCKER & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Chapter 278, Volume 72, Laws of Delaware, as Amended, the Charter of the Town of Millville, to Clarify Certain Non-recourse Provisions of Section 31 (a)(45) of the Charter Relating to Municipal Tax Increment and Municipal Special Development Districts Financings. (2/3 bill)


HB 26 – BRADY & SENATOR MCDOWELL; REPRESENTATIVES LAVELLE, MANOLAKOS, MIRO - HOUSE ADMINISTRATION - An Act to Amend Titles 22 and 25 of the Delaware Code to Authorize the Collection of Liens by Writ of Monition. (2/3 bill)

HB 27 - KOWALKO & SENATOR PETERSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Lobbyists. (2/3 bill)

HCR 1 - BRADY & REPRESENTATIVE PLANT & SENATOR MARSHALL; REPRESENTATIVES J. JOHNSON, KOWAL, MULROONEY, OBERLE; SENATORS CONNOR, MCDOWELL - HOUSE ADMINISTRATION - Urging Congress to Enact the Employee Free Choice Act.

The Majority Leader moved to recess to the call of the Chair at 3:59 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on January 14, 2009.

The Reading Clerk read the following communication into the record:

MEMORANDUM

To: Speaker of the House Robert F. Gilligan
From: Representative Pamela Thornburg
Date: December 30, 2008
RE: Absence from Session

I will be absent from session on January 13th, 14th and 15th due to a business requirement for the Farm Bureau.

The Majority Leader moved to adjourn at 2:02 p.m., thereby ending the current legislative day. The House reconvened at 2:03 p.m.

2nd LEGISLATIVE DAY – 145th GENERAL ASSEMBLY - First Session
January 14, 2009

The Chief Clerk called the roll:

Members Present: 38.
MembersAbsent: Representatives Cathcart, Lavelle & Thornburg – 3.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.

Mr. Speaker Gilligan led those present in a pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

**HB 29** - JAQUES & SENATOR ENNIS & REPRESENTATIVE LONGHURST & SENATOR HALL-LONG; REPRESENTATIVES Q. JOHNSON, CATHCART - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Chapter 26, Title 9 of the Delaware Code Relating to Zoning.

**HB 30** - JAQUES & SENATOR ENNIS & REPRESENTATIVE LONGHURST & SENATOR HALL-LONG; REPRESENTATIVE Q. JOHNSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Powers, Duties and Functions of the Secretary of Education.

**HB 31** - HOCKER & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Chapter 278, Volume 72, Laws of Delaware, as Amended, the Charter of the Town of Millville, to Remove or "deannex" from the Town of Millville Certain Property Upon Which a Portion of Lord Baltimore Elementary School is Located, Contiguous to the Town of Ocean View, Which Desires to Acquire and Maintain Police Jurisdiction Over the Entirety of the Lord Baltimore Elementary School. (2/3 bill)

**HB 34** - CATHCART & SENATOR HALL-LONG; REPRESENTATIVES J. JOHNSON, PLANT, BOOTH, MANOLAKOS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Establishment of a Mental Health Death Review Committee.


**HB 38** - CATHCART & SENATOR HALL-LONG; REPRESENTATIVES J. JOHNSON, PLANT, BOOTH, MANOLAKOS, BLAKEY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Mental Health Patients' Bill of Rights, Notifications and Forms.


**HB 42** - CATHCART; REPRESENTATIVES BOOTH, MANOLAKOS, OBERLE - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Department of Health and Social Services and Creating the Delaware Psychiatric Center Authority.

**HB 43** - BENNETT & SENATOR ENNIS; REPRESENTATIVES LONGHURST, LAVELLE, JAQUES, HOCKER, Q. JOHNSON, HUDSON, MITCHELL, CARSON, ATKINS, SCOTT, SCHWARTZKOPF, D.P. WILLIAMS, WALLS, MULROONEY, OUTTEN; SENATOR BUSHWELLER - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to the Merit System of Personnel Administration.

The Reading Clerk read the following communication into the record:

**MEMORANDUM**

To: Speaker Robert Gilligan
From: Representative Richard C. Cathcart
Date: January 14, 2009
Subject: Absence from Session

I will be absent from session today, January 14, 2009 due to illness.
Representative Keeley requested that she be marked present.
The Reading Clerk read the following communications into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #1**

**DATE: January 14, 2009**

The following Tributes and Memorials have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
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<tbody>
<tr>
<td>H145-3</td>
<td>Carey</td>
<td>11/8/2008</td>
<td>T</td>
<td>George Sherman - 50 Years - Milton Fire Company</td>
</tr>
<tr>
<td>H145-4</td>
<td>Lee</td>
<td>11/19/2008</td>
<td>T</td>
<td>Greg Johnson - Laurel Business Person of the Year</td>
</tr>
<tr>
<td>H145-5</td>
<td>Lee</td>
<td>11/19/2008</td>
<td>T</td>
<td>Donna Wilkosz - Delmar Citizen of the Year</td>
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<tr>
<td>H145-6</td>
<td>Walls</td>
<td>11/10/2008</td>
<td>M</td>
<td>Philip W. Tuthill</td>
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<tr>
<td>H145-7</td>
<td>Walls</td>
<td>11/15/2008</td>
<td>T</td>
<td>Reverend Doctor Jeanel Starling – Community Service</td>
</tr>
<tr>
<td>H145-9</td>
<td>Outten</td>
<td>11/10/2008</td>
<td>M</td>
<td>Kelly &amp; Jacob Rinaldi, Kaylee, Kyle &amp; Jessup Crow</td>
</tr>
<tr>
<td>H145-10</td>
<td>Hudson</td>
<td>11/22/2008</td>
<td>T</td>
<td>Society of Mayflower Descendants - 50th Anniversary</td>
</tr>
<tr>
<td>H145-11</td>
<td>Outten</td>
<td>11/12/2008</td>
<td>M</td>
<td>Paul H. Legates</td>
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<tr>
<td>H145-12</td>
<td>Booth</td>
<td>12/2/2008</td>
<td>T</td>
<td>Alan Baugh - Retirement - DelDOT</td>
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<td>H145-13</td>
<td>Walls</td>
<td>11/10/2008</td>
<td>M</td>
<td>Michael E. Miller</td>
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<td>cosponsor: Rep. Outten</td>
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<td>H145-14</td>
<td>Schooley</td>
<td>11/11/2008</td>
<td>M</td>
<td>Dr. Philip Toman</td>
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<td>H145-15</td>
<td>Hudson</td>
<td>11/14/2008</td>
<td>M</td>
<td>Iona Hall Turley</td>
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<td>H145-17</td>
<td>Lee</td>
<td>11/22/2008</td>
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<td>Dale Dukes - 20 Years - Sussex County Council</td>
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<td>H145-18</td>
<td>Carey</td>
<td>11/22/2008</td>
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<td>Lynn Rogers - 12 Years - Sussex County Council</td>
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<td>H145-19</td>
<td>Wilson</td>
<td>11/22/2008</td>
<td>T</td>
<td>Finley Jones - 12 Years - Sussex County Council</td>
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<td>H145-20</td>
<td>Hudson</td>
<td>11/14/2008</td>
<td>M</td>
<td>Robert A. Blanchfield</td>
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<td>cosponsor: Rep. Lavelle</td>
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<td>H145-21</td>
<td>Thornburg</td>
<td>11/16/2008</td>
<td>M</td>
<td>William David Twillely</td>
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<td>H145-22</td>
<td>Atkins</td>
<td>11/25/2008</td>
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<td>East Millsboro Elementary - Wetland Ribbon Cutting</td>
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<tr>
<td>H145-24</td>
<td>Gilligan</td>
<td>11/13/2008</td>
<td>M</td>
<td>Honorable Andrew G. Knox</td>
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<tr>
<td></td>
<td>cosponsors: Rep. D.E. Williams &amp; All Representatives</td>
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**HOUSE TRIBUTE ANNOUNCEMENT #2**

**DATE: January 14, 2009**

The following Tributes and Memorials have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

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<td>H145-26</td>
<td>Barbieri</td>
<td>11/21/2008</td>
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<td>Alfred &amp; Patricia Howard - 50th Wedding Anniversary</td>
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<td>cosponsor: Rep. Hudson</td>
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<td>H145-29</td>
<td>Outten</td>
<td>12/4/2008</td>
<td>T</td>
<td>Whitney Betts - State Youth Ambassador – Farm Bureau</td>
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<tr>
<td>H145-30</td>
<td>Carey</td>
<td>12/18/2008</td>
<td>T</td>
<td>Bob &amp; Ethel Graham - 60th Wedding Anniversary</td>
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<tr>
<td>H145-31</td>
<td>Booth</td>
<td>12/7/2008</td>
<td>T</td>
<td>Michael Nelson Campbell - Eagle Scout</td>
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<tr>
<td>H145-32</td>
<td>Booth</td>
<td>12/7/2008</td>
<td>T</td>
<td>Samuel Harrison Cooksey - Eagle Scout</td>
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<td>H145-33</td>
<td>Booth</td>
<td>12/7/2008</td>
<td>T</td>
<td>Daniel Roy Scritchfield - Eagle Scout</td>
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<td>H145-34</td>
<td>Booth</td>
<td>12/7/2008</td>
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<td>Conor Thomas Small - Eagle Scout</td>
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<td>H145-35</td>
<td>Schwartzkopf</td>
<td>11/26/2008</td>
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<td>Gerald L. Lamb</td>
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<td>H145-37</td>
<td>Carson</td>
<td>12/13/2008</td>
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<td>Nancy Faries - 80th Birthday</td>
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<td>H145-40</td>
<td>Atkins</td>
<td>11/29/2008</td>
<td>T</td>
<td>Gregory Lee Emerson, Jr. - Eagle Scout</td>
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<td>cosponsor: Rep. Hocker</td>
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<tr>
<td>H145-41</td>
<td>Cathcart</td>
<td>12/7/2008</td>
<td>T</td>
<td>Julia Sidwell - 100th Birthday</td>
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<td>H145-42</td>
<td>Thornburg</td>
<td>1/9/2009</td>
<td>T</td>
<td>Robert Taylor - Retirement - DelDOT</td>
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<td>H145-44</td>
<td>Schooley</td>
<td>12/5/2008</td>
<td>T</td>
<td>John &amp; Joanna Roslan - 50th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-45</td>
<td>Longhurst</td>
<td>11/21/2008</td>
<td>T</td>
<td>Earnest &amp; Patricia Carrere - 50th Wedding Anniversary</td>
</tr>
</tbody>
</table>
Date: January 14, 2009

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>H145-46</td>
<td>Gilligan</td>
<td>12/5/2008</td>
<td>T</td>
<td>Philip &amp; Angeline Ceresini - 50th Wedding Anniversary</td>
</tr>
</tbody>
</table>

HOUSE TRIBUTE ANNOUNCEMENT #3

Date: January 14, 2009

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H145-50</td>
<td>Brady</td>
<td>11/29/2008</td>
<td>M</td>
<td>Angela M. Scerba</td>
</tr>
<tr>
<td>H145-51</td>
<td>D. Short</td>
<td>12/14/2008</td>
<td>T</td>
<td>Edward Williams - Retirement - Sunday School Teacher</td>
</tr>
<tr>
<td>H145-52</td>
<td>J. Johnson; Mulrooney</td>
<td>12/19/2008</td>
<td>T</td>
<td>Master Corporal Robert Haug - Retirement – New Castle County Police</td>
</tr>
<tr>
<td>H145-53</td>
<td>Ramone</td>
<td>11/30/2008</td>
<td>T</td>
<td>James &amp; Patricia Hall - 45th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-54</td>
<td>Ramone</td>
<td>1/31/2009</td>
<td>T</td>
<td>Mildred Lawson - 80th Birthday</td>
</tr>
<tr>
<td>H145-55</td>
<td>Outten</td>
<td>12/2/2008</td>
<td>M</td>
<td>Howell H. Hitchens</td>
</tr>
<tr>
<td>H145-57</td>
<td>Booth</td>
<td>12/12/2008</td>
<td>T</td>
<td>Ruth MacIntire - 20 Years - Lewes Public Library</td>
</tr>
<tr>
<td>H145-58</td>
<td>Booth</td>
<td>12/16/2008</td>
<td>T</td>
<td>Sussex County Emergency Medical Services - Dedication</td>
</tr>
<tr>
<td>H145-59</td>
<td>Walls</td>
<td>12/12/2008</td>
<td>T</td>
<td>Molford High Football Team - State Champions</td>
</tr>
<tr>
<td>H145-60</td>
<td>B. Short</td>
<td>12/12/2008</td>
<td>M</td>
<td>David Braunstein</td>
</tr>
<tr>
<td>H145-61</td>
<td>Atkins</td>
<td>12/9/2008</td>
<td>T</td>
<td>Richard &amp; Mary Jane Cordrey - 55th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-63</td>
<td>Outten</td>
<td>1/2/2009</td>
<td>T</td>
<td>Franklin Hedricks - 40 Years - Banking Industry</td>
</tr>
<tr>
<td>H145-64</td>
<td>Mitchell</td>
<td>11/10/2008</td>
<td>M</td>
<td>Katherine E. Trincia</td>
</tr>
<tr>
<td>H145-65</td>
<td>Brady</td>
<td>12/16/2008</td>
<td>T</td>
<td>Dr. Cornelia Winner - Retirement - DeTech</td>
</tr>
<tr>
<td>H145-68</td>
<td>Q. Johnson</td>
<td>1/10/2009</td>
<td>T</td>
<td>David Hall, Sr. - EMT of the Year - Townsend Fire Co.</td>
</tr>
<tr>
<td>H145-69</td>
<td>Q. Johnson</td>
<td>1/10/2009</td>
<td>T</td>
<td>R. Charles Murray - Townsend Fire Company Hall of Fame</td>
</tr>
<tr>
<td>H145-70</td>
<td>Q. Johnson</td>
<td>1/10/2009</td>
<td>T</td>
<td>Nathan Lucy - Junior Firefighter of Year – Townsend</td>
</tr>
<tr>
<td>H145-71</td>
<td>Schwartzkopf; Booth</td>
<td>12/27/2008</td>
<td>T</td>
<td>Joshua Daniel Cooper - Eagle Scout</td>
</tr>
<tr>
<td>H145-72</td>
<td>Schwartzkopf; Booth</td>
<td>12/27/2008</td>
<td>T</td>
<td>Joseph Patrick Cooper - Eagle Scout</td>
</tr>
<tr>
<td>H145-73</td>
<td>Brady</td>
<td>12/17/2008</td>
<td>T</td>
<td>M. Lynn Sharp - Retirement - WHYY Board of Directors</td>
</tr>
</tbody>
</table>

HOUSE TRIBUTE ANNOUNCEMENT #4

Date: January 14, 2009

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>H145-74</td>
<td>Carson</td>
<td>12/19/2008</td>
<td>T</td>
<td>Jeff Draper - 50th Birthday</td>
</tr>
<tr>
<td>H145-75</td>
<td>Atkins</td>
<td>1/28/2009</td>
<td>T</td>
<td>East Millsboro Elementary School - Blue Ribbon School</td>
</tr>
<tr>
<td>H145-76</td>
<td>Lee</td>
<td>11/6/2008</td>
<td>T</td>
<td>Roy &amp; Carol Brittingham - 60th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-77</td>
<td>Outten</td>
<td>12/17/2008</td>
<td>M</td>
<td>Donald W. Derrickson</td>
</tr>
<tr>
<td>H145-78</td>
<td>Outten</td>
<td>12/17/2008</td>
<td>M</td>
<td>Robert W. Thompson</td>
</tr>
<tr>
<td>H145-80</td>
<td>Thornburg</td>
<td>12/20/2008</td>
<td>T</td>
<td>Ralph Rossi - 25 Years - Marydel Fire Company</td>
</tr>
<tr>
<td>H145-81</td>
<td>Lee</td>
<td>12/23/2008</td>
<td>T</td>
<td>Mike White - Winner - AC Delco Championship Race</td>
</tr>
<tr>
<td>H145-82</td>
<td>Carson</td>
<td>1/16/2009</td>
<td>T</td>
<td>Joyce Talley - Retirement - Department of Correction</td>
</tr>
<tr>
<td>H145-84</td>
<td>D. Short</td>
<td>12/26/2008</td>
<td>M</td>
<td>Dr. Susan J. Betts</td>
</tr>
<tr>
<td>H145-85</td>
<td>Carson</td>
<td>1/10/2009</td>
<td>T</td>
<td>Little Creek Fire Company - 65th Anniversary</td>
</tr>
<tr>
<td>H145-86</td>
<td>Carson</td>
<td>1/10/2009</td>
<td>T</td>
<td>Little Creek Fire Company Ladies Auxiliary - 60th Anniversary</td>
</tr>
<tr>
<td>H145-87</td>
<td>Carson</td>
<td>1/5/2009</td>
<td>T</td>
<td>Gloria Brittingham - Outstanding Achievement - Citizens Hose Company</td>
</tr>
</tbody>
</table>

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Representative Oberle requested and was granted personal privilege of the floor to make an announcement. Representative Hocker requested and was granted personal privilege of the floor to introduce a guest. Mr. Speaker Gilligan made an announcement.

The Majority Leader moved to recess to the call of the Chair at 2:11 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following Member was marked present by the Chief Clerk after the House recessed at 2:11 P.M.: Representative Manolakos.

Mr. Speaker Gilligan called the House to order at 1:47 p.m. on January 15, 2009.

The Reading Clerk read the following communications into the record:

MEMORANDUM

To: Speaker Robert Gilligan
From: Representative Richard C. Cathcart
Date: January 15, 2009
Subject: Absence from Session

I will be absent from session today January 15, 2009 due to illness.

Representative Schwartzkopf introduced HB 25, jointly sponsored by Representatives Gilligan & Longhurst & Senators Adams, DeLuca & Blevins.

Representatives Plant & Keeley requested that they be marked present.

HB 25 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2010; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

Mr. Speaker Gilligan assigned HB 25 to the Appropriations Committee.

Representative Schwartzkopf made an announcement. Mr. Speaker Gilligan introduced guests. Representative Lavelle requested that he be marked present. Representative Walls made an announcement. Mr. Speaker Gilligan introduced a guest. Representatives Brady, Schwartzkopf & Mr. Speaker Gilligan made announcements.

The Majority Leader moved to recess for the Joint Session, caucus and to the call of the Chair at 2:00 p.m.
JOINT SESSION – SENATE CHAMBER

The Sergeant-at-Arms announced the arrival of the House members. The members of the House of Representatives were admitted and welcomed by Lieutenant Governor John Carney. At the invitation of the Lieutenant Governor, Representative Gilligan joined him on the podium.

At 2:30 p.m. Senator DeLuca moved that the House and Senate meet in Joint Session for the purpose of announcing the election results for the Governor and Lieutenant Governor. Senator DeLuca moved that the Lieutenant Governor, as President of the Senate, preside over the Joint Session. There was no objection. Senator DeLuca moved that the Secretary of the Senate and the Chief Clerk of the House act as Secretaries to the Joint Session. There was no objection.

The Lieutenant Governor instructed the Senate Reading Clerk to read the certified returns of the election for Governor and Lieutenant Governor for each county.

The State Of Delaware
Sussex County, ss

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord Two Thousand and Eight for Sussex County, according to the Constitution and Laws of the State of Delaware,

Forty-Three Thousand Two Hundred Seventy-Three (42,273) votes were given for (D) MATTHEW DENN for Lieutenant Governor
Forty-One thousand, Two Hundred Fifty-Seven (41,257) votes were given for (R) CHARLES L. COPELAND for Lieutenant Governor
Twenty-Two (22) votes were given for (Y) PETER CULLEN for Lieutenant Governor

which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

In Testimony Whereof, we, T. HENLEY GRAVES and E. SCOTT BRADLEY, constituting the Superior Court for Sussex County, who have met and ascertained the state of election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the Superior Court to be hereunto affixed at the Court House in said County, on this 6th day of November, A.D. 2008.

T. Henley Graves, Resident Associate Judge
E. Scott Bradley, Associate Judge

THE STATE OF DELAWARE
KENT COUNTY, ss

BE IT REMEMBERED, That at the General Election held on Tuesday next after the first Monday in November, in the year of our Lord Two Thousand and Eight for Kent County, according to the Constitution and Laws of the State of Delaware,

Thirty Six Thousand, Three Hundred and Twenty Two (36,322) votes were given for (D) MATTHEW DENN for Lieutenant Governor
Twenty Six Thousand, Nine Hundred and Fifty Seven (26,957) votes were given for (R) CHARLES L. COPELAND for Lieutenant Governor
Eighteen (18) votes were given for (Y) PETER CULLEN for Lieutenant Governor

which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We WILLIAM L. WITHAM, JR. and JOSEPH R. SLIGHTS, III constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the Superior Court to be hereunto affixed at the Court House in said County, on this 6th day of November, A.D. 2008.

William L. Witham, Jr, Resident Judge
Joseph R. Slight, III Judge
The State of Delaware
New Castle County, ss

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord Two Thousand and Eight for New Castle County, according to the Constitution and Laws of the State of Delaware,

One Hundred fifty seven thousand one hundred and forty-nine (157,149) votes were given for (D) MATTHEW DENN for Lieutenant Governor
Eighty one thousand and nine (81,009) votes were given for (R) CHARLES L. COPELAND for Lieutenant Governor

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Fifty-two (52) votes were given for (Y) PETER CULLEN for Lieutenant Governor, which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Election Districts of the County, according to the provisions made by law in this behalf.

In Testimony Whereof, we, JAMES T. VAUGHN, JR. and RICHARD R. COOCH constituting the Superior Court for New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 6th day of November, A.D. 2008.

James T. Vaughn, Jr. President Judge
Richard R. Cooch Resident Judge
The State of Delaware
New Castle County, ss

BE IT REMEMBERED, That at the General Election held on Tuesday next after the first Monday in November, in the year of our Lord Two Thousand and Eight for New Castle County, according to the Constitution and Laws of the State of Delaware,

One hundred eighty thousand two hundred and forty (180,240) votes were given for (D) JACK MARKELL for Governor
Sixty two thousand four hundred and thirty-two (62,432) votes were given for (R) WILLIAM SWAIN LEE for Governor
One Thousand two hundred and twelve (1,212) votes were given for (Y) JEFFREY BROWN for Governor

which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Election Districts of the County, according to the provisions made by law in this behalf.

In Testimony Whereof, we, JAMES T. VAUGHN, JR and RICHARD R. COOCH constituting the Superior Court for New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 6th day of November, A.D. 2008.

James T. Vaughn, Jr. President Judge
Richard R. Cooch Resident Judge

THE STATE OF DELAWARE
KENT COUNTY, ss

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord Two Thousand and Eight for Kent County, according to the Constitution and Laws of the State of Delaware,

Forty One Thousand and Seventy Six (41,076) votes were given for (D) JACK MARKELL for Governor
Twenty Three Thousand, Six Hundred and Forty Six (23,646) votes were given for (R) WILLIAM SWAIN LEE for Governor
Two Hundred and Eighteen (218) votes were given for (Y) JEFFREY BROWN for Governor

which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We WILLIAM L. WITHAM, JR., and JOSEPH R. SLIGHTS, III constituting the Superior Court for Kent, who have met and ascertained the state of election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 6th day of November, A.D. 2008.

William L. Witham, Jr. Resident Judge
Joseph R. Slichts, III Judge
The State Of Delaware
Sussex County, ss

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord Two Thousand and Eight for Sussex County, according to the Constitution and Laws of the State of Delaware,

Forty-five Thousand, Five Hundred Forty-Five (45,545) votes were given for (D) JACK MARKELL for Governor
Forty Thousand, Five Hundred Eighty-Four (40,584) votes were given for (R) WILLIAM SWAIN LEE for Governor
Two Hundred Fifty One (251) votes were given for (Y) JEFFREY BROWN for Governor

which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

William L. Witham, Jr. Resident Judge
Joseph R. Slights, III Judge
The State Of Delaware
Sussex County, ss

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord Two Thousand and Eight for Sussex County, according to the Constitution and Laws of the State of Delaware,
In Testimony Whereof, we, T. HENLEY GRAVES and E. SCOTT BRADLEY, constituting the Superior Court for Sussex County, who have met and ascertained the state of election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 6th day of November, A.D. 2008.

T. Henley Graves Resident Associate Judge  
E. Scott Bradley Associate Judge

Senator DeLuca moved that the election results for the Governor and Lieutenant Governor as just officially announced be reflected in the Senate and House records for publication and that the results of the election and the winners as announced constitute compliance with the provisions of Article III, section 3 of the Delaware Constitution. There was no objection.

Senator DeLuca moved that the Secretary of the Senate and the Clerk of the House compare their Journals to see if they agree.

The Secretary of the Senate informed the Joint Session that he and the Chief Clerk had compared their Journals and found that they agreed.

At 2:34 p.m. Senator McDowell moved that the Joint Session adjourn. There was no objection.

Mr. Speaker Gilligan assigned HB 45 to the Housing & Community Affairs Committee. Representative D.P. Williams requested that he be marked present for the current Legislative Day. Representative Keeley requested and was granted personal privilege of the floor to make an announcement.

The Majority Leader moved to adjourn at 2:06 p.m., thereby ending the current legislative day. The House reconvened at 2:07 p.m.

4th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY - First Session  
January 21, 2009

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Manolakos, Miro & Oberle - 3.

A prayer was offered by Representative Teresa L. Schooley, Twenty-Third Representative District.

Mr. Speaker Gilligan led those present in a pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

HA 1 to HB 27 - LAVELLE - Placed with the Bill.

The Reading Clerk read the following communications into the record:

January 20, 2009

TO: The Honorable Robert F. Gilligan  
FROM: Representative V. George Carey  
SUBJECT: Absence from Session

I will not be present for session on Thursday, January 22, 2009, as I will be attending a business meeting out of state.

January 21, 2009

TO: The Honorable Robert F. Gilligan  
FROM: Representative William A. Oberle, Jr.  
SUBJECT: Absence from Session

I will not be in attendance on Wednesday, January 21, 2009 due to a family commitment.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #5

DATE: January 21, 2009

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:
Representative Schwartzkopf deferred to Representative Brady. Representative Brady requested & was granted personal privilege of the floor to make comments and to introduce a guest. Representative Barbieri requested and was granted personal privilege of the floor to introduce a guest. Representative D.P. Williams made comments.

Representative Schwartzkopf deferred to Representative Blakey. Representative Blakey requested and was granted personal privilege of the floor to introduce a guest. Representative D.P. Williams made comments.

Mr. Speaker Gilligan made an announcement.

Mr. Speaker Gilligan reassigned HB 24 to the Natural Resources Committee.

Mr. Speaker Gilligan announced that Judge Charles W. Welch had administered the oath of Representative to Representative-Elect Pamela J. Thornburg in the Speaker's Office prior to the call to order.

Representative Lavelle requested that he be marked present.

Representative Schwartzkopf deferred to Representative D. Short.

Mr. Speaker Gilligan & Representative Cathcart made comments.


HB 44 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PERMITTING THE DELAWARE STATE FIRE PREVENTION COMMISSION TO ESTABLISH A DELAWARE BURN CAMP TO HELP YOUNG PEOPLE WHO HAVE SUFFERED BURNS.

Mr. Speaker Gilligan assigned HB 44 to the Health & Human Development Committee.

Representative D. Short requested and was granted personal privilege of the floor to make comments regarding HB 44.

Representative Jaques requested and was granted personal privilege of the floor to introduce a guest.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:23 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following Member was marked present by the Chief Clerk after the House recessed at 2:23 P.M.: Representative Keeley.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 22, 2009.
The Chief Clerk read the following committee reports into the record:
HOUSE ADMINISTRATION: HB 1 – 3M; HB 23 – 3F; HB 26 – 3F; HB 27 – 2F, 1M; HB 31 – 3F.

HOUSING & COMMUNITY AFFAIRS: HB 29 – 1M, 8U; HB 45 – 9M, 1U.
Representatives Manolakos & Oberle requested that they be marked present for the current Legislative Day.

The Majority Leader moved to adjourn at 2:01 p.m., thereby ending the current legislative day. The House reconvened at 2:02 p.m.

5th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – First Session
January 22, 2009

The Chief Clerk read the following communication into the record:

MEMORANDUM
TO: The Honorable Robert F. Gilligan
Speaker of the House of Representatives
FROM: Joseph E. Miro
Representative – Twenty-Second Representative District
RE: Absence from Session
DATE: January 22, 2009

Please be advised that I will be absent from session today, Thursday, January 22, 2009 due to personal business.

Thank you for your consideration in this matter.

Representatives Atkins & Cathcart requested that they be marked present.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson introduced HB 47, jointly sponsored by Senator De Luca & Representatives D. Short & M. Marshall & Senator Simpson.

HB 47 – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE PERMITTING BAIL AGENTS TO ALSO ACT AS PROPERTY BAIL AGENTS.

Mr. Speaker Gilligan assigned HB 47 to the Economic Development/Banking/Insurance & Commerce Committee.


Representative M. Marshall introduced HB 49, jointly sponsored by Representative Oberle & Representative Kovach & Senator Adams & Senator De Luca & cosponsored by Representative Wilson.

HB 49 – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE RESOLUTION OF DISPUTES IN THE COURT OF CHANCERY.

Mr. Speaker Gilligan assigned HB 49 to the Judiciary Committee.

The Majority Leader moved to recess for caucus at 2:10 p.m.

The House reconvened at 3:14 p.m.

Representatives Lavelle, Mulrooney & Plant requested that they be marked present.

Representative Schwartzkopf deferred to Representative Brady.
Representative Brady brought **HB 26**, jointly sponsored by Senator McDowell & Representatives Lavelle, Manolakos & Miro, before the House for consideration.  

**HB 26** – AN ACT TO AMEND TITLES 22 AND 25 OF THE DELAWARE CODE TO AUTHORIZE THE COLLECTION OF LIENS BY WRIT OF MONITION. (2/3 bill)  
Representative Brady introduced and brought **HA 1 to HB 26** before the House for consideration. Representative Brady made comments. **HA 1** was adopted by voice vote. Representative Brady made comments.

The roll call on **HB 26 w/HA1** was taken and revealed:
- YES: 39

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 26 w/HA 1** was sent to the Senate for concurrence.

Representatives D.P. Williams & Keeley requested that they be marked present during the roll call. Representative Schwartzkopf deferred to Representative Hocker. Representative Hocker brought **HB 23**, jointly sponsored by Senator Bunting, before the House for consideration.  

**HB 23** – AN ACT TO AMEND CHAPTER 278, VOLUME 72, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLVILLE, TO CLARIFY CERTAIN NON-RECOUPPROVISIONS OF SECTION 31 (a)(45) OF THE CHARTER RELATING TO MUNICIPAL TAX INCREMENT AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS FINANCINGS. (2/3 bill)  
Representative Hocker introduced and brought **HA 1 to HB 23** before the House for consideration. Representative Hocker made a comment. **HA 1** was adopted by voice vote. Representative Hocker made comments.

The roll call on **HB 23 w/HA 1** was taken and revealed:
- YES: 39

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 23 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Hocker. Representative Hocker requested that **HB 31** be stricken. Representative Hocker moved to suspend the rules which interfere with introduction of and action on **HB 52**. The motion was seconded by Representative Cathcart and adopted by voice vote. Representative Hocker introduced and brought **HB 52**, jointly sponsored by Senator Bunting, before the House for consideration.  

**HB 52** – AN ACT TO AMEND CHAPTER 278, VOLUME 72, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLVILLE, TO REMOVE OR “DEANNEX” FROM THE TOWN OF MILLVILLE CERTAIN PROPERTY UPON WHICH A PORTION OF LORD BALTIMORE ELEMENTARY SCHOOL IS LOCATED CONTIGUOUS TO THE TOWN OF OCEAN VIEW, WHICH DESIRES TO ACQUIRE AND MAINTAIN POLICE JURISDICTION OVER THE ENTIRETY OF THE LORD BALTIMORE ELEMENTARY SCHOOL. (2/3 bill)  
Representative Hocker made comments.

The roll call on **HB 52** was taken and revealed:
- YES: 39

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 52** was sent to the Senate for concurrence.


**HB 48** – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX AND MODIFICATIONS THERETO.  
Mr. Speaker Gilligan assigned **HB 48** to the Appropriations Committee. Representative Oberle requested and was granted personal privilege of the floor to make comments regarding **HB 48**.

Mr. Speaker Gilligan reassigned **HB 48** to the Revenue & Finance Committee. Representatives J. Johnson, Oberle & Kowalko made comments. Representatives M. Marshall & Lavelle requested and were granted personal privilege of the floor to make comments. Representative Kowalko requested and was granted personal privilege of the floor to introduce guests. Representative Oberle made comments. Mr. Speaker Gilligan & Representative Keeley made announcements.

The Majority Leader moved to recess to the call of the Chair at 3:41 p.m.
Mr. Speaker Gilligan called the House to order at 2:01 p.m. on January 27, 2009.
Representative Carey requested that he be marked present for the current Legislative Day.
The Reading Clerk read the following communication into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST
I, William R. Outten, do hereby request that my name be removed as cosponsor of HCR 2.
Date: 1/22/09
Signed: William R. Outten
Representative Schwartzkopf introduced guests.
Representative M. Marshall introduced and brought HCR 4, jointly sponsored by Senator Cook & cosponsored by Representative Miro, before the House for consideration.

HCR 4 – RECOGNIZING THE DIVISION OF CORPORATIONS ON RECEIVING THE W. L. GORE AWARD.
Representative M. Marshall made comments and introduced guests. Mr. Speaker Gilligan made comments.
HCR 4 was adopted by voice vote and was sent to the Senate for concurrence.
Representative Lavelle made comments regarding HCR 4.
Representative Schwartzkopf deferred to Representative Schooley.
Representative Schooley introduced and brought HCR 3, sponsored on behalf of All Representatives & jointly sponsored by Senator Sokola on behalf of All Senators, before the House for consideration.

HCR 3 – CELEBRATING THE WEEK OF JANUARY 26TH THROUGH JANUARY 31ST AS CATHOLIC SCHOOLS WEEK IN DELAWARE.
Representative Schooley made comments.
HCR 3 was adopted by voice vote and was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Bennett.
Representative Bennett requested that HB 43 be stricken.

HB 53 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO UNPAID LEAVES OF ABSENCE.
Mr. Speaker Gilligan assigned HB 53 to the Labor Committee.

The Minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

HB 50 – HOCKER & SENATOR BUNTING – HOUSE ADMINISTRATION – An Act to Amend Chapter 59, Volume 63 of the Laws of Delaware, as Amended, the Charter of the Town of Dewey Beach to Limit the Height of Structures Within the Town. (2/3 bill)

HB 51 – HOCKER & SENATOR BUNTING – HOUSE ADMINISTRATION – An Act to Amend Chapter 59, Volume 63 of the Laws of Delaware, as Amended, the Charter of the Town of Dewey Beach to Grant the Town of Dewey Beach the Authority to Levy and Collect an Accommodations Tax. (2/3 bill)

HA 1 TO HB 27 – HUDSON - Placed with the Bill.
Representative Plant requested that she be marked present.
The Majority Leader moved to adjourn at 2:14 p.m., thereby ending the current legislative day. The House reconvened at 2:15 p.m.

6th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – First Session
January 27, 2009

The Chief Clerk called the roll:
Members Present: 41.

A prayer was offered by Representative Gregory F. Lavelle, Eleventh Representative District.
Mr. Speaker Gilligan invited Lauren Meoli, a student at Eagles Nest Christian Academy, to join him in leading those present in a pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following prefiled legislation was introduced:

HB 50 – HOCKER & SENATOR BUNTING – HOUSE ADMINISTRATION – An Act to Amend Chapter 59, Volume 63 of the Laws of Delaware, as Amended, the Charter of the Town of Dewey Beach to Limit the Height of Structures Within the Town. (2/3 bill)

HB 51 – HOCKER & SENATOR BUNTING – HOUSE ADMINISTRATION – An Act to Amend Chapter 59, Volume 63 of the Laws of Delaware, as Amended, the Charter of the Town of Dewey Beach to Grant the Town of Dewey Beach the Authority to Levy and Collect an Accommodations Tax. (2/3 bill)

HA 1 TO HB 27 – HUDSON - Placed with the Bill.
Representative Plant requested that she be marked present.
The Majority Leader moved to recess for caucus at 2:20 p.m.
The House reconvened at 4:20 p.m.

Representative Lavelle made comments.
Representative M. Marshall brought HB 45 before the House for consideration.

HB 45 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNIFORM COMMON INTEREST OWNERSHIP ACT.
Representative M. Marshall made comments. Representative Ramone announced that he will not be voting on HB 45 because of a possible conflict of interest. Representatives M. Marshall & Lavelle made comments. Representative M. Marshall rose on a point of order. Mr. Speaker did not concur.
Lavelle introduced and brought **HA 1 to HB 45** before the House for consideration. Representatives Lavelle & M. Marshall made comments. **HA 1** was defeated by voice vote.

The roll call on **HB 45** was taken and revealed:

YES: 36


Therefore, having received a constitutional majority, **HB 45** was sent to the Senate for concurrence.

Representative M. Marshall made comments. Mr. Speaker Gilligan introduced guests.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson moved to suspend the rules which interfere with action on **HB 47**. The motion was properly seconded and adopted by voice vote.

Representative Hudson brought **HB 47**, jointly sponsored by Senator DeLuca & Representatives D. Short & M. Marshall & Senator Simpson, before the House for consideration. **HB 47** – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE PERMITTING BAIL AGENTS TO ALSO ACT AS PROPERTY BAIL AGENTS.

Representative Hudson introduced and brought **HA 1 to HB 47** before the House for consideration. Representative Hudson made comments. **HA 1** was adopted by voice vote. Representative Hudson made comments.

The roll call on **HB 47 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 47 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Gilligan & Representative Schooley made announcements.

The Majority Leader moved to recess to the call of the chair at 4:42 p.m. Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 28, 2009.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 19** and requests the concurrence of the House.

Mr. Speaker Gilligan reassigned **HB 53** to the Corrections Committee.

The Majority Leader moved to adjourn at 2:01 p.m., thereby ending the current legislative day. The House reconvened at 2:02 p.m.

**7th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – First Session January 28, 2009**

The Chief Clerk called the roll:

Members Present: 37.

Members Absent: Representatives Lavelle, Manolakos, Plant & D.P. Williams - 4.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District. Mr. Speaker Gilligan led those present in a pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

**HA 1 to HB 44** – D. SHORT – Placed with the Bill.

**SB 7 w/SA 1 & 2** – VENABLES & SENATOR ENNIS & SENATOR CLOUTIER & REPRESENTATIVE D.P. WILLIAMS & REPRESENTATIVE OBERLE; SENATORS ADAMS, BUNTING, MCDOWELL, SIMPSON, PETERSON; REPRESENTATIVES CAREY, CARSON, CATHCART, HOCKER, J. JOHNSON, KOWALKO, LAVELLE, LEE, LONGHURST, MIRO, MULROONEY, OUTTEN, SCHOOLEY, SCHWARTZKOPF, D. SHORT, THORNBURG, WALLS, WILSON – HOUSE ADMINISTRATION – An Act to Amend Chapter 59, Volume 63 of the Laws of Delaware, as Amended, the Charter of the Town of Dewey Beach, to Make the Town Charter Consistent with Changes to 15 Del. C. Section 7501 Et Seq., Enacted by the 143rd General Assembly, Concerning Municipal Elections.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 7 w/SA 1 & 2**, **SCR 2**, **SCR 3** & **SCR 4** and is returning the same to the House.

Representatives Cathcart, D. Short, Atkins & Keeley requested that they be marked present.

Representative Schooley requested and was granted personal privilege of the floor to introduce guests.
Representative Miro requested and was granted privilege of the floor to present a House Tribute to Ilko Iliev and to introduce guests. Mr. Speaker Gilligan made comments. Representative Schwartzkopf brought the following prefilled Consent Calendar #1 before the House for consideration.


**SCR 3** – BLEVINS & SENATOR SORENSON & SENATOR SIMPSON ON BEHALF OF ALL SENATORS & REPRESENTATIVE HUDSON & REPRESENTATIVE M. MARSHALL ON BEHALF OF ALL REPRESENTATIVES - Designating the Month of February 2009 as “Delaware’s Teen Dating Violence Awareness and Prevention Month”.

**SCR 4** – BLEVINS & REPRESENTATIVE MITCHELL – Memorializing the One Hundredth Anniversary of the Town of Elsmere and Extending Sincere Congratulations to Its Citizens. Representative Thornburg requested that she be marked present.

Consent Calendar #1 was adopted by voice vote and SCR 2, SCR 3 & SCR 4 were returned to the Senate.

Representative Keeley made an announcement. Representative Mitchell made comments regarding SCR 4.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:15 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following Member was marked present by the Chief Clerk after the House recessed at 2:15 p.m.: Representative Oberle.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 29, 2009.

Representatives Lavelle & D.P. Williams requested that they be marked present for the current Legislative Day.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 11 and requests the concurrence of the House.

Representative Manolakos requested that he be marked present for the current Legislative Day. Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko requested that action on HB 27 be deferred to a Day Certain, Tuesday, March 24, 2009.

Mr. Speaker Gilligan requested that action on HB 1 be deferred to a Day Certain, Thursday, March 19, 2009.

The Chief Clerk read the following committee reports into the record:

**JUDICIARY:** HB 49 – 5F, 1M.
**HEALTH & HUMAN DEVELOPMENT:** HB 44 – 9F.
**CORRECTIONS:** HB 53 – 5F.

The Majority Leader moved to adjourn at 2:04 p.m., thereby ending the current legislative day. The House reconvened at 2:05 p.m.

**8th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – First Session January 29, 2009**

The Chief Clerk called the roll: Members Present: 41.

A prayer was offered by Representative Pamela J. Thornburg, Twenty-Ninth Representative District. Mr. Speaker Gilligan led those present in a pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.

The following prefilled legislation was introduced:


**HB 57** – BOOTH & SENATOR SIMPSON – PUBLIC SAFETY & HOMELAND SECURITY – An Act to Amend Title 21 of the Delaware Code Relating to Registration and Vehicles.


HA 1 TO HB 54 – HOCKER – Placed with the Bill.

SB 11 – VENABLES & REPRESENTATIVE LEE – HOUSE ADMINISTRATION – An Act to Amend Chapter 288, Volume 64, Laws of Delaware, the Charter of the Town of Laurel, as Amended, Relating to Borrowing Money and Issuing Bonds. (2/3 bill)
Representative Schwartzkopf deferred to Representative Thornburg.
Representative Thornburg introduced and brought HR 6, jointly sponsored by Representatives Atkins, Carson, Q. Johnson, Longhurst, Walls, Carey, Hocker & Outten, before the House for consideration.

HR 6 – PROCLAIMING FEBRUARY 15-21, 2009 AS FOOD CHECK-OUT WEEK IN DELAWARE.
Representative Booth requested that he be marked present.
Representative Thornburg made comments.
HR 6 was adopted by voice vote.
Representative Schwartzkopf deferred to Representative Manolakos.
Representative Manolakos introduced and brought HR 5 before the House for consideration.

HR 5 – URGING THE GOVERNMENT OF TURKEY TO CEASE ITS DISCRIMINATION OF THE ECUMENICAL PATRIARCHATE, TO GRANT THE ECUMENICAL PATRIARCH APPROPRIATE INTERNATIONAL RECOGNITION, ECCLESIASTICAL SUCCESSION AND THE RIGHT TO TRAIN CLERGY OF ALL NATIONALITIES, AND TO RESPECT THE PROPERTY RIGHTS AND HUMAN RIGHTS OF THE ECUMENICAL PATRIARCHATE.
Representatives Manolakos & Schwartzkopf made comments. Representative Manolakos moved to place HR 5 on the Speaker’s Table. The motion was seconded by Representative Hudson and adopted by voice vote.
The Majority Leader moved to recess for caucus at 2:16 p.m.
The House reconvened at 4:37 p.m.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 6 w/SA 2 and requests the concurrence of the House and the Senate has passed HB 47 w/HA 1, HB 23 w/ HA 1, HB 45 & HB 52 and is returning the same to the House.
Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell introduced a guest. Mr. Speaker Gilligan made an announcement. Representatives Lavelle & Atkins requested and were granted personal privilege of the floor to introduce guests.
Representative Schwartzkopf deferred to Representative D. Short.

HB 44 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PERMITTING THE DELAWARE STATE FIRE PREVENTION COMMISSION TO ESTABLISH A DELAWARE BURN CAMP TO HELP YOUNG PEOPLE WHO HAVE SUFFERED BURNS.
Representative D. Short brought HA 1 to HB 44 before the House for consideration. Representative D. Short made comments. HA 1 was adopted by voice vote. Representatives D. Short & Booth made comments.
The roll call on HB 44 w/HA1 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, HB 44 w/HA 1 was sent to the Senate for concurrence.
Representative Plant requested that she be marked present during the roll call.
Representative D. Short requested and was granted personal privilege of the floor to make comments and to introduce guests. Representative D. Short deferred to Representative M. Marshall. Representatives M. Marshall & D. Short made comments. Mr. Speaker Gilligan introduced a guest.
Representative M. Marshall brought HB 49, jointly sponsored by Representative Oberle & Representative Kovach & Senator Adams & Senator DeLuca, and cosponsored by Representative Wilson, before the House for consideration.
HB 49 – AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE RESOLUTION OF DISPUTES IN THE COURT OF CHANCERY.
Representative M. Marshall made comments.

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The roll call on HB 49 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, HB 49 was sent to the Senate for concurrence. Representative Schwartzkopf deferred to Representative Bennett. Representative Bennett brought HB 53, jointly sponsored by Representative Booth & Senator Ennis & Representatives Atkins, Carson, Hocker, Hudson, Jaques, Q. Johnson, Kowalko, Lavelle, Longhurst, Miro, Mitchell, Mulrooney, Outten, Schwartzkopf, Scott, D. Short, Walls, D.P. Williams & D.E. Williams & Senators Bushwell & Peterson & cosponsored by Representatives Ramone & Wilson, before the House for consideration.

HB 53 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO UNPAID LEAVES OF ABSENCE.
Representatives Bennett, Booth & Cathcart made comments.
The roll call on HB 53 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, HB 53 was sent to the Senate for concurrence. Representative Schwartzkopf & Mr. Speaker Gilligan made comments. Representative Schwartzkopf deferred to Representative Keeley. Representative Keeley requested and was granted personal privilege of the floor to make comments. Representative Keeley moved to suspend the rules which interfere with introduction of & action on SB 19. The motion was seconded by Representative J. Johnson and adopted by voice vote. Representative Keeley introduced & brought SB 19, jointly sponsored by Senator Venables & Senators Blevins, Cook, McDowell, Simpson & Sorenson & Representatives Mulrooney, Schooley, Viola, Carey & Oberle, before the House for consideration.

SB 19 – AN ACT APPROPRIATING BOND PREMIUMS AND SPECIAL FUNDS OF THE STATE, REVERTING CERTAIN FUNDS OF THE STATE; DEPOSITING CERTAIN FUNDS OF THE STATE TO THE GENERAL FUND AND SPECIFYING CERTAIN CONDITIONS FOR THE EXPENDITURE OF CERTAIN FUNDS; AND AMENDING THE LAWS OF DELAWARE.
Representative Keeley made comments.
The roll call on SB 19 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, SB 19 was returned to the Senate. Representative D.P. Williams made an announcement. Mr. Speaker Gilligan invited Representatives Schwartzkopf, Longhurst, Cathcart & D. Short to join him in presenting a House Tribute to Inga Emerson, Journal Clerk. Ms. Emerson addressed the House. Representative Kowalko made an announcement. Mr. Speaker Gilligan made comments. The Majority Leader moved to recess to the call of the Chair at 5:16 p.m. Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 17, 2009. The Majority Leader moved to adjourn at 2:01 p.m., thereby ending the current legislative day. The House reconvened at 2:02 p.m.

9th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - First Session
March 17, 2009
The Chief Clerk called the roll:
Members Present: 39.
Members Absent: Representative Lavelle & Thornburg - 2.
A prayer was offered by Mr. Speaker Gilligan, Nineteenth Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag. The minutes of the previous legislative day were approved as posted.
The following out of session prefiled legislation was introduced:
February 18, 2009
HB 60 - KOWALKO & SENATOR SOKOLA; REPRESENTATIVE KEELEY - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Limiting Artificial Trans Fats in Food Available or Served to Students in Public Schools, Including Charter Schools.
HB 61 - MITCHELL & REPRESENTATIVE MARSHALL & REPRESENTATIVE WALLS & REPRESENTATIVE BENNETT; SENATORS BUSHEWELLER, ENNIS; REPRESENTATIVES ATKINS, CARSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Failure to Answer a Summons.
**HB 63** - **BOOTH & SENATOR BUNTING; REPRESENTATIVE D. SHORT** - **HOUSE ADMINISTRATION** - An Act to Amend Chapter 25, Title 29 of the Delaware Code Relating to Employment of Private Attorneys.

**HB 64** - **BOOTH & SENATOR BUNTING; REPRESENTATIVES BENNETT, MARSHALL, HOCKER, MIRO, SCOTT; SENATORS ADAMS, VENABLES, SORENSON - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE** - An Act to Amend Title 29 of the Delaware Code Relating to Health Care Insurance.

**HB 65** - **BOOTH & SENATOR BUNTING - HOUSING & COMMUNITY AFFAIRS** - An Act to Amend Title 9 of the Delaware Code Relating to Sussex County Councilmanic Districts.

**HB 66** - **BOOTH & SENATOR BUNTING; REPRESENTATIVE HOCKER - HOUSE ADMINISTRATION** - An Act to Amend Title 29 of the Delaware Code Relating to Eligibility for State Employment.


**HB 68** - **MITCHELL & REPRESENTATIVE MARSHALL & REPRESENTATIVE WALLS & REPRESENTATIVE BENNETT & SENATOR BUSHWELLER & SENATOR ENNIS - PUBLIC SAFETY & HOMELAND SECURITY** - An Act to Amend Title 21 of the Delaware Code Relating to Habitual Offenders Status for Driving During a Period of Suspension or Revocation.

**HB 69** - **BOOTH; REPRESENTATIVES D. SHORT, HOCKER, MIRO; SENATOR BUNTING - EDUCATION** - An Act to Amend Title 14 of the Delaware Code Relating to Establishing a Direct Care Advanced Training Program.


**HB 71** - **CARSON & SENATOR ENNIS & SENATOR BUSHWELLER & REPRESENTATIVES BENNET; MIRO, MITCHELL, OUTTEN, WALLS, WILSON; SENATOR CONNOR - PUBLIC SAFETY & HOMELAND SECURITY** - A Bill to Amend Title 21 of the Delaware Code to Expand the Move on Over Law to Include Tow Trucks.

**HB 72** - **CATHCART & SENATOR SOKOLA; REPRESENTATIVES BENNETT, B. SHORT, VIOLA, D. SHORT, HOCKER, HUDDSON, LAVELLE, MIRO, OUTTEN, RAMONE, WILSON; SENATORS ENNIS, HALL-LONG, PETERSON - PUBLIC SAFETY & HOMELAND SECURITY** - An Act to Amend Chapter 27 of Title 21 of the Delaware Code Relating to Driver License Requirements for Registered Sex Offenders.


**HB 74** - **HUDSON & SENATOR SIMPSON; REPRESENTATIVES D. SHORT, BOOTH, RAMONE, MANOLAKOS; SENATORS BUNTING, PETERSON, SORENSON - HOUSE ADMINISTRATION** - An Act to Amend Title 15 of the Delaware Code Relating to Elections.


**HA 5** to **HB 27** - **KOWALKO - Placed with the Bill.**

**HA 1 to HCR 2** - **J. JOHNSON - Placed with the Bill.**


March 10, 2009


**HB 4** - **HUDSON & SENATOR SORENSON; REPRESENTATIVE LAVELLE - HOUSE ADMINISTRATION** - An Act to Amend Title 15 of the Delaware Code Relating to Cash Contributions.
Governor Jack A. Markell signed the following legislation on the date indicated:


HB 33 - BOOTH & SENATOR SIMPSON - HOUSE ADMINISTRATION - An Act to Reincorporate the Charter of the Board of Public Works of the City of Lewes, Chapter 196, Volume 22, Laws of Delaware, as Amended, Entitled "An Act to Authorize the Commissioners of Lewes to Appoint a Board of Public Works for the Town of Lewes Which Shall Establish, Control and Regulate an Electric Light Plant, Water Works and a Sewer System for Said Town; Prescribing the Powers and Duties of Said Board of Public Works and Providing for the Election of their Successors". (2/3 bill)

HB 76 - MANOLAKOS & SENATOR SOKOLA; REPRESENTATIVES GILLIGAN, Q. JOHNSON, KEELEY, MITCHELL, D. SHORT, HUDSON, MIRO; SENATORS BUNTING, PETERSON, SIMPSON, SORENSON, BONINI - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Oath of Office of School Board Members.

HB 77 - B. SHORT & SENATOR HALL-LONG; REPRESENTATIVES CARSON, HUDSON, JAQUES, M. MARSHALL, MITCHELL, SCHWARTZKOPF, WILSON; SENATORS BLEVINS, CLOUTIER - JUDICIARY - An Act to Amend Chapter 9 of Title 10 of the Delaware Code Relating to the Family Court of the State of Delaware.

HB 78 - B. SHORT & SENATOR ENNIS; REPRESENTATIVE MITCHELL; SENATOR HALL-LONG - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Sale or Transfer of a Puppy Under the Age of Eight Weeks of Age. (2/3 bill)

HB 79 - CATHCART & SENATOR BLEVINS & SENATOR DELUCA & SENATOR ENNIS - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Highway or Road Capacity and Residential Development in New Castle County.

HB 80 - CATHCART - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Information from the Department of Education and the Department of Transportation Regarding Rezoning and Subdivision Applications in New Castle County.


HB 82 – CATHCART & SENATOR ENNIS; REPRESENTATIVES HOCKER, HUDSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 25 of the Delaware Code Relating to Disclosure for Workforce Housing in New Castle County.

HB 83 - CATHCART & SENATOR DELUCA & SENATOR ENNIS; REPRESENTATIVE OBERLE - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County Land Use Planning and Education under the Quality of Life Act of 1988.

HA 1 to HB 1 - KEELEY & REPRESENTATIVE HUDSON - Placed with the Bill.

HA 2 to HB 1 - SCHWARTZKOPF - Placed with the Bill.

HA 1 to HB 40 - CATHCART - Placed with the Bill.

HA 1 to HB 62 - OBERLE - Placed with the Bill.

HR 9 - MANOLAKOS & REPRESENTATIVE KEELEY - HOUSE ADMINISTRATION - Urging the Government of Turkey to Grant the Ecumenical Patriarch Appropriate International Recognition, Ecclesiastical Succession and the Right to Train Clergy of All Nationalities, and to Respect the Property Rights and Human Rights of the Ecumenical Patriarchate.

The following prefiled legislation was introduced:


HA 1 to HB 20 - LAVELLE - Placed with the Bill.

Representative Scott requested that he be marked present.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST
I. Sen. Peterson, do hereby request that my name be removed as cosponsor of HB 69.
Date: 1-29-09
Signed: Karen Peterson

WITHDRAWAL OF SPONSORSHIP REQUEST
I. E. Bradford Bennett, do hereby request that my name be removed as cosponsor of HB 78.
Date: 3/12/09
Signed: E. B. Bennett
January 30, 2009

Legislative Advisory # 2
Governor Jack A. Markell signed the following legislation on the date indicated:
February 4, 2009

Legislative Advisory #3

Governor Jack A. Markell signed the following legislation on the date indicated: 2/4/09 - HB 23 aab

HA 1, HB 45 & HB 52.

Representatives Plant, Carson, M. Marshall & Atkins requested that they be marked present.

Mr. Speaker Gilligan made announcements. The House observed a moment of silence in memory of Dr. William Markell, father of Governor Jack A. Markell; Cindy DiPinto; and the Honorable James D. McGinnis, former Lieutenant Governor, at the request of Mr. Speaker Gilligan. Mr. Speaker Gilligan made comments. Representative M. Marshall requested and was granted personal privilege of the floor to introduce a guest. Representatives Kowalko, Mitchell, J. Johnson, Bennett, Oberle, Kovach, Lee, Wilson & Cathcart requested that they be marked present. Mr. Speaker Gilligan made an announcement. Mr. Speaker Gilligan reassigned HB 9 to the House Administration Committee.

The Reading Clerk read the following communications into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #6**

**DATE:** March 17, 2009

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

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<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
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<tr>
<td>H145-121</td>
<td>Wilson</td>
<td>2/13/2009</td>
<td>T</td>
<td>Dwight Warnick - 100th Birthday</td>
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<td>H145-122</td>
<td>Walls</td>
<td>11/19/2008</td>
<td>T</td>
<td>William &amp; Eliza Stokes/70th Anniversary</td>
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<tr>
<td>H145-123</td>
<td>Carson</td>
<td>1/16/2009</td>
<td>T</td>
<td>Carol Spillane - Dedicated Service to Delaware</td>
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<td>cosponsors: Reps. Oberle &amp; Schwartzkopf</td>
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<tr>
<td>H145-124</td>
<td>Hocker</td>
<td>1/15/2009</td>
<td>T</td>
<td>James Parramore, Jr. - Saved a Life during Fire</td>
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H145-126 Gilligan 1/13/2009 M Elizabeth P. Walker

cosponsors: All Representatives


H145-128 Outten 1/15/2009 M Elwood R. Brown

H145-129 Kowalko 2/7/2009 T Kappa Alpha Psi Nu Xi - 20th Anniversary

H145-130 Hocker 1/30/2009 T Victor Murray, Jr. - Exemplary Mentor

H145-131 D.P. Williams 1/18/2009 M Oliver Wendell Casson


cosponsor: Rep. Lavelle

H145-133 Jacques 1/22/2009 T Sandy Tuttle - Lifetime Achievement Award

H145-134 Carson 1/19/2009 T Tyler M. Watson - Achievement Award

cosponsor: Rep. Bennett

H145-135 Hocker 1/17/2009 T Lola Tue - Service – Teacher/Resident

H145-136 Schwartzkopf 1/17/2009 M Wayne Francis Wichlatz

cosponsor: Rep. Keeley

H145-137 Manolakos 1/27/2009 T David Deputy - Promotion Colonel - Air Guard

cosponsors: Reps. Hudson & Ramone

H145-138 D. Short 1/25/2009 T Ben Sirman - Herr Reitzes Service Award


H145-140 Oberle 1/27/2009 T Nicolas Brozean - Council of Legislators Gaming States - Dedication and Service

H145-141 Blakey 2/5/2009 T Diane L. Potts - Retirement - Social Security

**DATE:** March 17, 2009

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

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<td>Hudson</td>
<td>1/31/2009</td>
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<td>Jane Maroney - Lifetime Achievement Award</td>
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<td>H145-143</td>
<td>Hudson</td>
<td>1/31/2009</td>
<td>T</td>
<td>Edward Eaton - Lifetime Achievement Award</td>
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<tr>
<td>H145-144</td>
<td>Hudson</td>
<td>1/31/2009</td>
<td>T</td>
<td>James Patton, Sr./Lifetime Achievement Award</td>
</tr>
<tr>
<td>H145-145</td>
<td>Kowalko</td>
<td>2/11/2009</td>
<td>T</td>
<td>Kathryn V. Reynolds - 100th Birthday</td>
</tr>
<tr>
<td>H145-146</td>
<td>Carson</td>
<td>1/28/2009</td>
<td>T</td>
<td>Alzheimer's Association – Facility Dedication</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>cosponsor: Rep. Mitchell</td>
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<td></td>
<td>cosponsor: Rep. Mitchell</td>
</tr>
<tr>
<td>H145-149</td>
<td>Mitchell</td>
<td>2/7/2009</td>
<td>T</td>
<td>Francis E. Williams III - Outstanding Member Five Points Fire Co.</td>
</tr>
</tbody>
</table>
The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

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<tr>
<th>Number</th>
<th>Sponsor</th>
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<tr>
<td>H145-162</td>
<td>Gilligan</td>
<td>1/29/2009</td>
<td>T</td>
<td>Inga Emerson - Dedicated Service to the House</td>
</tr>
<tr>
<td>H145-164</td>
<td>D. Short</td>
<td>12/31/2009</td>
<td>T</td>
<td>Phil &amp; Phyllis Livingston - 60th Anniversary</td>
</tr>
<tr>
<td>H145-165</td>
<td>Booth</td>
<td>1/17/2009</td>
<td>T</td>
<td>Timothy McClanahan - Fireman of the Year - Lewes Fire Department</td>
</tr>
<tr>
<td>H145-166</td>
<td>Carey</td>
<td>1/17/2909</td>
<td>T</td>
<td>William Buckaloo - President’s Award - Lewes Fire Department</td>
</tr>
<tr>
<td>H145-167</td>
<td>Hocker</td>
<td>3/3/2009</td>
<td>T</td>
<td>Alice Walsh - Woman of the Year</td>
</tr>
<tr>
<td>H145-168</td>
<td>Blakey</td>
<td>2/2/2009</td>
<td>T</td>
<td>Dr. Kimberly Gaines - Veterinarian of Year</td>
</tr>
<tr>
<td>H145-169</td>
<td>Longhurst</td>
<td>1/15/2009</td>
<td>T</td>
<td>William G. Draper - Eagle Scout</td>
</tr>
<tr>
<td>H145-171</td>
<td>Carey</td>
<td>2/7/2009</td>
<td>T</td>
<td>Olga S. Tosh - 90th Birthday</td>
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<tr>
<td>H145-172</td>
<td>Blakey</td>
<td>1/31/2009</td>
<td>M</td>
<td>Marion Elizabeth MacDonald</td>
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<tr>
<td>H145-173</td>
<td>Outten</td>
<td>2/1/2009</td>
<td>M</td>
<td>Clara L. Wutka</td>
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<tr>
<td>H145-174</td>
<td>Brady</td>
<td>2/1/2009</td>
<td>M</td>
<td>Frances Ellen Burns</td>
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<tr>
<td>H145-177</td>
<td>Plant</td>
<td>2/8/2009</td>
<td>T</td>
<td>Timothy Edward Meren - Eagle Scout</td>
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<tr>
<td>H145-178</td>
<td>Hudson</td>
<td>2/5/2009</td>
<td>M</td>
<td>Elizabeth Sedor Metrinko</td>
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<th>Type</th>
<th>Description</th>
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<tbody>
<tr>
<td>H145-181</td>
<td>Carson</td>
<td>2/15/2009</td>
<td>T</td>
<td>Terri Collins - 60th Birthday</td>
</tr>
<tr>
<td>H145-182</td>
<td>Carey</td>
<td>2/12/2009</td>
<td>T</td>
<td>Bernice Edwards/30 Years/Community Action</td>
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<tr>
<td>H145-185</td>
<td>Bennett</td>
<td>2/7/2009</td>
<td>M</td>
<td>Ann Charlotte Hoover</td>
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</table>
H145-187  Carson  2/12/2009  T  George Burris/EMT of Year/Amer. Legion
H145-188  Carson  2/12/2009  T  Michael Chillas/Driver of Year/Amer. Legion
H145-189  Carson  2/12/2009  T  Allan Post/Frank Powell Award/Amer. Legion
H145-190  Carson  2/7/2009  M  Vesta Mears
H145-192  Q. Johnson  2/28/2009  T  Middletown Police Department - Dedication

HB 72
SB 11
HB 77

Recognizing the Smyrna School District for Its 125th Year of High School Graduations.
Achievement. Meritorious Service Medal from the President of the United States of America.

WILLIAMS & WILSON
SCHWARTZKOPF, SCOTT, B. SHORT, D. SHORT, THORNBURG, VIOLA, WALLS, D.P.
MARSHALL, MITCHELL, MULROONEY, OBERLE
JOHNSON, KEELEY, KOVACH, KOWALKO, LAVELLE, LEE, LONGHURST, MANOLAKOS, M.
BARBIERI, BLAKEY, BOOTH, BRADY, CAREY, CATHCART, GILLIGAN, HOCKER, HUDSON, J.

for consideration.

Marked present by the Chief Clerk after the House recessed at 2:18 p.m.: Representative D.P. Williams.

The Majority Leader moved to adjourn at 2:15 p.m., thereby ending the current legislative day. The House recessed to the Appropriations Committee.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following member was requested that he be marked present for the current Legislative Day.

Representative Schwartzkopf brought the following prefixed Consent Calendar #2 before the House for consideration.


Consent Calendar #2 was adopted by voice vote and HR 7 and HR 8 were declared passed. Representative Thornburg requested that she be marked present for the current Legislative Day.

The Chief Clerk read the following committee reports into the record.

JUDICIARY: HB 2 - 6F,1M; HB 7 - 6F,1M; HB 19 - 6F,1M; HB 46 - 6F,1M; HB 62 - 4F,3M;
HB 77 - 6F,1M.

EDUCATION: HB 60 - 2F,8M; HB 73 - 1F,7M.

HEALTH & HUMAN DEVELOPMENT: HB 75 - 7F,2M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: HB 64 - 7M, 1U.

NATURAL RESOURCES: HB 15 - 7F, 2M; HB 67 - 8F, 1M.

HOUSE ADMINISTRATION: HB 32 - 1F,3M; HB 33 - 1F,3M; HB 51 - 3F,1M; HB 59 - 1F,3M;

SB 11 – 1F, 3M; HR 9 - 4F.

PUBLIC SAFETY & HOMELAND SECURITY: HB 61 - 8M; HB 68 - 3F,2M; HB 71 - 6F,1M;
HB 72 - 6F,2M; SB 6 w/SA 2 - 2F,6M.

Mr. Speaker Gilligan assigned HB 62 to the Appropriations Committee.

The Majority Leader moved to adjourn at 2:15 p.m., thereby ending the current legislative day. The House reconvened at 2:16 p.m.

10th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session
March 18, 2009

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Lieutenant Colonel Will G. Barnes, Chaplain, Delaware National Guard. Lieutenant Colonel Barnes led those present in the pledge of allegiance to the American Flag.

The Reading Clerk read the following communication into record:

MEMORANDUM
TO: Richard Puffer  
Chief Clerk of the Delaware State House of Representatives  
FROM: Senator Karen E. Peterson  
DATE: March 18, 2009  
REGARDING: House Bill No. 65

Effective upon receipt of this memorandum, please remove my sponsorship of House Bill No. 65, "An Act to Amend Title 9 of the Delaware Code Relating to Sussex County Councilmanic Districts."

Thank you.

Cc: Representative Joseph W. Booth

Mr. Speaker Gilligan introduced guests. Mr. Speaker Gilligan made announcements.

Representative Lavelle made comments. Representative Lavelle requested and was granted personal privilege of the floor to make comments. Representative Schooley requested and was granted personal privilege of the floor to introduce a guest. Representatives Plant & Miro requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:15 p.m.

The House reconvened at 3:38 p.m.


Representative M. Marshall brought HB 19, jointly sponsored by Senator DeLuca & cosponsored by Representatives J. Johnson & Kovach, before the House for consideration.

HB 19 - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (2/3 bill)

Representative M. Marshall made comments.

The roll call on HB 19 was taken and revealed:

YES: 38.
NO: Representatives Oberle, B. Short & D.P. Williams - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 19 was sent to the Senate for concurrence.

Representative Outten requested that he be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought HB 60, jointly sponsored by Senator Sokola & Representative Keeley, before the House for consideration.

HB 60 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LIMITING ARTIFICIAL TRANS FATS IN FOOD AVAILABLE OR SERVED TO STUDENTS IN PUBLIC SCHOOLS, INCLUDING CHARTER SCHOOLS.

Representatives Kowalko, Ramone, Kowalko & Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for Michael Morton representing the Controller General’s Office. Representatives Cathcart, Kowalko, Cathcart, Schwartzkopf, Manolakos, Hudson, Kowalko, Booth, Lavelle, Kovach, Keeley, Lavelle, Hocker & Ramone made comments.

The roll call on HB 60 was taken and revealed:

YES: 26.
NO: Representative Lee - 1.

Therefore, having received a constitutional majority, HB 60 was sent to the Senate for concurrence.

Representative Atkins made comments. Representative Keeley requested and was granted personal privilege of the floor to make comments. The House observed a moment of silence in memory of Lieutenant James A. Diana, Sr. at the request of Representative Keeley.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought HB 61, jointly sponsored by Representative M. Marshall & Representative Walls & Senator Bushweller & Senator Ennis & cosponsored by Representatives Atkins & Carson, before the House for consideration.

HB 61 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO FAILURE TO ANSWER A SUMMONS.

Representative Mitchell introduced and brought HA 1 to HB 61 before the House for consideration.

Representative Mitchell made a comment. HA 1 was adopted by voice vote.

Representatives Mitchell & Booth made comments. Representative Mitchell requested and was granted privilege of the floor for Justice of the Peace Edward Davis. Representatives Booth, Oberle, D. Short & Schwartzkopf made comments.

The roll call on HB 61 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 61 w/HA 1 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.
Representative Mitchell brought HB 68, jointly sponsored by Representative M. Marshall & Representative Walls & Senator Bushweller & Senator Ennis, before the House for consideration.

**HB 68 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO HABITUAL OFFENDERS STATUS FOR DRIVING DURING A PERIOD OF SUSPENSION OR REVOCATION.**

Representative Mitchell made comments.
The roll call on HB 68 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, HB 68 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Mitchell.
Representative Mitchell brought SB 6 w/SA 2, jointly sponsored by Senator Ennis & Representative Walls & Senators Blevins, Connor, Cook, Hall-Long, Henry, Peterson & Sorenson & Representatives Carey, Carson, Gilligan, Kowalko, Lee, Oberle, Schwartzkopf & Bennett, before the House for consideration.

**SB 6 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO FIRE ENGINEERS, CHIEF ENGINEERS, DEPUTY FIRE CHIEFS, AUTHORIZED EMERGENCY VEHICLES, WARNING DEVICES FOR EMERGENCY VEHICLES, AND LIGHTING EQUIPMENT.**

Representative Mitchell made comments.
The roll call on SB 6 w/SA 2 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, SB 6 w/SA 2 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Walls.

**HB 67 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROTECTED WILDLIFE.**

Representative Walls made comments.
The roll call on HB 67 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, HB 67 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Booth.
Representative Booth brought HB 32, jointly sponsored by Senator Simpson, before the House for consideration.

**HB 32 - AN ACT TO AMEND THE CHARTER OF THE CITY OF LEWES, CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES", TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND TO PROVIDE FOR MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS, TO PROVIDE FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL DEVELOPMENT DISTRICTS AND TO INCREASE THE CONTRACT AMOUNT NOT SUBJECT TO COMPETITIVE BIDDING. (2/3 bill)**

Representative Booth made comments.
The roll call on HB 32 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 32 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Booth.
Representative Booth brought HB 33, jointly sponsored by Senator Simpson, before the House for consideration.

**HB 33 - AN ACT TO REINCORPORATE THE CHARTER OF THE BOARD OF PUBLIC WORKS OF THE CITY OF LEWES, CHAPTER 196, VOLUME 22, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO AUTHORIZE THE COMMISSIONERS OF LEWES TO APPOINT A BOARD OF PUBLIC WORKS FOR THE TOWN OF LEWES WHICH SHALL ESTABLISH, CONTROL AND REGULATE AN ELECTRIC LIGHT PLANT, WATER WORKS AND A SEWER SYSTEM FOR SAID TOWN; PRESCRIBING THE POWERS AND DUTIES OF SAID BOARD OF PUBLIC WORKS AND PROVIDING FOR THE ELECTION OF THEIR SUCCESSORS". (2/3 bill)**

Representative Booth made comments.
The roll call on HB 33 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 33 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Hudson.
Representative Hudson introduced HJR 2, jointly sponsored by Senator Simpson &

**HJR 2 - INCREASING THE ACCOUNTABILITY AND TRANSPARENCY OF THE FUNDS THE STATE OF DELAWARE IS RECEIVING VIA THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 BY REQUIRING THE ADMINISTRATION OF GOVERNOR JACK A. MARKELL TO REPORT ON WHAT FUTURE OBLIGATIONS ACCEPTING SUCH FUNDS WILL PLACE ON THE STATE AND APPROPRIATING THE RECOVERY ACT FUNDS VIA AMENDMENTS ON THE STATE’S OPERATING AND CAPITAL BUDGET BILLS.**

Mr. Speaker Gilligan assigned **HJR 2** to the House Administration Committee.

Mr. Speaker Gilligan presented a House Tribute to Janice Fischbach, House Staff Member, on the occasion of her 75th birthday. Mr. Speaker Gilligan & Representatives Kowalko & Lavelle made comments. Mr. Speaker Gilligan made an announcement.

The Majority Leader moved to recess to the call of the Chair at 4:51 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 19, 2009.

The Majority Leader moved to adjourn at 2:01 p.m., thereby ending the current legislative day. The House reconvened at 2:02 p.m.

11th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session
March 19, 2009

The Chief Clerk called the roll.
Members Present: 40.
Member Absent: Representative Miro - 1.
A prayer was offered by Representative Deborah D. Hudson, Twelfth Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.

The minutes of the previous two legislative days were approved as posted.

The following prefiled legislation was introduced:
**HB 85** - D. SHORT & REPRESENTATIVE B. SHORT & SENATOR BLEVINS; REPRESENTATIVES HOCKER, HUDSON, LAVELLE, RAMONE; SENATORS BUNTING, ENNIS, VENABLES, SIMPSON - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Small Employer Health Insurance.

**HA 2 to HB 40** - VIOLA - Placed with the Bill.

**HA 2 to HB 62** - OBERLE - Placed with the Bill.

**HCR 6** - OBERLE & REPRESENTATIVE MULROONEY & SENATOR VENABLES; REPRESENTATIVES BENNETT, MITCHELL, WALLS, CATHCART, D. SHORT, HOCKER, LAVELLE; SENATORS BUNTING, ENNIS, MCDOWELL, SIMPSON - NATURAL RESOURCES - A Resolution Urging the Department of Natural Resources and Environmental Control to Require all Facilities that Operate in the Delaware Estuary Waters and Utilize Cooling Water Intake Structures to Implement "Closed-Cycle" Cooling Systems, and Urging the Department of Natural Resources and Environmental Control to Declare that "Closed Cycle" Cooling Systems Constitute the Best Technology Available for Water Intake Structures.

Representatives Cathcart, Marshall, Keeley, Scott, Thornburg & Carey requested that they be marked present.

The Reading Clerk read the following communication into the record:

**MEMORANDUM**

TO: The Honorable Robert F. Gilligan
    Speaker of the House of Representatives
FROM: Representative Joseph E. Miro
DATE: March 19, 2009
RE: Absence from Session

Please excuse my absence from session today, Thursday, March 19, 2009, due to personal business. Thank you for your understanding.

JEM/jmh

Representatives Kovach & Outten requested that they be marked present.
Representative Schwartzkopf deferred to Representative D. Short.
Representative D. Short requested and was granted personal privilege of the floor to introduce a guest. Representative Mulrooney introduced a guest. Mr. Speaker Gilligan made a comment. The House observed a moment of silence in memory of Leon Lofland, Legislative Hall cafeteria cashier, at the request of Representative Schwartzkopf.

The Majority Leader moved to recess for caucus at 2:10 p.m.
The House reconvened at 5:03 p.m.
Representatives Bennett, D.P. Williams, Plant, Lavelle & Oberle requested that they be marked present.
Representative Schwartzkopf deferred to Representative Manolakos.
Representative Manolakos requested that **HR 5** be stricken.
Representative Manolakos brought **HR 9**, jointly sponsored by Representative Keeley, before the House for consideration.

**HR 9** - URGING THE GOVERNMENT OF TURKEY TO GRANT THE ECUMENICAL PATRIARCH APPROPRIATE INTERNATIONAL RECOGNITION, ECCLESIASTICAL SUCCESSION AND THE RIGHT TO TRAIN CLERGY OF ALL NATIONALITIES, AND TO RESPECT THE PROPERTY RIGHTS AND HUMAN RIGHTS OF THE ECUMENICAL PATRIARCHATE.

Representative Manolakos made comments.

**HR 9** was adopted by voice vote.

Representative Schwartzkopf deferred to Mr. Speaker Gilligan.

Mr. Speaker Gilligan appointed Representative D.P. Williams as Acting Speaker.


**HB 1** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT.  

Representative Gilligan moved to suspend the rules which interfere with action on **HB 1**. The motion was seconded by Representative J. Johnson. Representatives Cathcart & Gilligan made comments. Representative Cathcart requested and was granted personal privilege of the floor for Russell T. Larson, Controller General. Representatives Cathcart & Gilligan made comments.

The roll call on the motion was taken and revealed:

**YES:** 24.

**NO:** 16 – Representatives Blakey, Booth, Carey, Cathcart, Hocker, Hudson, Kovach, Lavelle, Lee, Manolakos, Oberle, Outten, Ramone, D. Short, Thornburg & Wilson.

**ABSENT:** Representative Miro - 1.

Therefore, having received a constitutional majority, the motion was adopted.

Representative Atkins requested that he be marked present during the roll call.

Representative Keeley brought **HA 1 to HB 1**, jointly sponsored by Representative Hudson, before the House for consideration. Representative Keeley deferred to Representative Hudson.

Representative Hudson introduced and brought **HA 1** to **HB 1** before the House for consideration. Representatives Hudson, Keeley & Kowalko made comments.

**HA 1** to **HA 1** was adopted by voice vote. Representative Keeley rose on a point of order. Mr. Acting Speaker did not concur. Representative Keeley introduced and brought **HA 2** to **HA 1** to **HB 1** before the House for consideration. Representative Keeley made comments. **HA 2** to **HA 1** was adopted by voice vote. Representatives Keeley, Lavelle, Kovach, Keeley, Schwartzkopf & Hudson made comments.

Representative Keeley requested and was granted privilege of the floor for William Bush, House Attorney. Representatives Hudson, Oberle, D. Short, Hudson & Kovach made comments. Representative Hudson requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Hudson, Kowalko & Lavelle made comments. **HA 1 w/HA 1 & 2 to HA 1** was adopted by voice vote.

Representative Schwartzkopf brought **HB 2** to **HB 1**, jointly sponsored by Representative Atkins, before the House for consideration. Representative Schwartzkopf made comments. Representative Kovach introduced and brought **HA 1 to HA 2** before the House for consideration. Representatives Kovach, Schwartzkopf, Cathcart, Kovach & Thornburg made comments. **HA 1 to HA 2** was defeated by voice vote. Representatives Lavelle & Gilligan made comments. **HA 2 to HB 1** was adopted by voice vote.

Representative Schwartzkopf introduced guests. Representatives Lavelle & Booth made comments.

The Majority Leader moved to recess at 6:19 p.m.

The House reconvened at 6:35 p.m.

Representative Schwartzkopf deferred to Representative Keeley. Representative Keeley introduced and brought **HA 3 to HB 1** before the House for consideration.

Representative Keeley made comments. **HA 3** was adopted by voice vote. Representatives Hudson, Gilligan, Kowalko & Lavelle made comments.

The roll call on **HB 1 w/HA 1, HA 1 to HA 1, HA 2 to HA 1, HA 2 & HA 3** was taken and revealed:

**YES:** 40.

**ABSENT:** Representative Miro - 1.

Therefore, having received a constitutional majority, **HB 1 w/HA 1, HA 1 to HA 1, HA 2 to HA 1, HA 2 & HA 3** was sent to the Senate for concurrence.

Mr. Speaker Gilligan resumed the Chair.

Representative Cathcart, Schwartzkopf & Keeley made comments.

Mr. Speaker Gilligan made an announcement.

The Majority Leader moved to recess to the call of the Chair at 6:45 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 24, 2009.

The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SCR 5 & SCR 6 and requests the concurrence of the House.

Representative Miro requested that he be marked present for the current Legislative Day.

The Majority Leader moved to adjourn at 2:04 p.m., thereby ending the current legislative day. The House reconvened at 2:05 p.m.

12th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – FIRST SESSION
March 24, 2009

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Joseph E. Miro, Twenty-Second Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:


**HB 88** - LAVELLE & SENATOR PETERSON; REPRESENTATIVES D. SHORT, HUDSON, MANOLAKOS; SENATORS SIMPSON, BONINI - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to a Searchable Archive of all Contracts entered into by School Districts and Charter Schools.

**HB 89** - LAVELLE & SENATOR BUNTING; REPRESENTATIVES D. SHORT, HUDSON, MANOLAKOS, MIRO; SENATORS SIMPSON, SORENSON, BONINI - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Strategic Fund.

**HB 90** - LAVELLE & SENATOR BUNTING; REPRESENTATIVES D. SHORT, HUDSON, MANOLAKOS; SENATORS SIMPSON, SORENSON, BONINI - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Creating a Searchable Budget Database for State Spending.


**HA 1 to HB 13** - LAVELLE - Placed with the Bill.

**HA 2 to HB 13** - LAVELLE - Placed with the Bill.

**HA 1 to HB 30** - JAQUES - Placed with the Bill.

**HA 1 to HB 51** - HOCKER - Placed with the Bill.

Representative Schooley introduced and brought **HCR 5**, sponsored on behalf of All Representatives & jointly sponsored by Senator Sokola on behalf of All Senators, before the House for consideration.

**HCR 5** - COMMENDING MARK TEESDALE FOR BEING SELECTED DELAWARE’S STATE TEACHER OF THE YEAR FOR 2009 AND COMMENDING EACH SCHOOL DISTRICT’S TEACHER OF THE YEAR.

Representative Schooley made comments.

HCR 5 was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schooley requested and was granted privilege of the floor for the 2009 Teachers of the Year who announced their names, school districts, grades and subjects taught for the record. Mark Teesdale, State Teacher of the Year, representing Lake Forest Central Elementary School addressed the House.

Mr. Speaker Gilligan made comments. Representative Schooley introduced a guest. Representatives Manolakos, Miro, Schooley, Brady & Keeley made comments.

Representative Walls requested and was granted privilege of the floor for the Division II State Champion High School Football Team, coaches and staff from Milford High School. Head coach Michael Tkach addressed the House. Representative Lee made comments. The players and coaches announced their names & positions for the record. Representatives Carey & Walls made comments. Representative Walls was granted privilege of the floor for the Milford High School State Champion Wrestling Team. Coach Donald Parsley addressed the House. Team members announced their names and weight classes for the state.
Representative Schooley made an announcement. Representative Hocker requested that he be marked present.


**HCR 7** - A RESOLUTION URGING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO REQUIRE ALL FACILITIES THAT OPERATE IN DELAWARE WATERS AND UTILIZE COOLING WATER INTAKE STRUCTURES TO IMPLEMENT "CLOSED-CYCLE" COOLING SYSTEMS, AND URGING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO DECLARE THAT "CLOSED CYCLE" COOLING SYSTEMS CONSTITUTE THE BEST TECHNOLOGY AVAILABLE FOR WATER INTAKE STRUCTURES.

Mr. Speaker Gilligan assigned HCR 7 to the Natural Resources committee.

Representative Thornburg made comments.

Representative Lavelle requested that he be marked present.

The Majority Leader moved to recess for caucus at 2:44 p.m.

The House reconvened at 4:26 p.m.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought HB 71, jointly sponsored by Senator Ennis & Senator Bushweller & cosponsored by Representatives Bennett, Miro, Mitchell, Outten, Walls & Wilson & Senator Connor, before the House for consideration.

HB 71 - A BILL TO AMEND TITLE 21 OF THE DELAWARE CODE TO EXPAND THE MOVE ON OVER LAW TO INCLUDE TOW TRUCKS.

Representative Carson introduced and brought HA 1 to HB 71 before the House for consideration.

HA 1 was adopted by voice vote. Representative Carson made comments.

The roll call on HB 71 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Carey - 1.

Therefore, having received a constitutional majority, HB 71 w/HA 1 was sent to the Senate for concurrence.

Representatives Hudson & Plant requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Lee.

Representative Lee brought SB 11, jointly sponsored by Senator Venables, before the House for consideration.

SB 11 - AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, THE CHARTER OF THE TOWN OF LAUREL, AS AMENDED, RELATING TO BORROWING MONEY AND ISSUING BONDS. (2/3 bill)

Representative Lee made comments.

The roll call on SB 11 was taken and revealed:

YES: 40.

ABSENT: Representative Carey - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 11 was returned to the Senate.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought HB 7, jointly sponsored by Representatives Brady, Keeley, Mitchell & D.P. Williams & cosponsored by Representatives Bennett, Carson, Hudson, Jaques, Miro, Outten, Walls, D.E. Williams & Wilson, before the House for consideration.

HB 7 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO RECOVERY OF DAMAGES FROM PARENTS OR GUARDIANS.

Representatives J. Johnson, Hudson & Brady made comments.

The roll call on HB 7 was taken and revealed:

YES: 40.

ABSENT: Representative Carey - 1.

Therefore, having received a constitutional majority, HB 7 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.


HB 77 - AN ACT TO AMEND CHAPTER 9 OF TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE.

Representative B. Short made comments.

The roll call on HB 77 was taken and revealed:

YES: 40.
ABSENT: Representative Carey - 1.
Therefore, having received a constitutional majority, HB 77 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Hocker.
Representative Hocker brought HB 51, jointly sponsored by Senator Bunting, before the House for consideration.

HB 51 - AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH TO GRANT THE TOWN OF DEWEY BEACH THE AUTHORITY TO LEVY AND COLLECT AN ACCOMMODATIONS TAX. (2/3 bill)

Representative Hocker brought HA 1 to HB 51 before the House for consideration.
HA 1 was adopted by voice vote. Representative Hocker introduced and brought HA 2 to HB 51 before the House for consideration. Representative Hocker made a comment. HA 2 was adopted by voice vote.

Representative Hocker made comments.
The roll call on HB 51 w/HA 1 & 2 was taken and revealed:
YES: 40.
ABSENT: Representative Carey - 1.
Therefore, having received a constitutional majority of at least two-thirds Members of the House,

HB 51 w/HA 1 & 2 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Hudson.
Representative Hudson brought HB 46, jointly sponsored by Senator Blevins & Representatives Carson, J. Johnson, Keeley & Walls & Senator Sorenson, before the House for consideration.

HB 46 - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO RECORDS OF ARREST AND PROSECUTION.
Representatives Hudson & Keeley made comments.
The roll call on HB 46 was taken and revealed:
YES: 40.
ABSENT: Representative Carey - 1.
Therefore, having received a constitutional majority, HB 46 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Oberle. Representative Oberle requested that HCR 6 be stricken. Representative Oberle requested that HB 91 be stricken.
Representative Schwartzkopf brought HB 59, jointly sponsored by Senator Bunting, before the House for consideration.

HB 59 - AN ACT TO AMEND VOLUME 57, CHAPTER 504, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF HENLOPEN ACRES", SECTIONS 21, 21.A, 22, AND 23, TO UPDATE THE PROCEDURE FOR ASSESSMENT AND APPEAL OF TAXES. (2/3 bill)
Representative Schwartzkopf made comments.
The roll call on HB 59 was taken and revealed:
YES: 40.
ABSENT: Representative Carey - 1.
Therefore, having received a constitutional majority of at least two-thirds Members of the House,

HB 59 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Keeley. Representative Keeley made an announcement.
The Majority Leader moved to recess to the call of the Chair at 4:58 p.m.
Mr. Speaker Gilligan called the House to order at 2:01 p.m. on March 25, 2009.
Representative Schwartzkopf deferred to Representative Schooley.
Representatives Schooley, Mitchell, D.P. Williams, Brady & M. Marshall made announcements. The Majority Leader moved to adjourn at 2:02 p.m., thereby ending the current legislative day. The House reconvened at 2:03 p.m.

13th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session
March 25, 2009
The Chief Clerk called the roll.
Members Present: 40.
Members Absent: Representative Viola - 1.
A prayer was offered by Representative Clifford G. Lee, Fortieth Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following prefilled legislation was introduced:

HS 1 for HB 63 – BOOTH & SENATOR BUNTING; REPRESENTATIVE D. SHORT - HOUSE ADMINISTRATION - An Act to Amend Chapter 25, Title 29 of the Delaware Code Relating to Employment of Private Attorneys.

HB 93 – HOCKET & SENATOR BUNTING; REPRESENTATIVE RAMONE - REVENUE & FINANCE - An Act to Amend Title 4 of the Delaware Code Relating to Farm Wineries.

HB 94 – HOCKET & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Chapter 59, Volume 63 of the Laws of Delaware, as Amended, the Charter of the Town of Dewey Beach, to make the Town Charter Consistent with Changes to 15 Del. C. Section 7501 Et Seq., Enacted by the 143rd General Assembly Concerning Municipal Elections and Relating to Annexation, Elections, Terms of Office, and Organizational Meetings and Duties. (2/3 bill)


HA 1 to HB 84 - LAVELLE - HOUSE ADMINISTRATION - Placed with the Bill
HA 1 to HA 2 to HB 27 - LAVELLE - Placed with the Bill.
HA 4 to HB 27 - LAVELLE - Placed with the Bill.

The Reading Clerk read the following communications into the record:

Representative Viola requested that he be marked present. Representative D.P. Williams made comments. The House observed a moment of silence in memory of fallen police officers in Oakland, CA, at the request of Representative Oberle.

The Senate wishes to inform the House that it has passed HCR 5 and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Wilson. Representative Wilson made comments.

Representative Schwartzkopf brought the following prefilled Consent Calendar #3 before the House for consideration.

HR 11 - MANOLAKOS - A Resolution Recognizing March 25, 2009 As Greek Independence Day in the State of Delaware.

SCR 5 – ENNIS & REPRESENTATIVES GILLIGAN & D. SHORT & SENATORS COOK & PETERSON & REPRESENTATIVES CARSON, KEELEY & OUTTEN - Reorganizing the Motorcycle Rider Education Advisory Committee.

SCR 6 – ENNIS & REPRESENTATIVE D. SHORT & SENATORS COOK & PETERSON & REPRESENTATIVES CAREY, CARSON, KEELEY, LEE, MITCHELL, OUTTEN, B. SHORT, WALLS & D.P. WILLIAMS - Proclaiming the Month of May 2009 as "Motorcycle Awareness Month" and Requesting the Governor to Issue a Proclamation for "Motorcycle Awareness Month”.

SCR 7 – MCDOWELL & REPRESENTATIVE KOWALKO - Designating One Hour on March 28, 2009 As "Earth Hour" in Legislative Hall and Urging the Participation of the Governor and the Citizens of Delaware in this Observance.

Consent Calendar #3 was adopted by voice vote and HR 11 was declared passed and SCR 5 & SCR 6 & SCR 7 were returned to the Senate.

Representative Manolakos made comments regarding HR 11. Representative Outten requested that he be marked present. Representative D.P. Williams made comments. The House observed a moment of silence in memory of fallen police officers in Oakland, CA, at the request of Representative Oberle.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:13 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following members were marked present by the Chief Clerk after the House recessed at 2:13 p.m.: Representatives Bennett & Outten.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 26, 2009.

The Chief Clerk read the following committee reports into the record:

ASSEMBLY:
APPROPRIATIONS: HB 62 – 1F, 3M.
EDUCATION: HB 76 – 12M.
HEALTH & HUMAN DEVELOPMENT: HB 34 – 12M; HB 36 – 10M, 1U; HB 37 - 11M; HB 39 – 2F, 8M.
HOUSING & COMMUNITY AFFAIRS: HB 14 – 1F, 5M; HB 65 – 2F, 5M, 1U.
HOUSE ADMINISTRATION: HB 4 – 5M; HB 5 -2F, 2M; HB 17 -2F, 2M.

Representative Viola requested that he be marked present for the current Legislative Day.

The Reading Clerk read the following communications into record:

HOUSE TRIBUTE ANNOUNCEMENT #10

DATE: March 26, 2009

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H145-201</td>
<td>Bennett &amp; Thornburg</td>
<td>2/21/2009</td>
<td>T</td>
<td>Richard L. Bergold - Retirement - State Executive - Delaware Farm Service Agency</td>
</tr>
</tbody>
</table>
House Bill 145-202
Mitchell 2/15/2009 M Rose Marie Splan
cosponsors: Reps. Carey & Wilson

House Bill 145-203
Walls 2/15/2009 M Andrew Joseph Geyer
cosponsors: Reps. Carey & Wilson

House Bill 145-204
Wilson 2/16/2009 M The Honorable David C. Speicher, Sr.
cosponsors: All Representatives

House Bill 145-205
Carson 2/17/2009 M Sandra L. Neal
cosponsors: Reps. Thornburg & Q. Johnson

House Bill 145-206
Walls 2/10/2009 T Madison Dodge - Spirit of Community Award
cosponsors: Reps. Thornburg & Q. Johnson

House Bill 145-207
Scott 3/28/2009 T Daniel Andersson Valenti - Eagle Scout
cosponsors: Reps. Thornburg & Q. Johnson

House Bill 145-208
cosponsors: Reps. Thornburg & Q. Johnson

House Bill 145-209
Wilson 2/20/2009 T Norman Reynolds - Contributions - Bridgeville Library
cosponsors: Reps. Thornburg & Q. Johnson

House Bill 145-210
Wilson 2/20/2009 T Major General John M. Custer - Honoring His Service
cosponsors: Reps. Thornburg & Q. Johnson

House Bill 145-211
Hudson 2/13/2009 M Dr. Raj Iyengar
cosponsors: Reps. Thornburg & Q. Johnson

House Bill 145-212
Outten 2/25/2009 T Corporal Keith Shlyers/Officer of Year/Harrington
cosponsors: Reps. Thornburg & Q. Johnson

House Bill 145-213
cosponsors: Reps. Thornburg & Q. Johnson

House Bill 145-214
Carson 2/28/2009 T Ruth Williams - "I Love Smyrna School District Day"
cosponsors: Reps. Thornburg & Q. Johnson

House Bill 145-215
cosponsors: Reps. Thornburg & Q. Johnson

House Bill 145-216
D. Short 3/2/2009 T Integra Administrative Group - Hometown Heroes"
cosponsors: Reps. Thornburg & Q. Johnson

House Bill 145-217
Scott 3/3/2009 T Campus Community School - Best Improved School
cosponsors: Reps. Thornburg & Q. Johnson

House Bill 145-218
Gilligan 3/4/2009 T Fred C. Sears II - Business Award Recipient
& Hudson
cosponsors: Reps. Thornburg & Q. Johnson

House Bill 145-219
Jaques 3/7/2009 T Senior Airman Mark Rutt - Outstanding Airman of the Year

HOUSE TRIBUTE ANNOUNCEMENT #11

DATE: March 26, 2009

The following Tributes and Memorials have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

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<th>Description</th>
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<tbody>
<tr>
<td>H145-221</td>
<td>Jaques</td>
<td>3/7/2009</td>
<td>T</td>
<td>Master Sgt. Robbin Moore - Senior NCO of the Year</td>
</tr>
<tr>
<td>H145-222</td>
<td>Jaques</td>
<td>3/7/2009</td>
<td>T</td>
<td>Master Sgt. Todd Hughes - First Sergeant of the Year</td>
</tr>
<tr>
<td>H145-223</td>
<td>Jaques</td>
<td>3/7/2009</td>
<td>T</td>
<td>Master Sgt. Carrie Wade - Honor Guard Member/Year</td>
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<tr>
<td>H145-224</td>
<td>Jaques</td>
<td>3/7/2009</td>
<td>T</td>
<td>Technical Sgt. Shemekia McEachron - Duncan Leadership Award</td>
</tr>
<tr>
<td>H145-227</td>
<td>Q. Johnson</td>
<td>4/6/2009</td>
<td>T</td>
<td>Kenneth Branner, Jr. - Middletown Mayor – 20 Years</td>
</tr>
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</table>
cosponsors: Reps. Carson & Cathcart

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<th>Date</th>
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& J. Johnson
cosponsors: Reps. Carson & Cathcart

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<tr>
<td>H145-229</td>
<td>Scott</td>
<td>2/24/2009</td>
<td>M</td>
<td>The Honorable James D. McGinnis</td>
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cosponsors: Reps. Schooley, 
Jaques, Kowalko & M. Marshall
School District Book Drive

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<th>Type</th>
<th>Description</th>
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cosponsor: Rep. Carey
State Champions

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<th>Description</th>
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cosponsor: Rep. D. Short

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<th>Description</th>
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cosponsor: Rep. D. Short

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<th>Description</th>
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<tr>
<td>H145-235</td>
<td>Hudson</td>
<td>1/29/2009</td>
<td>M</td>
<td>Robert D. Hanson</td>
</tr>
</tbody>
</table>
cosponsor: Rep. Keeley

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<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H145-236</td>
<td>M. Marshall</td>
<td>3/10/2009</td>
<td>T</td>
<td>Connie Bond Stuart – Gilman Award Recipient</td>
</tr>
</tbody>
</table>
cosponsor: Rep. Keeley

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<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>H145-237</td>
<td>D.P. Williams</td>
<td>3/17/2009</td>
<td>T</td>
<td>Helen M. Kerrigan - 100th Birthday</td>
</tr>
</tbody>
</table>
cosponsor: Rep. Keeley

HOUSE TRIBUTE ANNOUNCEMENT #12

DATE: March 26, 2009

The following Tributes and Memorials have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

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<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
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</table>

The Majority Leader moved to adjourn at 2:03 p.m., thereby ending the current legislative day.
The House reconvened at 2:04 p.m.

14th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session
March 26, 2009

The Chief Clerk called the roll.
Members Present: 40.
Member Absent: Representative Schooley - 1.
A prayer was offered by Representative William J. Carson, Jr., Twenty-eighth Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following prefilled legislation was introduced:

HB 95 - M. MARSHALL & SENATOR BLEVINS; REPRESENTATIVES LONGHURST & MIRO - AGRICULTURE - An Act to Amend Title 7 of the Delaware Code Relating to Dogs.

HB 96 – BENNETT & SENATOR ENNIS; REPRESENTATIVE WILSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to the Examination of Mortgage Satisfactions by a Commissioner.

HB 98 - J. JOHNSON & REPRESENTATIVE BRADY & SENATOR MCDOWELL; SENATORS ENNIS, HALL-LONG & HENRY - HOUSE ADMINISTRATION - An Act to Amend the City of Wilmington’s Home Rule Charter to [sic] Relating to the Department of Personnel, Personnel Director and Personnel Code. (2/3 bill)

HA 1 to HB 17 - KEELEY - Placed with the Bill.
HA 1 to HB 18 - PLANT - Placed with the Bill.
HA 1 to HB 56 - OBERLE - Placed with the Bill.

The Reading Clerk read the following communication into the record:

MEMORANDUM
TO: Rep. Robert F. Gilligan
Speaker of the House
CC: Richard Puffer
FROM: Rep. Teresa L. Schooley
DATE: March 26, 2009
RE: Absence from session

I will be unable to attend today’s session because of family business.

Representative Schwartzkopf deferred to Representative Scott. Representative Scott requested and was granted privilege of the floor to introduce guests. Representative Scott requested and was granted personal privilege of the floor for Dr. Susanna Lee, President, Jobs for Delaware Graduates and the State Officers who announced their names, offices and schools for the record and made comments. Representative M. Marshall made comments & introduced guests. Mr. Speaker Gilligan made comments. Representative Schwartzkopf deferred to Representative Cathcart. Representative Cathcart requested and was granted privilege of the floor to present a House Tribute to staff member Frances Schmidt on the occasion of her 50th wedding anniversary. Mrs. Schmidt addressed the House. Representative Schwartzkopf deferred to Representative D. Short. Representative D. Short requested and was granted personal privilege of the floor to introduce a guest. Representative Oberle requested that he be marked present.

The Majority Leader moved to recess for caucus at 2:21 p.m.
The House reconvened at 4:25 p.m.
Representative Schwartzkopf deferred to Representative Miro.
Representative Miro brought HB 2, jointly sponsored by Senator Peterson & Representatives Gilligan, Keeley, Kowalko, M. Marshall, D. Short & Oberle, before the House for consideration.

HB 2 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES, ANIMALS, AND PENALTIES.

Representative Miro made comments.
The roll call on HB 2 was taken and revealed:
YES: 38.
ABSENT: Representatives Oberle, Schooley & D.P. Williams - 3.
Therefore, having received a constitutional majority, HB 2 was sent to the Senate for concurrence. Representatives Atkins, Bennett, Lavelle, B. Short & Thornburg requested that they be marked present during the roll call.
Representative Schwartzkopf deferred to Representative Lavelle. The House observed a moment of silence in memory of John Wheeler at the request of Representative Lavelle. Representative Miro made comments.

Representative Schwartzkopf deferred to Representative Longhurst.
Representative Longhurst brought HB 15, jointly sponsored by Senator McDowell & Representatives Barbieri, Bennett, Gilligan, Jaques, J. Johnson, Q. Johnson, M. Marshall, Mitchell, Mulrooney, Schooley, Schwartzkopf, Walls & D.P. Williams, before the House for consideration.

37
HB 15 - AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE RELATING TO RECYCLING AND WASTE REDUCTION IN THE STATE OF DELAWARE.

Representatives Longhurst, Lavelle & Hocker made comments. Representative Hocker requested and was granted privilege of the floor for David Small, Acting Secretary, Department of Natural Resources and Environmental Control. Representatives Hocker, Kovach, Booth, B. Short, Hocker & Longhurst made comments. Representative Longhurst requested and was granted privilege of the floor for Mike Migliore, House Attorney. Representatives Hocker, Kovach, Longhurst, Booth, Kovach & Longhurst made comments. Representative Kovach requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Kovach & Longhurst made comments.

Representative Longhurst moved to place HB 15 on the Speaker's Table. The motion was seconded by Representative M. Marshall and adopted by voice vote.

Representative Schwartzkopf introduced HB 100 jointly sponsored by Representative Longhurst & Senator DeLuca & Representatives Barbieri, Gilligan, Keeley, Lavelle, M. Marshall, Plant, B. Short & Viola & Senators Bunting, Henry, Katz & Sokola.

HB 100 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE LOTTERY.

Mr. Speaker Gilligan assigned HB 100 to the Gaming & Parimutuels Committee.
Representative Viola made an announcement.
Representatives Lavelle & Cathcart made comments regarding HB 100.


HB 5 - AN ACT TO AMEND TITLES 6, 9, 18, 25 AND 29 OF THE DELAWARE CODE RELATING TO DISCRIMINATION IN EMPLOYMENT, PUBLIC WORKS CONTRACTING, HOUSING, EQUAL ACCOMMODATIONS AND THE INSURANCE BUSINESS.

Representatives Schwartzkopf, Kowalko & D. Short made comments. Representative Schwartzkopf requested and was granted privilege of the floor for Mike Migliore, House Attorney. Representatives D. Short, Lavelle & Schwartzkopf made comments. Representative Schwartzkopf introduced and brought HA 1 to HB 5 before the House for consideration. Representative Schwartzkopf made a comment. HA 1 was adopted by voice vote. Representatives Hudson, Schwartzkopf & D. Short made comments. Representative D. Short requested and was granted privilege of the floor for Nicole Theis, Executive Director, Family Policy Council.

Representative D. Short requested and was granted privilege of the floor for Gregory Quinlan, founding Director, Living Free Ministries. Representative D. Short requested and was granted privilege of the floor for Reverend Anthony Wallace, Pastor, Crossroad Christian Church of Dover. Representatives Schwartzkopf, D. Short, B. Short, Hocker, Barbieri, Bennett, Scott & Oberle made comments.

The roll call on HB 5 w/HA 1 was taken and revealed:
YES: 26.
ABSENT: Representative Schooley - 1.

Therefore, having received a constitutional majority, HB 5 w/HA 1 was sent to the Senate for concurrence.

Representative D.P. Williams requested that he be marked present during the roll call. Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst moved to lift HB 15 from the Speaker's Table. The motion was seconded by Representative Brady and adopted by voice vote.

Representative Longhurst brought HB 15, jointly sponsored by Senator McDowell & Representatives Barbieri, Bennett, Gilligan, Jaques, J. Johnson, Q. Johnson, M. Marshall, Mitchell, Mulrooney, Schooley, Schwartzkopf, Walls & D.P. Williams, before the House for consideration.

HB 15 – AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE RELATING TO RECYCLING AND WASTER REDUCTION IN THE STATE OF DELAWARE.

Representative Longhurst introduced and brought HA 1 to HB 15 before the House for consideration. Representatives Longhurst, Kovach, Ramone, B. Short, Booth & Longhurst made comments. Representative Kovach requested and was granted privilege of the floor for David Small, Acting Secretary, Department of Natural Resources and Environmental Control. HA 1 was adopted by voice vote. Representatives Lavelle, Hocker & Cathcart made comments.

The roll call on HB 15 w/HA 1 was taken and revealed:
YES: 39.
NOT VOTING: Representative Blakey - 1.
ABSENT: Representative Schooley - 1.
Therefore, having received a constitutional majority, HB 15 w/HA 1 was sent to the Senate for concurrence.

Representative Longhurst requested and was granted personal privilege of the floor to make comments & to introduce guests.

Representative Schwartzkopf deferred to Representative Cathcart.

Representative Cathcart brought HB 72, jointly sponsored by Senator Sokola & Representatives Bennett, B. Short, Viola, D. Short, Hocker, Hudson, Lavelle, Miro, Ramone & Wilson & Senators Ennis, Hall-Long & Peterson & cosponsored by Representative Outten, before the House for consideration.

HB 72 - AN ACT TO AMEND CHAPTER 27 OF TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVER LICENSE REQUIREMENTS FOR REGISTERED SEX OFFENDERS.

Representative Cathcart made comments.
The roll call on HB 72 was taken and revealed:
YES: 38.
ABSENT: Representatives Lee, Schooley & D.P. Williams - 3.

Therefore, having received a constitutional majority, HB 72 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson made comments regarding HR 14.

Representative Hudson introduced HR 14 jointly sponsored by Representative Brady & Representatives Cathcart, D. Short, Blakey, Booth, Carey, Hocker, Kovach, Lavelle, Lee, Manolakos, Miro, Oberle, Outten, Ramone, Thornburg & Wilson, before the House for consideration.

HR 14 - A RESOLUTION URGING THE DELAWARE DEPARTMENT OF TRANSPORTATION (DELDOT), AND OTHER STATE AGENCIES RECEIVING MONEY FOR CAPITAL PROJECTS VIA THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, ("RECOVERY ACT") TO USE DELAWARE COMPANIES AND DELAWARE LABOR.

Mr. Speaker Gilligan assigned HR 14 to the Labor Committee.

Mr. Speaker Gilligan made an announcement.

The Majority Leader moved to recess to the call of the Chair at 6:13 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 31, 2009.

The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 9 w/SA 2 and the Senate has passed SCR 8 and requests the concurrence of the House.

Legislative Advisory #4
Governor Jack A. Markell signed the following legislation on the date indicated: 03/26/09 – SB 6

The following prefiled legislation was introduced:
HB 28 – MIRO & SENATOR HALL-LONG; REPRESENTATIVES D. SHORT & KOVACH - PUBLIC SAFETY & HOMELAND SECURITY – An Act to Amend Title 21 of the Delaware Code Relating to a Special Examination for a Driver License Due to a Possible Physical or Mental Impairment.

HB 102 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATOR LICENSURE AND CERTIFICATION.

The Chief Clerk called the roll.

The House observed a moment of silence in memory of Margaret Jane Seitz at the request of Representative Brady.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:
HB 28 – MIRO & SENATOR HALL-LONG; REPRESENTATIVES D. SHORT & KOVACH - PUBLIC SAFETY & HOMELAND SECURITY – An Act to Amend Title 21 of the Delaware Code Relating to a Special Examination for a Driver License Due to a Possible Physical or Mental Impairment.

BOOTH, CAREY, HOCKER, HUDSON, KOVACH, LAVELLE, LEE, MANOLAKOS, MIRO, OUTTEN, RAMONE, THORNBURG & WILSON; SENATORS SORENSON, BLEVINS, BONINI, CLOUTIER, CONNOR - HOUSE ADMINISTRATION – An Act to Amend Title 29 of the Delaware Code Relating to the State Employees’ Pension Plan.

HA 2 to HB 56 - OBERLE - Placed with the Bill.

SB 9 w/SA 2 – SOKOLA & REPRESENTATIVE LAVELLE; SENATORS SIMPSON, BONINI & REPRESENTATIVE MANOLAKOS - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Voter Registration and the Change of Party Designation.

Representative Schwartzkopf deferred to Representative Kovach. Representative Kovach requested and was granted personal privilege of the floor to introduce guests. Representative Kovach presented a House Tribute to Mr. Wong Yang. Through an interpreter, Mr. Wong addressed the House. Representative Kovach introduced Mr. John Yaschur III who addressed the House. Representative Brady requested and was granted personal privilege of the floor to introduce guests and to make comments. Representative Plant requested that she be marked present. Mr. Speaker Gilligan introduced a guest. Representatives Miro & Ramone requested that they be marked present. Representative Schwartzkopf deferred to Representative Bennett. Representative Bennett requested and was granted personal privilege of the floor to introduce guests. Representative Miro made comments.

The Majority Leader moved to recess for caucus at 2:16 p.m.

The House reconvened at 3:57 p.m.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought HB 73, jointly sponsored by Representative Brady & Senator Cook & Representatives Bennett, Hudson, Kowalko, M. Marshall, Mitchell & Ramone & Senators Connor, Hall-Long & McDowell, before the House for consideration.

HB 73 - An ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FINANCIAL ASSISTANCE FOR HIGHER EDUCATION FOR THOSE SERVING IN THE DELAWARE NATIONAL GUARD. (F/N)

Representatives Jaques & Lavelle made comments. Representative D.P. Williams requested that he be marked present. Representatives D.P. Williams & Lavelle made comments. Representative Lavelle requested and was granted privilege of the floor for Russell T. Larson, Controller General. Representatives Lavelle, Miro, Jaques, Oberle, D.P. Williams, Booth, Jaques, D.P. Williams & Miro made comments. Representative Miro requested and was granted personal privilege of the floor for General Francis Vavala, Adjutant General, National Guard. Representatives Miro, Jaques & D.E. Williams made comments.

The roll call on HB 73 was taken and revealed:

YES: 40.
NOT VOTING: Representative Brady - 1.

Therefore, having received a constitutional majority, HB 73 was sent to the Senate for concurrence.

Representatives Miro & Outten requested that they be marked present during the roll call.

The Majority Leader moved to recess for caucus at 2:16 p.m.

The House reconvened at 3:57 p.m.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques made comments.

Mr. Speaker Gilligan introduced a guest and made comments. Mr. Speaker Gilligan, Representatives Schwartzkopf, Longhurst, Q. Johnson, Cathcart & D. Short presented a House Tribute to House Staff Member Carol Breslin on the occasion of her retirement. The Chief Clerk Emeritus made comments & presented gifts to Carol. Carol Breslin addressed the House.

Representatives Cathcart, Oberle, D. P. Williams, Keeley, Q. Johnson & Mr. Speaker Gilligan made comments.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought HB 14, jointly sponsored by Senator Deluca & Representative Mitchell & Senator Henry, before the House for consideration.

HB 14 – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY AND THE GRANTING OF AN ADMINISTRATIVE VARIANCE.

Representatives J. Johnson & Lavelle made comments.

The roll call on HB 14 was taken and revealed:

YES: 37.
NO: Representatives Cathcart, Outten & Thornburg - 3.
ABSENT: Representative Kovach - 1.

Therefore, having received a constitutional majority, HB 14 was sent to the Senate for concurrence. Representative Mitchell requested privilege of the floor to introduce a guest.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins introduced HB 105, jointly sponsored by Representative Longhurst.

HB 105 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE.

HB 105 was taken and revealed:

YES: 37.
NO: Representatives Cathcart, Outten & Thornburg - 3.
ABSENT: Representative Kovach - 1.

Therefore, having received a constitutional majority, HB 14 was sent to the Senate for concurrence. Representative Mitchell requested privilege of the floor to introduce a guest.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins introduced HB 105, jointly sponsored by Representatives Longhurst & Schwartzkopf & Senator Bunting & cosponsored by Representative Kowalko.
HB 103 - AN ACT TO AMEND CHAPTER 7 OF TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE.

Mr. Speaker Gilligan assigned HB 103 to the Manufactured Housing Committee. Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst made an announcement. Representative Schwartzkopf deferred to Representative Plant. Representative Plant brought HB 17, jointly sponsored by Representative Keeley & Representatives Barbieri, J. Johnson & Mulrooney & Senator Henry, before the House for consideration.

HB 17 – AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 2, OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO QUALIFICATIONS FOR VOTING. (2/3 bill)

Representative Keeley brought HA 1 to HB 17 before the House for consideration. Representative Keeley made a comment. HA 1 was adopted by voice vote. Representatives Plant, Keeley & Oberle made comments.

The roll call on HB 17 w/HA 1 was taken and revealed:

YES: 32.
NOT VOTING: Representative Lavelle - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 17 w/HA 1 was sent to the Senate for concurrence.


HB 76 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE OATH OF OFFICE OF SCHOOL BOARD MEMBERS.

Representative Manolakos made comments, The roll call on HB 76 was taken and revealed:

YES: 41.
Therefore, having received a constitutional majority, HB 76 was sent to the Senate for concurrence. The Majority Leader moved to recess to the call of the Chair at 5:02 p.m. Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 1, 2009. The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed HB 49 and is returning the same to the House.

Representative Atkins requested that HB 103 be stricken. Representative Atkins introduced HB 107, jointly sponsored by Representatives Kowalko, Longhurst & Schwartzkopf & Senator Bunting.

HB 107 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE.

Mr. Speaker Gilligan assigned HB 107 to the Manufactured Housing Committee. Representative Longhurst made an announcement. Representative Schwartzkopf deferred to Representative B. Short. Representative B. Short introduced and brought HR 16, jointly sponsored by Representative Gilligan & Representative Schwartzkopf & Representative Longhurst & Representative Cathcart & Representative D. Short & Representatives Atkins, Barbieri, Bennett, Blakey, Brady, Carey, Carson, Hocker, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Kovach, Kowalko, Lee, Manolakos, M. Marshall, Miro, Mitchell, Mulrooney, Oberle, Outten, Plant, Ramone, Schooley, Scott, Thornburg, Viola, Walls, D.E. Williams, D.P. Williams & Wilson, before the House for consideration.

HR 16 - RESOLUTION URGING ALL MEMBERS OF THE DELAWARE HOUSE OF REPRESENTATIVES TO MATCH COMPENSATION AND BENEFIT REDUCTIONS THAT ARE BEING ASKED OF OUR FELLOW STATE EMPLOYEES.

Representatives B. Short, Cathcart, Lavelle, B. Short & Booth made comments. Representative Booth requested and was granted privilege of the floor for House Attorney Mike Migliore. Representatives Booth, Schwartzkopf, Cathcart, Hudson, Mr. Speaker Gilligan, Representatives Keeley, Cathcart, Booth, Lavelle & B. Short made comments.

HR 16 was adopted by voice vote.

The Majority Leader moved to adjourn at 2:26 p.m., thereby ending the current legislative day. The House reconvened at 2:27 p.m.

16th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session
April 1, 2009

The Chief Clerk called the roll.
Members Present: 38.

A prayer was offered by Representative Darryl M. Scott, Thirty-first Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.

The following prefilled legislation was introduced:

**HB 104** - M. MARSHALL & SENATOR BLEVINS; REPRESENTATIVES BARBIERI,
SCHOOLEY, J. JOHNSON, KEELEY, OBERLE, B. SHORT; SENATOR SORENSON - JUDICIARY -
An Act to Amend Titles 10, 13 and 31 of the Delaware Code Relating to DSCYF Custody and Third Party Visitation.

**HA 3 to HB 40** - MIRO - Placed with the Bill.

**HA 1 to HB 101** – CATHCART - Placed with the Bill.

The Reading Clerk read the following communication into the record:

**MEMORANDUM**

To: The Honorable Robert Gilligan
Speaker of the House

From: Representative Nicholas Manolakos

Date: April 1, 2009

RE: Absence from Session

Please be advised that it is necessary for me to be absent today, Wednesday, April 1, 2009, due to personal family business.

Thank you for your understanding.

Representative Schwartzkopf deferred to Representative Keeley. Representative Keeley introduced guests and made comments. Representative Schwartzkopf deferred to Representative Thornburg. Representative Thornburg made comments. Representative Schwartzkopf deferred to Representative Blakey. Representative Blakey requested and was granted privilege of the floor for Ahmed Aly Mohamed Monsour, Fulbright Scholar & Professor of Arabic at Delaware State University. Representative Schwartzkopf deferred to Representative Miro. Representative Miro requested and was granted privilege of the floor to present a House Tribute to Dr. Michael W. Johnson and Lisa J. Burnham, representing Diamond State Reading Association, who addressed the House.

Representative Cathcart introduced and brought **HR 10**, jointly sponsored by Representative Oberle on behalf of All Representatives, before the House for consideration.

**HR 10** - DECLARING APRIL, 2009 AS AUTISM AWARENESS MONTH IN DELAWARE.

WHEREAS, autism is a lifelong developmental disability which impairs an individual’s ability to learn, develop healthy social behaviors, and understand verbal, nonverbal, and reciprocal communication; and

WHEREAS, autism is a spectrum disorder, affecting every person in unique and individual ways that call for individualized treatment, educational programming, and services; and

WHEREAS, autism is the result of a neurological disorder affecting the functioning of the brain, and there is a greater need for public awareness of this complex disorder; and

WHEREAS, autism has no cure, and research is critical to discovering the causes, treatments and cures for the disorder; and

WHEREAS, autism is the third most common developmental disability, affecting more than 1,000,000 people across the country and as many as 1,200 individuals and their families in Delaware; and

WHEREAS, the population of students with autism statewide in Delaware has more than doubled over the last 10 years; and

WHEREAS, students with autism are graduating in increasing numbers into adult services, going from an average of five graduates in 2000 to a projected 30 in 2010; and

WHEREAS, the needs of adults with mild autism and Asperger’s Syndrome for ongoing support to function successfully at work and in the community often go unrecognized or met; and

WHEREAS, adult service system needs to be well prepared to support the increasing numbers of young adults who will need residential, vocational, behavioral, health, and/or recreational services to live lives of dignity and productivity in the community; and

WHEREAS, the families of people with autism face financial, emotional, and social challenges as they strive to ensure the best care and life possible for their relative with autism.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware that April 1, 2009 be declared Autism Awareness Month in Delaware.

Representative Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for Rob Gilsdorf, President, Autism Delaware. Representative Cathcart requested and was granted privilege of the floor for Melissa Tice Martin, Executive Director, Lower Delaware Autism Foundation. Representative Cathcart made comments.

**HR 10** was adopted by voice vote.
The parents and children present announced their names for the record.
Representative Schwartzkopf deferred to Representative Brady.
Representative Brady introduced HB 106, jointly sponsored by Senator DeLuca & cosponsored by Senator McDowell.

Mr. Speaker Gilligan assigned HB 106 to the Natural Resources Committee.
Representative Schwartzkopf deferred to Representative J. Johnson.
Representative J. Johnson requested and was granted personal privilege of the floor to introduce a guest.

The Reading Clerk read the following communications into the record.

HOUSE TRIBUTE ANNOUNCEMENT #14

DATE: April 1, 2009

The following Tributes and Memorials have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
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<tr>
<td>H145-278</td>
<td>Scott</td>
<td>3/17/2009</td>
<td>M</td>
<td>Hattie Dabney Mishoe</td>
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<tr>
<td>H145-280</td>
<td>Miro</td>
<td>3/11/2009</td>
<td>T</td>
<td>Nicole Vernon - Female High School Swimmer of the Year</td>
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<tr>
<td>H145-283</td>
<td>Gilligan</td>
<td>3/18/2009</td>
<td>T</td>
<td>Janice Fischbach - 75th Birthday</td>
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<tr>
<td>H145-288</td>
<td>Lee</td>
<td>3/18/2009</td>
<td>M</td>
<td>Helen C. Bennett</td>
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<tr>
<td>H145-290</td>
<td>Gilligan</td>
<td>3/27/2009</td>
<td>T</td>
<td>Mid-County Center - 30th Anniversary</td>
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<tr>
<td>H145-291</td>
<td>Outten</td>
<td>3/19/2009</td>
<td>M</td>
<td>Leon L. Lofland</td>
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<tr>
<td>H145-293</td>
<td>Booth</td>
<td>3/26/2009</td>
<td>T</td>
<td>Vivian Barry - Outstanding Community Service</td>
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<tr>
<td>H145-296</td>
<td>B. Short</td>
<td>3/28/2009</td>
<td>T</td>
<td>Christopher Council/Knights of Columbus/60th Anniversary</td>
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</tbody>
</table>

T - Tribute
M – Memoriam

Representative Schwartzkopf brought the following prefilled Consent Calendar #4 before the House for consideration

SCR 8 – PETERSON – Recognizing and Observing the Month of April as Work Zone Safety Month in Delaware.

Consent Calendar #4 was adopted by voice vote and SCR 8 was returned to the Senate.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 3:02 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following member was marked present by the Chief Clerk after the House recessed at 3:02 p.m.: Representative Mulrooney.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 2, 2009.

The Chief Clerk read the following committee reports into the record:

JUDICIARY: HB 96 -1F, 4M.
LABOR: HB 56 – 3F, 3M.
HEALTH & HUMAN DEVELOPMENT: HB 22 – 1F, 7M; HB 3 – 1F, 7M.
EDUCATION: HB 102 – 4F, 7M.
REVENUE & FINANCE: HR 12 – 2F, 6M.
MANUFACTURED HOUSING: HB 107 – 2F, 2M.
HOUSE ADMINISTRATION: HB 10 – 5M; HB 16 – 5M; HB 94 – 2F, 3M;
SB 7 w/SA 1 & 2 – 5M.
Mr. Speaker Gilligan assigned HB 22 and HB 10 to the Appropriations Committee.
Representatives Carey & Manolakos requested that they be marked present for the current
Legislative Day.
The Majority Leader moved to adjourn at 2:01 p.m., thereby ending the current legislative day. The
House reconvened at 2:02 p.m.

17th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session
April 2, 2009

The Chief Clerk called the roll.
Members Present: 41.
A prayer was offered by Representative Helene M. Keeley, Third Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following prefiled legislation was introduced:
HB 108 – MITCHELL & SENATOR BUSHWELLER; REPRESENTATIVES BRADY, HOCKER,
MIRO - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Failure to Appear at
Trial.
HB 109 – MITCHELL & SENATOR BUSHWELLER; REPRESENTATIVE BRADY;
SENATORS ENNIS, HALL-LONG - JUDICIARY - An Act to Amend Titles 11 and 16 of the Delaware
Code Relating to Substantial Assistance.
HB 110 - D. SHORT & SENATOR SORENSON; REPRESENTATIVES BOOTH, CAREY,
HOCKER, HUDSON, KOVACH, LEE, THORNBURG; SENATORS BUNTING, VENABLES,
SIMPSON - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to a Pilot Program
Exempting Delaware Public Schools from Prevailing Wage Requirements.
HB 111 – MITCHELL & SENATOR BUSHWELLER; REPRESENTATIVES KEELEY, PLANT,
B. SHORT; SENATORS BLEVINS, ENNIS, CLOUTIER - PUBLIC SAFETY & HOMELAND
SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to the Ignition Interlock Device
(IDD) Program.
HA 1 to HB 16 - KEELEY - Placed with the Bill.
HA 3 to HB 62 - OBERLE - Placed with the Bill.
HA 2 to HB 101 - OBERLE - Placed with the Bill.
Representatives Kovach, Outten, D. Short, Plant, Oberle & Cathcart requested that they be marked
present. Mr. Speaker Gilligan granted privilege of the floor to Mr. Richard A. DiLiberto, Jr., former House
Member and Chairman of the Commission on Italian Heritage and Culture. Representative Booth made
comments. Representatives D.P. Williams & M. Marshall requested that they be marked present.
Representative Schwartzkopf deferred to Representative Bennett.
Representative Bennett introduced and brought HR 15 before the House for consideration.
HR 15 - HONORING JUDGE MERRILL C. TRADER FOR HIS DEDICATED SERVICE TO
THE STATE OF DELAWARE.
WHEREAS, a graduate of Western Maryland College, Merrill C. Trader received his LLB from
Washington and Lee University School of Law in 1958; and
WHEREAS, he was successfully admitted to the Delaware, Virginia and Federal Bar in 1958; and
WHEREAS, Merrill C. Trader began his prestigious legal career in private law practice from 1958-
1972; and
WHEREAS, his long and extraordinary career in public service, spanning more than 46 years began
in 1963 when he served as Assistant Deputy Attorney General for Kent County, and then Chief Deputy
Attorney General for Kent County from 1965-1969; and
WHEREAS, Merrill C. Trader began his prestigious legal career in private law practice from 1958-
1972; and
WHEREAS, Merrill C. Trader also served as a Master in the Family Court of the State of Delaware
from 1970-1972; and
WHEREAS, Merrill C. Trader was appointed a Judge of the Delaware Court of Common Pleas by
Governor Russell W. Peterson in September 1972; and
WHEREAS, Judge Trader was subsequently reappointed for a second term by Governor Pierre S. du
Pont, IV in 1984 and for his final term by Governor Thomas R. Carper in 1997; and
WHEREAS, during his distinguished tenure as a Judge of the Delaware Court of Common Pleas,
Judge Trader served by special appointment as a Judge for the Justice of the Peace Court, Family Court of
the State of Delaware and Delaware Supreme Court; and
WHEREAS, Judge Trader was recipient of a number of awards and honors for his years of
exceptional judicial service, including the 2003 Chief Justice’s Award for Outstanding Judicial Service; and
WHEREAS, throughout his career, Judge Trader was regarded as a mentor to those who came before him, exhibiting a strong work ethic, consummate skills in judicial case management and a sensitivity to the rights of litigants.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware that many thanks and a great appreciation are extended to Judge Merrill C. Trader for his dedicated and exceptional service to the Delaware Judiciary, having continued the tradition of excellence in jurisprudence throughout the Delaware court system.

BE IT FURTHER RESOLVED that best wishes are extended to Judge Trader and his wife, Mary, for all of their future endeavors.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be presented to Judge Merrill C. Trader.

Representative Bennett made comments.

HR 15 was adopted by voice vote.
Representative Walls introduced and brought HCR 8, sponsored on behalf of All Representatives and jointly sponsored by Senator Adams on behalf of All Senators, before the House for consideration.

HCR 8 - PROCLAIMING THE WEEK OF APRIL 6, 2009, THROUGH APRIL 12, 2009, TO BE FARM VEHICLE AWARENESS WEEK IN DELAWARE AND ENCOURAGING ALL MOTORISTS TO SHARE THE ROAD WITH FARM VEHICLES.

Representative Walls made comments.

HCR 8 was adopted by voice vote and was sent to the Senate for concurrence. Representative Schwartzkopf deferred to Representative Schooley. Representatives Schooley & Outten requested and were granted personal privilege of the floor to introduce guests.

The Majority Leader moved to recess for caucus at 2:24 p.m. The House reconvened at 3:48 p.m. Representative Viola requested that she be marked present. The Reading Clerk read the following communication into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Joseph W. Booth, do hereby request that my name be removed as co-sponsor of HR 16.

DATE: 4/1/09
SIGNED: JOSEPH W. BOOTH


SB 7 – AN ACT TO AMEND TITLES 10 AND 29 OF THE DELAWARE CODE RELATING TO REAL PROPERTY ACQUISITION AND EMINENT DOMAIN. (2/3 bill)

Representatives D.P. Williams, B. Short & Hudson made comments. The roll call on SB 7 w/SA 1 & 2 was taken and revealed:

YES: 38

ABSENT: Representatives Booth, Miro & Oberle - 3 Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 7 w/SA 1 & 2 was returned to the Senate.

Representative D.P. Williams made comments. Representative Schwartzkopf deferred to Representative Hudson. Representative Hudson brought HB 4, jointly sponsored by Senator Sorenson & Representative Lavelle, before the House for consideration.

HB 4 – AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO CASH CONTRIBUTIONS.

Representatives Hudson & Kowalko made comments. The roll call on HB 4 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 4 was sent to the Senate for concurrence. Mr. Speaker Gilligan made an announcement regarding SB 7. Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley brought HB 102, jointly sponsored by Senator Sokola & Representatives Barbieri, Kovach & M. Marshall & Senator Henry & cosponsored by Representative Kowalko, before the House for consideration.

HB 102 – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATOR LICENSURE AND CERTIFICATION.
Representatives Schooley, Kovach, Lavelle & Hudson made comments.
The roll call on HB 102 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, HB 102 was sent to the Senate for concurrence.
Mr. Speaker Gilligan declared a recess at 4:20 p.m.
The House reconvened at 4:27 p.m.
Representative Cathcart moved to restore SB 7 w/SA 1 & 2 and to rescind the roll call. The motion was seconded by Representative D. Short and adopted by voice vote.
SB 7 – AN ACT TO AMEND TITLES 10 AND 29 OF THE DELAWARE CODE RELATING TO REAL PROPERTY ACQUISITION AND EMINENT DOMAIN.

The roll call on SB 7 w/SA 1 & 2 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, SB 7 w/SA 1 & 2 was returned to the Senate.

Mr. Speaker Gilligan assigned HB 117 to the Education Committee.
Representative Schwartzkopf deferred to Representative Atkins.
Representative Atkins brought HB 107, jointly sponsored by Representatives Kowalko, Longhurst & Schwartzkopf & Senator Bunting, before the House for consideration.
HB 117 – AN ACT TO AMEND TITLES 14 AND 15 OF THE DELAWARE CODE RELATING TO SCHOOL BOARDS AND SCHOOL BOARD ELECTIONS.

HB 107 – AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE.

Representatives Cathcart, Atkins & Schwartzkopf made comments. Representative Schwartzkopf introduced and brought HA 1 to HB 107, jointly sponsored by Representative Longhurst & Representative Atkins, before the House for consideration. Representative Schwartzkopf made comments. Representative Cathcart requested and was granted privilege of the floor for House Attorneys Mike Migliore & Ron Smith. Representatives Cathcart & Schwartzkopf made comments. Mr. Speaker Gilligan ruled that HA 1 is not a substantive amendment.
The roll call on HA 1 was taken and revealed.
YES: 22.
NO: Representatives Blakey, Booth, Carey, Cathcart, Lavelle, Lee, Manolakos, Outten, Ramone, Scott, D. Short & Wilson - 12
NOT VOTING: Representatives Brady, Hocker, Hudson, Kovach, Miro, Oberle & Thornburg – 7.
Therefore having received a constitutional majority, HA 1 was declared passed.
Representative Schwartzkopf introduced and brought HB 2 to HB 107, jointly sponsored by Representative Longhurst & Representative Atkins, before the House for consideration. Representatives Schwartzkopf & Lavelle made comments. HB 2 was adopted by voice vote. Representative Schwartzkopf introduced and brought HA 3 to HB 107, jointly sponsored by Representative Longhurst & Representative Atkins, before the House for consideration. Representatives Schwartzkopf & Lavelle made comments. HA 3 was adopted by voice vote.

Representative Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for House Attorney Ron Smith. Representatives Cathcart & Schwartzkopf made comments. Representative Schwartzkopf requested and was granted privilege of the floor for House Attorney Mike Migliore. Representatives Schwartzkopf & Atkins made comments. Representative Lavelle requested and was granted privilege of the floor for Kenneth Clark, Sr., owner, Riverdale Park.

Representatives Lavelle, Atkins, Cathcart, Ramone, Schwartzkopf, Mitchell, Hocker & Lavelle made comments.
Representative Lavelle requested and was granted privilege of the floor to for Robert Tunnell III representing Pot-Nets Community.

Representatives Lavelle, Kowalko, Cathcart, Atkins, Schwartzkopf, Mitchell, Oberle, D. E. Williams, D. Short, Ramone, Atkins, Thornburg, Bennett, Lavelle, Ramone, Atkins & Hocker made
Representative Hocker announced that he will not be voting on HB 107 because of a possible conflict of interest. Representatives Atkins, Kowalko, Oberle & Atkins made comments.

The roll call on HB 107 w/HA 1, 2 & 3 was taken and revealed:

YES: 22
NO: Representatives Blakey, Booth, Carey, Cathcart, Hudson, Kovach, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, Scott, D. Short, Thornburg & Wilson - 16
NOT VOTING: Representatives Brady, Hocker & Oberle - 3

Therefore, having received a constitutional majority, HB 107 w/HA 1, 2 & 3 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley requested that HB 75 be stricken. Representative Keeley made comments.

Representative Keeley introduced HB 112, jointly sponsored by Representative Kowalko & Senator Bunting and cosponsored by Senators Connor, Cloutier & Sorenson.

HB 112 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HOSPITALS AND OTHER FACILITIES

Mr. Speaker Gilligan assigned HB 112 to the Health & Human Development Committee.

The Majority Leader moved to recess to the call of the Chair at 6:20 p.m.

Mr. Speaker Gilligan called the House to order at 2:15 p.m. on April 7, 2009.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed HB 32, HB 33 & HB 53 and is returning the same to the House.

April 3, 2009

Legislative Advisory #5

Governor Jack A. Markell signed the following legislation on the date indicated: 4/2/09 – HB 49.

The Majority Leader moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.
HB 116 – CARSON & SENATOR ENNIS - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Smyrna, 74 Delaware Laws Chapter 176, Relating to the Repayment Term of Loans the Town is Authorized To Borrow. (2/3 bill)


Representative Schwartzkopf deferred to Representative Schooley.

HB 120 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN OFFENSES

Mr. Speaker Gilligan assigned HB 120 to the Judiciary Committee.
The Majority Leader moved to recess for caucus at 2:23 p.m.
The House reconvened at 5:02 p.m.
Representative Mitchell requested and was granted personal privilege of the floor to introduce guests. Representative Gilligan made an announcement. Representatives Miro & Lavelle requested that they be marked present.

Representative Schwartzkopf deferred to Representative Keeley.
Representative Keeley brought HB 16, jointly sponsored by Representatives Bennett, Brady, Ramone & Senator Henry and cosponsored by Representative D. Short, before the House for consideration.

HB 16 - AN ACT TO AMEND CHAPTER 58, TITLE 29 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF LOBBYISTS.

Representative Keeley brought HA 1 to HB 16 before the House for consideration. Representative Keeley made comments. HA 1 was adopted by voice vote.
Representatives Ramone & Keeley made comments.
The roll call on HB 16 w/HA 1 was taken and revealed:
YES: 38.
ABSENT: Representatives Atkins, Carey & D. Short - 3.
Therefore, having received a constitutional majority, HB 16 w/HA 1 was sent to the Senate for concurrence.
Representative D.P. Williams requested that he be marked present during the roll call.
Representative Schwartzkopf deferred to Representative Oberle.
Representative Keeley brought HB 56, jointly sponsored by Senator Henry & Representative Mitchell and cosponsored by Representative Jaques, before the House for consideration.

HB 56 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO COLLECTIVE BARGAINING.

Representative Oberle requested that HA 1 to HB 56 be stricken. Representative Oberle brought HA 2 to HB 56 before the House for consideration. Representative Oberle made a comment. HA 2 was adopted by voice vote. Representative Oberle made comments.
The roll call on HB 56 w/HA 2 was taken and revealed:
YES: 35.
NOT VOTING: Representatives Booth, Hocker &Wilson - 3.
ABSENT: Representatives Atkins, Carey & D. Short - 3.
Therefore, having received a constitutional majority, HB 56 w/HA 2 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Hocker.
Representative Hocker brought HB 94, jointly sponsored by Senator Bunting, before the House for consideration.

HB 94 - AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH, TO MAKE THE TOWN CHARTER CONSISTENT WITH CHANGES TO 15 DEL. C. SECTION 7501 ET SEQ., ENACTED BY THE 143RD GENERAL ASSEMBLY CONCERNING MUNICIPAL ELECTIONS AND RELATING TO ANNEXATION, ELECTIONS, TERMS OF OFFICE, AND ORGANIZATIONAL MEETINGS AND DUTIES. (2/3 bill)

Representative Hocker made a comment.
The roll call on HB 94 was taken and revealed:
YES: 38.
ABSENT: Representatives Atkins, Carey & D. Short - 3.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 94 was sent to the Senate for concurrence.
The Chief Clerk read the following committee report into the record:
GAMING & PARIMUTUELS: HS 1 for HB 100 - 2F, 3M, 1U.
Representatives Keeley, Brady, Mitchell & Walls & Mr. Speaker Gilligan made announcements.
The Majority Leader moved to recess to the call of the Chair at 5:20 p.m.
Mr. Speaker Gilligan called the House to order at 2:02 p.m. on April 8, 2009.
Mr. Speaker Gilligan reassigned HB 114 to the Veterans Affairs Committee.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SCR 9 and requests the concurrence of the House. The Senate wishes to inform the House that it has passed SB 32, SB 33 & SB 53 and requests the concurrence of the House.

MEMORANDUM
TO: Rep. Robert F. Gilligan
Speaker of the House
CC: Rich Puffer
FROM: Rep. John C. Atkins
DATE: April 6, 2009
RE: Absence from session
I will be unable to attend session, Tuesday April 7th and Wednesday, April 8, 2009 due to personal family business.

MEMORANDUM
TO: Speaker Robert Gilligan
FROM: Rep. Daniel B. Short
DATE: April 7, 2009
SUBJECT: Absence from Session
I will be absent from session on Tuesday, April 07, 2009 due to a death in the family.

April 7, 2009
The Honorable Richard Puffer
Chief Clerk
House of Representatives
State of Delaware
Legislative Hall
Dover, DE 19901
Dear Rich,
Please accept this request to have my name removed as a co-sponsor from HS 1 for HB 100. Thank you, I appreciate your assistance with the request.
Yours very truly,
George H. Bunting, Jr.
Representative Carson introduced HS 1 for HB 21, jointly sponsored by Representative Mitchell & Senator Bushweller & Representatives Walls & D.P. Williams and cosponsored by Representative Scott & Senator Ennis.

HB 21 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE CLASSIFICATION OF CERTAIN MINOR TRAFFIC OFFENSES.
Mr. Speaker Gilligan assigned HS 1 for HB 21 to the Public Safety & Homeland Security Committee.
The Majority Whip moved to adjourn at 2:05 p.m., thereby ending the current legislative day. The House reconvened at 2:06 p.m.

19th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session
April 8, 2009
The Chief Clerk called the roll.
Members Present: 36.
Members Absent: Representatives Atkins, Carey, Schwartzkopf, D. Short & D.E. Williams - 5.
A prayer was offered by Representative Thornburg, Twenty-ninth Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following prefiled legislation was introduced:

HB 119 – SCHOOLEY & SENATOR SOKOLA; REPRESENTATIVES BENNETT, BRADY, Q. JOHNSON, KEELEY, LONGHURST, MANOLAKOS, M. MARSHALL, MITCHELL, MULROONEY, PLANT, SCOTT, VIOLA, WALLS; SENATORS BLEVINS, BUSHWELLER, HALL-LONG, HENRY, KATZ, PETERSON, SIMPSON, SORENSON, VENABLES - EDUCATION - An Act to Amend Title 14 of the Delaware Code with Respect to Public Education.

SB 32 – BLEVINS & REPRESENTATIVE M. MARSHALL; SENATORS ENNIS, HENRY, PETERSON, SORENSON; REPRESENTATIVES BARBIERI, BENNETT, CARSON, GILLIGAN, HUDSON, JAQUES, Q. JOHNSON, KEELEY, LAVELLE, MITCHELL, OBERLE, SCHOOLEY,
D. SHORT - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Crimes Against Children.

SB 33 – BLEVINS & SENATOR SORENSON & REPRESENTATIVE HUDSON, & REPRESENTATIVE M. MARSHALL; SENATORS BUSHWELLER, BUNTING, ENNIS, HENRY, KATZ, MCDOWELL, PETERSON, SOKOLA; REPRESENTATIVES BARBIERI, CATHCART, GILLIGAN, JAQUES, Q. JOHNSON, KEELEY, KOVACH, MITCHELL, OBERLE, RAMONE, SCHOOLEY, WALLS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

SB 53 – BUSHWELLER & REPRESENTATIVE BLAKEY - HOUSE ADMINISTRATION - An Act to Amend the Municipal Charter of the Town of Wyoming (43 Del. Laws 189) to Designate the Fiscal Year for the Town as July 1 through June 30 (2/3 bill)

HA 1 to HA 2 to HB 101 - CATHCART - Placed with the Bill.
HA 1 to HS 1 for HB 100 - VIOLA - Placed with the Bill.
HA 2 to HS 1 for HB 100 - VIOLA - Placed with the Bill.

The Reading Clerk read the following communications into the record:

MEMORANDUM

TO: Speaker Robert Gilligan
FROM: Rep. Daniel B. Short
DATE: April 8, 2009
SUBJECT: Absence from Session

I will be absent from session on Wednesday and Thursday, April 8th & 9th, 2009 due to a death in the family.

MEMORANDUM

TO: The Honorable Robert F. Gilligan
FROM: The Honorable William A. Oberle, Jr.
DATE: April 8, 2009
RE: Absence from Session

I will be unable to attend session on Wednesday, April 8, 2009 and Thursday, April 9, 2009 due to personal business.

Thank you for your consideration of this matter.

Representative Longhurst brought the following prefilled Consent Calendar #5 before the House for consideration.

SCR 9 – BLEVINS & SENATOR SORENSON & REPRESENTATIVE KEELEY & REPRESENTATIVE HUDSON – Designating the Month of April 2009 as Delaware’s Sexual Assault Awareness Month.

Consent Calendar #5 was adopted by voice vote and SCR 9 was returned to the Senate.

Representative Longhurst requested and was granted personal privilege of the floor to introduce guests. Members of a delegation from China were introduced by interpreter Jeffrey Qi. Representative Cathcart presented House Certificates to the members of the delegation. Mr. Speaker Gilligan made comments and presented gifts.

The Majority Whip moved to recess to the call of the Chair at 2:28 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following members were marked present by the Chief Clerk after the House recessed at 2:28 p.m.: Representatives Lavelle & Oberle.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 9, 2009.

Representatives Carey, Schwartzkopf & D. E. Williams requested that they be marked present.

Representative Cathcart requested and was granted personal privilege of the floor to introduce guests. Members of a delegation from China were introduced by interpreter Jeffrey Qi. Representative Cathcart presented House Certificates to the members of the delegation. Mr. Speaker Gilligan made comments and presented gifts.

The Senate wishes to inform the House that it has passed SB 25 & SB 26 and requests the concurrence of the House. The Senate wishes to inform the House that it has passed SB 31 w/SA 1 & 2, SB 30 w/SA 1, SCR 10 & SCR 11 and requests the concurrence of the House and the Senate has passed HCR 8 and is returning the same to the House. The Senate wishes to inform the House that it has passed SB 69 and requests the concurrence of the House and the Senate has passed HB 44 w/HA 1 and HB 19 and is returning the same to the House.

MEMORANDUM

TO: The Honorable Robert F. Gilligan
Speaker of the House
FROM: The Honorable William A. Oberle, Jr.
DATE: April 8, 2009
RE: Change of Plans – Session – April 8 and April 9, 2009
As stated in my memo to you dated April 8, 2009, I originally intended to be absent from session on Wednesday, April 8, 2009 and Thursday, April 9, 2009 due to personal business. However, I was able to be marked present on Wednesday, April 8 and will attend session on Thursday, April 9, 2009. Thank you for your consideration of this matter.

MEMORANDUM
TO: Rep. Robert F. Gilligan
Speaker of the House
CC: Rich Puffer
Chief Clerk
FROM: Rep. John Viola
DATE: April 9, 2009
RE: Absence from session
I will be unable to attend today’s session due to personal business.

MEMORANDUM
TO: Rep. Robert F. Gilligan
Speaker of the House
CC: Rich Puffer
Chief Clerk
DATE: April 8, 2009
RE: Absence from session
I will be unable to attend tomorrow’s session because I am having back surgery.

MEMORANDUM
TO: Rep. Robert F. Gilligan
Speaker of the House
CC: Rich Puffer
FROM: Rep. William Carson
DATE: April 7, 2009
RE: Absence from session
I will be unable to attend session Thursday, April 9, 2009 due to personal business.

The Chief Clerk read the following committee reports into the record:

JUDICIARY: HB 104 – 7M; HB 109 – 7M, 1U.
REVENUE & FINANCE: HB 93 – 2F, 6M.
PUBLIC SAFETY & HOMELAND SECURITY: HS for HB 21 – 1F, 5M; HB 40 – 7M.
HEALTH & HUMAN DEVELOPMENT: HB 112 – 5F, 5M.
NATURAL RESOURCES: HB 106 – 7M.
HOUSING & COMMUNITY AFFAIRS: HB 81 – 7M; HB 83 – 8M.
LABOR: HB 18 – 2F, 4M; HR 14 – 1F, 7M.
Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst requested and was granted privilege of the floor to present a House Tribute to Carl Kanefsky. Mr. Kanefsky addressed the House. Representative Lavelle made comments. Representatives Bennett & Kovach requested and were granted personal privilege of the floor to introduce guests.
The Majority Leader moved to adjourn at 2:08 p.m., thereby ending the current legislative day. The House reconvened at 2:09 p.m.

20th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session
April 9, 2009
The Chief Clerk called the roll.
Members Present: 36.
A prayer was offered by Representative Lavelle, Eleventh Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following prefilled legislation was introduced:
HB 121 – KOWALKO & SENATOR SOKOLA; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ - SUNSET COMMITTEE (POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY) - An Act to Amend Title 24 of the Delaware Code Relating to Cosmetology and Barbering and Licensure of Aestheticians. (2/3 bill)
Representative Schwartzkopf deferred to Representative Bennett. Representative Bennett introduced guests. Representative Bennett requested and was granted privilege of the floor for himself & Representative Blakey to present a House Tribute to Elvina Knight, Principal, Caesar Rodney High School, and the State Champion Riders Football Team, and their Coach/Athletic Director. Ms. Knight addressed the House. The players & coaches announced their names for the record. Representatives Blakey & Booth made comments. Representative Outten requested that he be marked present. Representative Brady made comments. Representative Brady requested and was granted privilege of the floor for Pam Sapko, Executive Director, Delaware Center for Horticulture. Representative Mitchell made comments. Representative D.P. Williams requested that he be marked present. Mr. Speaker Gilligan made an announcement regarding SB 69.

Representative Schwartzkopf deferred to Representative Plant. Representative Plant introduced and brought HR 17, jointly sponsored by Representatives Bennett, Brady, Jaques, J. Johnson, Kowalko, Mulrooney, Oberle, B. Short, Viola, Walls & D.E. Williams, before the House for consideration.

HR 17 - RECOGNIZING APRIL 28, 2009 AS WORKERS MEMORIAL DAY
Representative Plant made comments.

HR 17 was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Booth. Representative Booth introduced & brought SCR 11, jointly sponsored by Senator Cloutier & Senator Connor & Representative Schwartzkopf, before the House for consideration.

SCR 11 - DESIGNATING April 23, 2009 AS "TECHNOLOGY EDUCATION DAY" IN THE STATE OF DELAWARE
Representative Booth made comments.

SCR 11 was adopted by voice vote and was returned to the Senate.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson introduced HA 1 to HJR 2. HA 1 to HJR 2 was placed with the Joint Resolution. Representative Hudson made comments.
MEMORANDUM

TO: Speaker Robert Gilligan
FROM: Representative Richard C. Cathcart
SUBJECT: Acting Minority Leader
DATE: April 9, 2009

Please be advised that Representative William Oberle will be the acting Minority Leader today Thursday, April 9, 2009 due to personal business.

The Majority Leader moved to recess for caucus at 2:32 p.m.
The House reconvened at 4:06 p.m.
Representative Schwartzkopf deferred to Representative Walls.
Representative Cathcart requested that he be marked present.
Representative Walls introduced HB 127, jointly sponsored by Representative Booth & Representative Carson & Representative Longhurst & Senator Adams & Representatives Carey, Thornburg & Wilson & Senator Simpson and cosponsored by Representative Lee.

HB 127 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SIZE AND WEIGHT OF VEHICLES.

Mr. Speaker Gilligan assigned HB 127 to the Public Safety & Homeland Security Committee.
Representative Walls made comments.
Representative Schwartzkopf deferred to Representative Keeley.
Representative Keeley moved to suspend the rules which interfere with introduction of and action on SB 69. The motion was seconded by Representative Schwartzkopf and adopted by voice vote.
Representative Keeley introduced and brought SB 69, jointly sponsored by Senators Venables, Blevins, Cook, McDowell, Simpson & Sorenson & Representatives Mulrooney, Schooley, Viola, Carey & Oberle, before the House for consideration.

SB 69 - AN ACT REVERTING CERTAIN FUNDS OF THE STATE AND DEPOSITING CERTAIN FUNDS OF THE STATE TO THE GENERAL FUND.

Representative Keeley made comments.
The roll call on SB 69 was taken and revealed:
YES: 36.
Therefore, having received a constitutional majority, SB 69 was returned to the Senate.
Representative Schwartzkopf introduced and brought SCR 12, jointly sponsored by Senator Adams & Senator DeLuca & Representative Gilligan, before the House for consideration.

SCR 12 - PROVIDING FOR A JOINT SESSION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES TO BE CONVENED FOR THE PURPOSE OF HEARING AN ADDRESS BY THE HONORABLE JACK A. MARKELL, GOVERNOR OF THE STATE OF DELAWARE.

Representative Schwartzkopf made comments.
SCR 12 was adopted by voice vote and was returned to the Senate.
Representative Schwartzkopf deferred to Representative Brady.
Representative Brady brought HB 106, jointly sponsored by Senator DeLuca & cosponsored by Senator McDowell, before the House for consideration.


Representative Brady made comments.
The roll call on HB 106 was taken and revealed:
YES: 36.
Therefore, having received a constitutional majority, HB 106 was sent to the Senate for concurrence.
Representative Kowalko & Senator Bunting & cosponsored by Senators Connor, Cloutier & Sorenson, before the House for consideration.

HB 112 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HOSPITALS AND OTHER FACILITIES.

Representative Kowalko, Keeley made comments regarding HB 112.
Representative Schwartzkopf deferred to Representative J. Johnson.
Representative J. Johnson introduced and brought **SCR 13**, jointly sponsored by Senator Henry before the House for consideration.

**SCR 13** - CALLING ON DELAWARE'S CHIEF SCHOOL OFFICERS, POLICE CHIEFS AND STATE LEGISLATORS TO CONVENE MEETINGS FOR THE PURPOSE OF FINDING AND IMPLEMENTING STRATEGIES TO REDUCE VIOLENCE AND THE PRESENCE OF WEAPONS IN OUR SCHOOLS.

Representative J. Johnson made comments.

**SCR 13** was adopted by voice vote and was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 109**, jointly sponsored by Senator Bushweller & Representative Brady & Senators Ennis & Hall-Long and cosponsored by Representative Scott, before the House for consideration.

**HB 109** - AN ACT TO AMEND TITLES 11 AND 16 OF THE DELAWARE CODE RELATING TO SUBSTANTIAL ASSISTANCE.

Representative Mitchell introduced and brought **HA 1** to **HB 109** before the House for consideration. Representatives Mitchell and D.P. Williams made comments. Representative Mitchell requested and was granted privilege of the floor for Tina Showalter, Deputy Attorney General.

Representatives D.P. Williams, Kovach, Keeley, Oberle, Booth, D.P. Williams, Blakey & Booth made comments.

**HA 1** was adopted by voice vote.

The roll call on **HB 109 w/HA 1** was taken and revealed:

YES: 35.


Therefore, having received a constitutional majority, **HB 109 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HS 1 for HB 21**, jointly sponsored by Senator Bushweller & Representatives Carson, Walls & D.P. Williams & cosponsored by Senator Ennis & Representative Scott, before the House for consideration.

**HB 21** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE CLASSIFICATION OF CERTAIN MINOR TRAFFIC OFFENSES.

Representatives Mitchell, Blakey & Kovach made comments.

Representative Mitchell requested and was granted privilege of the floor for Tina Showalter, Deputy Attorney General.

The roll call on **HS 1 for HB 21** was taken and revealed:

YES: 34.


Therefore, having received a constitutional majority, **HS 1 for HB 21** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Scott.


**HB 99** - AN ACT TO AMEND CHAPTER 3, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DESIGNATION OF A STATE DESSERT.

Mr. Speaker Gilligan assigned **HB 99** to the Agriculture Committee.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques made an announcement.

Representative Lavelle moved to suspend rules which interfere with action on **HB 55**.

The motion was properly seconded.

Representatives Lavelle & Mr. Speaker Gilligan made comments.

Representative Lavelle brought **HB 55**, jointly sponsored by Senator Peterson & Representatives D. Short, Carey, Miro & Thornburg & Senators Blevins & Bunting and cosponsored by Senator Cloutier, before the House for consideration.

**HB 55** – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMPENSATION COMMISSION.

The motion was defeated by voice vote.

Mr. Speaker Gilligan & Representative D.P. Williams made announcements.

The Majority Leader moved to recess to the call of the Chair at 5:10 p.m.

Mr. Speaker Gilligan called the House to order at 1:16 p.m. on April 28, 2009.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 4, SB 34, SB 55, SB 43 & SB 63** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **SCR 12 &**
SCR 13 and requests the concurrence of the House. The Senate wishes to inform the House that it has passed HB 102 and is returning the same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST
I, Clifford Lee, do hereby request that my name be removed as co-sponsor of HB 129.
Date: 4-9-09
Signed: Clifford Lee

WITHDRAWAL OF SPONSORSHIP REQUEST
I, David L. Wilson, do hereby request that my name be removed as co-sponsor of HB 129.
Date: 4-9-09
Signed: David L. Wilson

WITHDRAWAL OF SPONSORSHIP REQUEST
I, David L. Wilson, do hereby request that my name be removed as co-sponsor of HB 95.
Date: 4-9-09
Signed: David L. Wilson

April 9, 2009

Legislative Advisory #6
Governor Jack A. Markell signed the following legislation on the date indicated: 4/9/09 – HB 32, HB 33, HB 53, & SB 7 aab SA 1 & 2.

Legislative Advisory #7
April 16, 2009
Governor Jack A. Markell signed the following legislation on the date indicated:

Legislative Advisory #8
April 24, 2009
Governor Jack A. Markell signed the following legislation on the date indicated:
4/20/09 – HB 102.

Representative Atkins requested that he be marked present for the current Legislative Day. Mr. Speaker Gilligan introduced guests. Representative Kovach requested and was granted personal privilege of the floor to make comments. Representative Ramone made comments.

The Majority Leader moved to adjourn at 1:21 p.m., thereby ending the current legislative day. The House reconvened at 1:22 p.m.

21st LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session
April 28, 2009

The Chief Clerk called the roll.
Members Present: 41.
A prayer was offered by Representative Teresa L. Schooley, Twenty-third Representative District.
Mr. Speaker Gilligan and his guests led those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.
The following out-of-session prefiled legislation was introduced:
April 22, 2009

HB 128 - J. JOHNSON & REPRESENTATIVE D.P. WILLIAMS & SENATOR ENNIS; REPRESENTATIVES BOOTH, KOWALKO, LEE, MITCHELL, OBERLE, PLANT, SCHOOLEY; SENATOR HALL-LONG - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 29 of the Delaware Code Relating to the State Employees Pension Plan.


HB 134 – OBERLE & SENATOR PETERSON; REPRESENTATIVES CARSON, JACQUES, KOWALKO, D. SHORT, LAVELLE, MANOLAKOS, MIRO, OUTTEN, RAMONE; SENATOR BONINI

HB 135 - Q. JOHNSON & SENATOR HALL-LONG; REPRESENTATIVES BARBIERI, BENNETT, JAQUES, SCOTT, D.E. WILLIAMS, KOVACH, RAMONE, WILSON, BRADY, J. JOHNSON, KEELEY, KOWALKO, LONGHURST, M. MARSHALL, MULROONEY, OBERLE, SCHOOLEY, B. SHORT, WALLS, GILLIGAN, SCHWARTZKOPF; SENATOR HENRY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Related to the Issuance of a Limited License for a Director or Chairperson of a Dental or Oral and Maxillofacial Surgery Residency Program.


HA 1 to HB 3 - HUDSON - Placed with the Bill.

HA 1 to HB 93 - HOCKER - Placed with the Bill.

SB 4 - PETERSON & SENATOR BLEVINS & REPRESENTATIVE KEELEY & REPRESENTATIVE KOWALKO; SENATORS ENNIS, HENRY, SORENSON, CONNOR; REPRESENTATIVES HUDSON, JAQUES, OBERLE, RAMONE, J. JOHNSON, OUTTEN - CORRECTIONS - An Act to Name the Worship Center/Multi-Purpose Building at Baylor Women’s Correctional Institution in Honor of Fay and Norman Whittle.

SB 34 – BLEVINS & SENATOR CLOUTIER & REPRESENTATIVE M. MARSHALL; SENATORS BUSHWELLER, ENNIS, HALL-LONG, SOKOLA, SORENSON; REPRESENTATIVES BARBIERI, BENNETT, GILLIGAN, HOCKER, HUDSON, KEELEY, LADELLE, MITCHELL, OBERLE, SCHOOLEY - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Termination and Transfer of Parental Rights in Adoption Proceedings.


SB 55 – COOK & REPRESENTATIVE THORNBURG; SENATORS BLEVINS & MARSHALL - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Termination and Transfer of Parental Rights in Adoption Proceedings.

SB 63 – BUNTING & REPRESENTATIVE HOCKER - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Fenwick Island, Delaware, Chapter 302, Volume 49, Laws of Delaware, as Amended, Entitled “An Act to Incorporate the Town of Fenwick Island, Delaware”, to Amend Section 33, Authorizing the Borrowing of Money and Issuing of Bonds. (2/3 bill)

The following prefilled legislation was introduced:


Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst introduced guests.

Representative M. Marshall made an announcement.

Representative M. Marshall made comments.

Representatives Plant & Keeley requested that they be marked present.

The Majority Leader moved to recess for the Joint Session at 1:28 p.m.

JOINT SESSION – SENATE CHAMBER

The Sergeant-at-Arms announced the arrival of Members of the House for the Joint Session. The Members of the House of Representatives were admitted and seated. At the invitation of the Lieutenant Governor, Representative Gilligan and Senator Adams joined him on the rostrum.

The Sergeant-at-Arms announced the arrival of the members of the Judiciary who were admitted and seated.

The Sergeant-at-Arms announced the arrival of the Statewide elected officials and the presidents of the University of Delaware, Delaware State University and Delaware Technical and Community College who were admitted and seated.

The Sergeant-at-Arms announced the arrival of the Governor’s cabinet officials who were admitted and seated.

At 2:08 p.m., Senator DeLuca moved that the Senate and the House meet in Joint Session for the purpose of hearing an address from the Honorable Jack A. Markell, Governor of the State of Delaware. There was no objection.

Senator DeLuca moved that the Lieutenant Governor, as President of the Senate, preside over the Joint Session. There was no objection.
Senator DeLuca moved that the Secretary of the Senate and the Chief Clerk of the House act as Secretaries to the Joint Session. There was no objection.

Senator DeLuca moved that the Lieutenant Governor appoint a committee of four to escort the Governor of the State of Delaware to the Joint Session. There was no objection and the President appointed Senator Michael S. Katz (Spokesperson), Senator Dorinda A. Connor, Representative Teresa L. Schooley and Representative William A. Oberle, Jr. to form a committee to escort the Governor to the Joint Session.

The Lieutenant Governor declared a temporary recess to await the arrival of the Governor. The Joint Session reconvened at 2:10 p.m.

The Sergeant-at-Arms announced the arrival of the escort party with Governor Markell. They were admitted.

Senator Katz introduced Governor Jack A. Markell to the Joint Session. The Lieutenant Governor welcomed the Governor.

The Governor addressed the members of the General Assembly as follows:

Lt. Governor Denn, President Pro Tem Adams, Speaker Gilligan, members of the 145th General Assembly, Chief Justice Steele and members of the Judiciary, other statewide elected officials, members of the Cabinet, our state employees, my wife Carla, my mother Leni and to the people of Delaware.

We gather today in a hall whose walls have echoed from great debates over the most pressing issues of our time. Seventy-six years ago, this building was dedicated by the people for the people as a place where their elected leaders could forge consensus and move with purpose, bold purpose, to set a new course for our state and, through its example, offer guidance to the nation.

Well, then Delaware’s dreams were held down by the cold hand of economic uncertainty. That year, 1933, marked the darkest moment in our nation’s financial history. But it was also that year – in the depths of the Great Depression – that our nation began down the road to economic recovery. It was that year, in this building, that Delaware looked forward and saw that its greatest days were ahead.

Each new administration and General Assembly brings new ideas and energy for a better future for our state. So again this year, in this building, we must start down our own path to prosperity together. And we will find that our greatest days do still lie ahead.

We begin this journey in the grip of the most serious economic downturn since that Great Depression. We begin at a time when more Delawareans – more than 30,000 – are unemployed than at any time in recent history. The Delaware Buildings and Construction Trades Council, for example, finds 2,000 of its 5,000 members out of work. Families who worked hard and played by the rules their entire lives find themselves facing a future that seems less certain than ever. Many businesses find themselves unsure how they will pay their bills, keep employees on the job, and survive the year.

Our state government’s also facing a challenge: the largest budget shortfall in our state’s history, almost $780 million. And growing. Like you in this hall, I believe there are many worthy ideas to tackle, from universal healthcare to providing additional funds to leverage university research. And in the past, joint addresses like this one provided the opportunity to announce grand plans. I still want to tackle them, and I know that many of you do too, but if we don’t work on our fiscal crisis first, we will not be able to do them, let alone do them well. So as we gather here today, our first order of business must be to repair our state’s economic and financial foundation. It is time we get to work.

Just last week, the Delaware Economic and Financial Advisory Council projected that our already historic shortfall would grow by another $28 million, eroding that foundation further and making it more difficult to make ends meet. DEFAC also projected that this fiscal crisis is not only deep but wide - likely extending beyond FY 2010, to FY11 and 12. Together, we must balance our budget; we must live within our means. We cannot walk away from the tough decisions or pretend that there are easy answers. We must face this responsibility firmly.

I will be the first to acknowledge that my budget proposal is not easy or popular. There is much in it to dislike and much in it that I dislike. And one of the things that I dislike the most is proposing that our state employees take such a significant cut in pay, especially those who can least afford it. Our fiscal crisis is dire and I want to avoid layoffs, like many in the private sector have been forced to endure. And to state employees I say this: I very much value your service. You do incredible work. And I will work with you to minimize these painful cuts but we all need to be realistic about our fiscal situation.

My proposal is a realistic and responsible solution to a serious problem and it meets the challenge of balancing the budget while maintaining three core principles: fiscal responsibility, keeping our core commitments and shared sacrifice. By insisting on fiscal responsibility, we will avoid irresponsible cuts that generate short-term savings at the expense of long-term prosperity. We must not make long-term commitments with short-term revenues.

We must keep our government’s core commitments, such as protecting the health and safety of our families, fostering the growth of our economy and protecting the quality of our air and water. We must give every child an opportunity to succeed and assist our senior citizens and those with disabilities.

Finally, when the sacrifice required is as great as it is here, we must ensure that it is fairly shared. Guided by these principles, our solution to the initial $750M shortfall was to: cut spending by $331M; to cut funding to special funds by $40M; utilize $155M in one-time federal stimulus funding; to raise at least $55M by re-authorizing a sports lottery and getting a fairer deal for Delaware taxpayers; to
increase our revenues by $166M; and to raise fees and fines by $12M. With this proposal, we cut much more than we raise because we cannot tax our way out of this problem. We looked line-by-line for savings. And, to be fair, we made sure the burden of these solutions is shared across our state.

When I proposed this budget I made it very clear, it solved the crisis as we knew it at the time - no more and no less. And, we now know that the crisis has gotten $28 million worse and we still have two additional DEFAC meetings before we are required to enact a balanced budget. Now, I fully recognize there are many things in this proposal you may not want to do – and frankly that I don’t want to do, but understand this: any cut that we restore, any revenue proposal we reject, we must find cuts or revenue proposals to make up the difference. At the end of the day, the numbers must add up; our budget must be balanced. And so the response of “don’t look here, look elsewhere” (sic) to balance the budget is no longer an answer we can afford to hear.

And we heard this very response from our state’s casino owners just last week when they rejected our recent sports lottery proposal. Now, that was very disappointing, especially given the very significant and painful sacrifice we are asking of our own hardworking and dedicated state employees. Let me be clear: the exclusive franchise for video lottery and sports lottery belongs to the taxpayers of this state, not to the casino owners. The owners are the taxpayers’ partners in this venture, and they need to act like partners. House Substitute 1 for House Bill 100 is a fair way to do it. And, looking at the report that the casino owners themselves commissioned, the question is not whether they’ll lose money under this proposal, but rather how much more money – how much more revenue will they reap. So to the members of the General Assembly, I urge you to reject their arguments. Ensure that they act as partners. Offer up the competitive advantage of sports betting that casino owners have long sought and in return, hold the casino owners accountable to the principle of shared sacrifice by striking a better deal for Delaware taxpayers. This is a critical step toward balancing our budget.

Now, starting today, we have just ten weeks left to solve this budget shortfall. Where other budgets have been built by Governors and legislators who had months and months to decide how to solve much smaller problems, we must enact this budget in record time to solve record deficits. Time is of the essence – we need to move forward with those things we agree on, and begin to resolve our differences. To that end, my team and I will meet this week with the leadership of each of the four caucuses to begin to forge consensus on the broad parameters of revenue increases and spending cuts. Working within those parameters, we’ll meet with the members of the Joint Finance Committee and the Bond Bill Committee, as well as individual members of each caucus to talk about solutions to these challenges. This is a daunting task but it is time to get to work.

Now, while we keep our focus on resolving the FY 2010 shortfall, we must also set our sights on significant structural changes to our state and local governments. To repair our foundation - our financial foundation - long-term, we must abandon business as usual.

Now, one of my first actions as Governor was to get to work on a statewide performance review that looked at each government agency for improvement. And this effort began what must be a statewide shift toward consolidating our operations, toward eliminating redundancies, to removing inefficiencies. And while some of the results of these efforts are included in my FY 2010 proposal, many of the structural changes will need to be encompassed in future budgets.

We need to think differently about how we deliver government services, delving deep into the base budgets of each agency to evaluate every dollar spent and every program offered. We need greater accountability – creating performance metrics and tracking tools to ensure we are meeting our commitments to taxpayers. We must take a hard look at consolidating many of the back office services that are provided in each agency, such as human resources, accounting and information technology. In the end, government must be smaller than it is today.

We must also take a fresh look at the actual services we provide. We must ask hard questions such as, should we provide this service at all? And how can we make this more cost-effective? For example, we must consider how we provide long-term care for the elderly. Delaware is in the midst of an historic demographic shift as the baby-boomer generation is in need of more medical care, and many retirees move to Delaware to enjoy our low taxes and our high quality of life. This shift will have significant consequences for our state’s budget and economy. Seniors require more services, sometimes including expensive institutional nursing home and assisted living care.

And we have got to shift our reliance on expensive institutional care for our senior population by fostering community and home based care. Most of our seniors prefer to stay in their homes, provided they can get the medical care and help that they need. And with the state’s Medicaid program leading the way, we must weave together a social, medical and community fabric that makes expensive institutional care a last resort, not a first stop for those that need help as they age. If we do this, we’ll prevent this coming financial crisis while at the same time ensuring that our seniors are able to have as many healthy and happy years as possible living in their community. We must get to work on this, and I have directed Rita Landgraf, my Secretary of Health and Social Services, to produce a plan to do just that.

Now, making state government smarter and more cost-effective is not enough. The state funds local governments in a variety of ways. And we need to review whether Delaware taxpayers are getting the most for that money. To that end, we are launching a work group that will take a top-down look at savings across
governments - the state, counties, cities and towns. Keeping those we serve foremost in mind, we will look at ways to share services like libraries, paramedics and procurement, as well as those provided by the county row offices, for potential consolidation and efficiency.

Now, one of our most significant budget demands is education. Delaware ranks in the top ten in per pupil spending, but we’re not getting top ten results in our classrooms. And that’s in part because too much of that spending does not make it from the back rooms of administration to the classrooms where teachers teach and students learn. In fact, Delaware ranks just 26th in the nation in that regard. Many have pointed the finger of blame at the number of school districts we have. This may be a significant part of the problem; others believe that these school districts provide a level of local control that parents very much value. Parents want a significant say in where their children will go to school and which programs their schools will support. But I don’t think that many parents care whether their school district has its own back rooms staffed with its own team of procurement officers, human resources advisers, lawyers and accountants. And these duplicative functions drive too many of our investments from the classroom to the back room.

So for those that call for consolidating school districts and for those opposed, let’s agree on this. We will take a serious look at consolidating school districts, and we report back next year. For now, we can maintain the current school districts for the purpose of making the decisions that parents care most about at the local level. But we must move those dollars out of those back rooms and into the classrooms by consolidating those back office functions. This will require the surrendering of fiefdoms and turf, but it must be done. And I ask for your support as we get to work on this important task now.

Our core commitment to education needs to be more than creating efficiencies among the various school districts; it must ensure our children learn to the best of their ability. Just as the Nemours Foundation does each day with student health, we must challenge old assumptions, if we are to deliver better results for our children and better performance from our schools.

I’ve talked with thousands of parents and teachers about how to improve education for our children, and the same answers emerge: We need to let Delaware’s dedicated teachers teach. We need to get parents more involved. We need to push individual decisions down to the school level. And we need to measure student progress throughout the year, not just at the end of the year. And this year, under the leadership of Senate Education Committee Chair Dave Sokola and House Education Chair Terry Schooley, working with Lt. Governor Denn and Secretary Lillian Lowery, we propose legislation that makes three critical changes.

First, it’s time to eliminate the Delaware Student Testing Program. We’ll replace it with a testing program that measures student progress over the course of a school year. Currently, Carla’s and my daughter gets her DSTP results when the school year is over. That doesn’t help her learn - doesn’t help her teachers adjust to her needs. It doesn’t measure the progress of individual students or the excellence of any particular teacher. And our new system will offer far greater insight into what a student brings to class on the first day and what they need to learn so they can end the school year with the skills required to succeed.

Second, with money saved from moving investments from the back room to the classroom, we will reward excellence in education by paying the state’s highest-performing teachers more and better reward truly great teachers in high-risk schools.

And third, we will offer greater flexibility to our local schools, so they can better solve problems and encourage them to be more innovative. In exchange for this freedom, districts will be held more accountable for results and will need to be more transparent in how they spend money. And I am appreciative to bipartisan members in both houses for their support and sponsorship of this legislation.

But education must not end with a diploma. To ensure our financial and economic foundation, while we better educate our children for a brighter future tomorrow, we must continue to educate our current workforce today and create an economic climate where businesses and employees can thrive across a range of industries.

The only long-term answer to our problem is getting Delaware back to work. In that spirit, I am introducing today a series of initiatives that, taken together, will result in the Creation of Real Economic Prosperity, which is why I call it our CORE Prosperity Agenda for Delaware.

The CORE Prosperity Agenda recognizes that creating more and better jobs is, in fact, the best solution for most of the problems we face as a state. It reflects my view that education is the foundation of both a strong economy and strong citizenship. It calls for a new vision that a strong economy and a clean environment are very much linked as one.

And one of the best ways that we help businesses grow is to provide a workforce trained to succeed in the jobs they need. We have all heard so many heartbreaking stories of people in their 40’s or 50’s who gave twenty years or more of their lives to a company, only to be laid off. They have quality skills, but their backgrounds are deemed too single-industry specific for potential employers to hire them. CORE Prosperity means that we offer help to adults who need to learn new skills to succeed in a changing economy.

And to help them get back to work, we will use federal stimulus money to reform our worker training. We’ll give citizens the chance to assess their skills through a Career Readiness Certificate program that gives employers proof of their potential.

We will focus on re-training adults who lost their jobs so they can get back to work and assist approximately 1,200 young adults with on-the-job training so that they can get to work as well. We’ll use our small size to our advantage by working with the business community to launch a “Quick Start / Rapid
Response Training Program” to develop curriculum based on the up-to-date needs in the employer community. Instead of training potential workers with whatever curriculum is available, we will build on the great work, the great work being done by Delaware Tech and our four-year institutions to train them for available jobs.

And CORE Prosperity also means we must focus on the small businesses within our state. Last week, we launched our Small Business LIFT program which supports small businesses with sound plans for success. Across the country, small businesses are having trouble gaining access to affordable capital so they can invest in new technology or, more importantly, new jobs to grow their business. Well, Delaware will be different. By making up to $5 million available in low-interest loans from our state’s Strategic Fund, several hundred small businesses together can leverage about $50 million in private bank financing. This will give them a chance to invest in success. The loans will be repaid, but it’s the best deal that a sound small business will be able to find to finance their growth and get Delawareans back to work. And this program will help between 200 and 500 small businesses keep thousands of jobs and keep their employees working.

Now, this CORE Prosperity Agenda will also turn our small size into our biggest strength. Delaware must be known as more responsive, more flexible, more dedicated to employers than large states could ever be. We can lead the nation’s economic recovery if we streamline and if we’re faster than others. There is no excuse for a state our size to make employers jump through so many hoops before they can get to work and create jobs. We will cut red tape. We’ll eliminate redundancy and archaic regulatory hurdles. We should establish a single statewide business license, so that businesses are not forced to run down multiple business licenses to do business in our state. And to achieve CORE Prosperity, we must use our size and our speed to make Delaware the best place in the nation to start and grow a business, including minority and women-owned businesses. The bottom line is we need to get to work so people can get back to work.

Now, while helping small businesses, training our workforce and empowering growth are critical to getting our economy moving again, CORE Prosperity also means that we seize the opportunity that’s presented by our nation’s commitment to energy independence and the growing concern over climate change to make Delaware a leader in green jobs. These two forces are leading our nation toward a greener economy. And these same forces create real opportunities for Delaware workers if we get to work and grab them.

Now to seize these opportunities, we must lead by example by launching a renewed statewide campaign for energy conservation and efficiency. Long before it was popular, Senator Harris McDowell was preaching the need for conservation. And you know what? He was right, because he understood that the cleanest energy of all is the energy that we don’t use. Today in Delaware, our low-income families and seniors living on social security on a fixed income spend more than 20% of their income on energy costs. It’s one of the highest percentages in the nation. Conservation and efficiency put money back in the people’s pockets and give Delaware citizens more money to save and more to spend close to home.

And to that end, I will propose the Energy Efficiency and Conservation Act of 2009 - to establish mandatory energy efficiency reduction targets for our state. Specifically, I will seek legislation that requires utilities to achieve, by 2015, a per capita electricity consumption reduction and peak demand reduction of 15%. And to meet these targets, we will partner with the Sustainable Energy Utility to use stimulus funds to launch the Delaware Modernization Service. This will provide energy efficiency services including audits, retrofit loans, grants, and rebates to cut monthly energy costs and put people to work.

We will work to update building codes. We’ll encourage energy efficient appliances. We’ll reward investments in renewables. We’ll modernize our net-metering laws, and remove restrictions that hinder the use of renewable energy. The effect will be new jobs, money saved and a cleaner environment.

Now, CORE Prosperity requires our state government to lead by example. To that end, I will also propose that we establish a statewide priority order for new electricity generation - requiring that we first look to cost-effective efficiency measures to meet new demand, followed then by cost-effective renewables. And, only after those resources have been exhausted should we look to conventional fossil fuel sources.

I am also directing the Office of Management and Budget to work with the Department of Natural Resources and Environmental Control to develop a statewide energy efficiency policy, including a retrofit plan for existing state buildings, standards for construction of new state buildings, additional energy efficiency measures and a roadmap to make state government powered by renewable sources. This reduces our cost while supporting the growth of our green economy.

CORE Prosperity means that as a state, as a nation, we must avoid trading our dependence on Saudi oil for dependence on solar panels, electric vehicles and wind turbines produced in China, Japan and Scandinavia. We must put Americans, and I hope more than our fair share of Delawareans, to work producing these products. And I’m absolutely confident that when we work together, Delaware will emerge as a national leader in this effort. We already have a strong foundation. Across the nation our state is recognized as a leader in high-efficiency solar, and hydrogen fuel cells, and vehicle-to-grid power, and tidal energy technology and off-shore wind.

And just last year, through the leadership of Senator DeLuca and Speaker Gilligan, Delaware became the first state to secure a Power Purchase Agreement for off-shore wind. Now, while the economic future of the sponsoring company is less than certain, the future of off-shore wind as a renewable energy resource for the East Coast is not. In fact, it’s promising, as it continues to be at the forefront for those,
including President Obama and Interior Secretary Salazar, who will craft this country’s energy policy. Delaware is the only state with a valid Power Purchase Agreement and easy access to all shore points off the East Coast, and we must seize our advantage. Let’s work to ensure that the Claymont Steel Mill produces the steel for the windmill towers and foundations, not just for Delaware, but for other projects as well. And this is a project that former Lt. Governor John Carney and his team have worked hard on and I commend them for it. We have an incredibly skilled manufacturing workforce. So let’s work to encourage the turbine manufacturers to make the turbines and to assemble the towers here in Delaware, with easy access to the Atlantic Ocean. These wind turbines require thousands of parts and we should work to make sure that they’re made in Delaware. These projects and others - they may not come to fruition, but the point is that we have got to constantly work to create these types of synergies where we can.

Now let’s be clear. Let’s be clear. Talking about the green economy is easy. Capitalizing on the opportunities that it represents is not, because few if any states have really figured it out. The state which most effectively marshals its resources in support of an intelligent strategy is likely to reap real dividends. And that’s why we’ve got to assemble our natural resources - including the wind off shore; our intellectual resources – including the great work being done at DuPont, W. L. Gore and Ashland Hercules and at other local companies as well as at our four-year institutions of higher education and our human resources - including the training expertise of Delaware Tech to help Delaware lead the way.

And by taking decisive action in the coming years, we will look back at this as the time when we laid the foundation for decades of economic growth and a clean environment. We will be able to look ahead with pride and know that our collective efforts have paid dividends for our children and grandchildren and will continue to do so for generations to come.

I understand how significant the tasks before us may seem. It is as if our ship of state is stuck in the middle of a financial storm, and it seems that the only option available is to keep busy bailing us out. But bailing out without sailing ahead is not a long-term solution. And it is not our solution.

Today is our day, and now is our time. The challenges that confront us are opportunities, not just obstacles.

We can, and we must, move together with a purpose that makes clear we have the power to define our future; we have the energy to turn our obstacles into opportunity and to lead our state boldly into the future.

Let’s get to work.

Lieutenant Governor Denn thanked the Governor and requested that the duly appointed committee reassemble to escort the Governor back to his Executive Office.

Senator DeLuca moved that the Secretary of the Senate and the Chief Clerk of the House compare their respective Journals to see if they agree.

The Secretary of the Senate, Bernard J. Brady, reported that he and the Chief Clerk had compared their Journals and found them to agree.

Senator DeLuca moved that the Joint Session be adjourned at 2:48 p.m. and that the two Houses separate to reconvene in their respective Chambers. There was no objection.

The roll call on HR 18 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 104 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought HB 96, jointly sponsored by Senator Ennis & cosponsored by Representative Wilson, before the House for consideration.

HB 104 - AN ACT TO AMEND TITLES 10, 13 AND 31 OF THE DELAWARE CODE RELATING TO DSCYF CUSTODY AND THIRD PARTY VISITATION.

Representative M. Marshall made comments.

The roll call on HB 104 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 104 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett brought HB 96, jointly sponsored by Senator Ennis & cosponsored by Representative Wilson, before the House for consideration.

HR 18 - ESTABLISHING APRIL 28, 2009 AS “EQUAL PAY DAY” IN THE STATE OF DELAWARE

Representatives Manolakos & Viola requested that they be marked present.

Representative Keeley made comments.

Representative Lavelle requested that he be marked present.

HR 18 was adopted by voice vote.

Representative Keeley introduced and brought HR 18, jointly sponsored by Representatives Longhurst, M. Marshall, Plant, Schooley, Bennett, Brady, Kovach, Schwartzkopf, D. Short, Mitchell & Viola before the House for consideration.

HB 104 - AN ACT TO AMEND TITLES 10, 13 AND 31 OF THE DELAWARE CODE RELATING TO DSCYF CUSTODY AND THIRD PARTY VISITATION.

Representative M. Marshall made comments.

The roll call on HB 104 was taken and revealed:

YES: 41.
HB 96 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE EXAMINATION OF MORTGAGE SATISFACTIONS BY A COMMISSIONER.
Representatives Bennett, Schwartzkopf, Keeley, Jaques, Booth & Lavelle made comments.
The roll call on HB 96 was taken and revealed:
YES: 40.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, HB 96 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Hocker.
Representative Hocker brought HB 93, jointly sponsored by Senator Bunting & cosponsored by Representative Ramone, before the House for consideration.

HB 93 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO FARM WINERIES.
Representative Hocker brought HA 1 to HB 93 before the House for consideration. HA 1 was adopted by voice vote. Representative Hocker introduced and brought HA 2 to HB 93 before the House for consideration. Representative Hocker made comments.

The roll call on HB 93 w/HA 1 & 2 was taken and revealed:
YES: 40.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, HB 93 w/HA 1 & 2 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Jaques.
Representative Jaques made an announcement.
Representatives Keeley, M. Marshall & Blakey made announcements.
The Majority Leader moved to recess to the call of the Chair at 5:02 p.m.
Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 29, 2009.

MEMORANDUM
To: Robert Gilligan, Speaker of the House
From: Representative Greg Lavelle
RE: Absence from Session
Date: April 28, 2009
Please be advised that I will be absent from session tomorrow, Wednesday April 29th due to a family commitment.
Thank you for your understanding
GFL/jd

The Majority Leader moved to adjourn at 2:01 p.m., thereby ending the current legislative day. The House reconvened at 2:02 p.m.

22nd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session
April 29, 2009
The Chief Clerk called the roll.
Members Present: 38.
Members Absent: Representatives Lavelle, Oberle & D.P. Williams - 3.
A prayer was offered by Representative John C. Atkins, Forty-first Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #15
DATE: April 29, 2009
The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
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<tbody>
<tr>
<td>H145-299</td>
<td>Booth, Carey</td>
<td>3/26/2009</td>
<td>T</td>
<td>Wendy Harrington - Geography Teacher of the Year</td>
</tr>
<tr>
<td>H145-300</td>
<td>Carson</td>
<td>3/25/2009</td>
<td>T</td>
<td>The Honorable Bruce C. Ennis - 70th Birthday</td>
</tr>
<tr>
<td>H145-301</td>
<td>Lavelle</td>
<td>3/7/2009</td>
<td>T</td>
<td>Stan &amp; Margot Lamar - 50th Wedding Anniversary</td>
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<tr>
<td>H145-302</td>
<td>Hudson</td>
<td>3/1/2009</td>
<td>T</td>
<td>Philip &amp; Mary Sue DiFebo - 40th Anniversary</td>
</tr>
<tr>
<td>H145-303</td>
<td>Cathcart</td>
<td>2/7/2009</td>
<td>T</td>
<td>Karl &amp; Frances Schmidt - 50th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-304</td>
<td>Mulrooney</td>
<td>2/6/2009</td>
<td>T</td>
<td>William &amp; Mary Elisee - 65th Wedding Anniversary</td>
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<tr>
<td>H145-305</td>
<td>Ramone</td>
<td>3/29/2009</td>
<td>T</td>
<td>Major General Francis D. Vavala - Dover Elks Lodge - Citizen of the Year</td>
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</table>
cosponsors: Reps. Scott & Bennett |
| H145-307 | Barbieri | 3/12/2009 | T    | Pauline Oros - 100th Birthday |
The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

**HOUSE TRIBUTE ANNOUNCEMENT #16**

**DATE:** April 29, 2009

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

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<td>H145-318</td>
<td>Kovach</td>
<td>3/31/09</td>
<td>T</td>
<td>Mr. John Yaschur III - Promoting Delaware</td>
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<tr>
<td>H145-319</td>
<td>Hudson</td>
<td>4/5/09</td>
<td>T</td>
<td>Justin Perillo - Basketball Player of the Year</td>
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<td></td>
<td>Ramone</td>
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<tr>
<td>H145-320</td>
<td>Bennett,</td>
<td>4/9/09</td>
<td>T</td>
<td>Caesar Rodney High School Football Team - Division I State Champions</td>
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<td></td>
<td>Blakey</td>
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<tr>
<td>H145-321</td>
<td>Carson</td>
<td>4/20/09</td>
<td>M</td>
<td>Elizabeth S. Gebhart</td>
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<td>Thorburn</td>
<td>3/29/09</td>
<td>M</td>
<td>Myrtle Dixon</td>
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<td>Outten</td>
<td>3/29/09</td>
<td>M</td>
<td>Irene Townsend Raughley</td>
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<td>H145-324</td>
<td>Scott &amp;</td>
<td>4/5/09</td>
<td>T</td>
<td>Leroy B. Legar - 90th Birthday</td>
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<td></td>
<td>Wilson</td>
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<td>4/6/09</td>
<td>T</td>
<td>Theodore Yerkes/50 Years/Houston Fire Company</td>
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<td>H145-327</td>
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<td>3/30/09</td>
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<td>Dr. Margaret J. Seitz</td>
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<td>H145-328</td>
<td>Carson</td>
<td>4/25/09</td>
<td>T</td>
<td>David Donze/Gold Achievement Award/Royal Rangers</td>
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<td>H145-329</td>
<td>Booth</td>
<td>4/4/09</td>
<td>T</td>
<td>Mr. &amp; Mrs. Ira W. Hitchens - 50th Wedding</td>
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<td>4/3/09</td>
<td>M</td>
<td>Scott B. Hicks</td>
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<td>H145-331</td>
<td>Carson</td>
<td>3/1/09</td>
<td>T</td>
<td>Dr. Cara Lee Blume - Retirement – Division of Parks</td>
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<td>H145-332</td>
<td>Longhurst</td>
<td>3/9/09</td>
<td>T</td>
<td>Lieutenant Mark Daniels – Retirement - Delaware State Police</td>
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<tr>
<td>H145-334</td>
<td>Brady</td>
<td>4/9/09</td>
<td>T</td>
<td>Caitlin E. Mullarkey – Rhodes Scholar</td>
</tr>
<tr>
<td>H145-335</td>
<td>Carey</td>
<td>4/10/09</td>
<td>T</td>
<td>Gladys M. Wilkins - 80th Birthday</td>
</tr>
<tr>
<td>H145-336</td>
<td>Blakey</td>
<td>4/2/09</td>
<td>M</td>
<td>Elizabeth Brandes duPont</td>
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<tr>
<td>H145-337</td>
<td>Outten</td>
<td>4/6/09</td>
<td>M</td>
<td>Gladys M. Longfellow</td>
</tr>
<tr>
<td>H145-338</td>
<td>Walls</td>
<td>4/24/09</td>
<td>T</td>
<td>Grace Winston - Arbor Day Poster Contest Winner</td>
</tr>
<tr>
<td>H145-339</td>
<td>Lee</td>
<td>5/20/09</td>
<td>T</td>
<td>Edward &quot;Punk&quot; Callaway - Sports Hall of Fame</td>
</tr>
<tr>
<td>H145-340</td>
<td>Carson</td>
<td>4/10/09</td>
<td>T</td>
<td>Tender Loving Kare – Legislative Clothing Drive</td>
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**HOUSE TRIBUTE ANNOUNCEMENT #17**

**DATE:** April 29, 2009

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
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<tr>
<td>H145-341</td>
<td>Mulrooney</td>
<td>4/16/09</td>
<td>T</td>
<td>Bill Perkins - Carrie Chapman Catt Award</td>
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<tr>
<td>H145-342</td>
<td>Mulrooney</td>
<td>4/16/09</td>
<td>T</td>
<td>Marcy Perkins - Carrie Chapman Catt Award</td>
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<tr>
<td>H145-343</td>
<td>Cathcart</td>
<td>4/7/09</td>
<td>M</td>
<td>Wesley Covey Short</td>
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<tr>
<td>H145-344</td>
<td>Gilligan</td>
<td>4/9/09</td>
<td>T</td>
<td>Carl Kanefsky - Dedicated Political Reporting - WDEL</td>
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</tbody>
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H145-346  Kovach  4/10/2009  T  Walter Sigler – Participation "Front Stage Friday"
H145-347  Brady  4/20/2009  T  Honorable Michael Castle/Spirit of Enterprise Award
H145-348  Cathcart  4/14/2009  T  Cordelia Bennett/Retirement/Mayor Delaware City
cosponsor: Rep. Ramone
H145-351  Outten  4/18/2009  T  Fred W. Casper, Jr. - 50 Years - Felton Fire Company
H145-352  Outten  4/18/2009  T  Robert Biddle - 50 Years - Felton Fire Company
H145-355  J. Johnson  4/25/2009  T  Galen Griffths/55 Years/Minquadale Fire Company
H145-358  Kowalko  4/18/2009  T  Kenneth & Phyllis Beam - 50th Wedding Anniversary
H145-359  Outten & Schwartzkopf  3/24/2009  T  Mark D. Teesdale - Teacher of the Year
H145-360  Bennett  4/12/2009  M  Gertrude M. Moore
T- Tribute
M- Memoriam

Representative Schwartzkopf brought the following prefiled Consent Calendar #6 before the House for consideration.

**HCR 9 – BARBIERI & SENATOR HENRY; REPRESENTATIVES CARSON, JAQUES, J. JOHNSON, KEELEY, KOWALKO, OBERLE, RAMONE, Schooley, D.E. WILLIAMS; SENATORS ENNIS, HALL-LONG – Designating Saturday, May 2, 2009 as “Brain Tumor Awareness Day” in the State of Delaware.**

**SCR 10 – ADAMS & REPRESENTATIVE SCWARTZKOPF; SENATOR BUSHWELLER – Observing the Month of May, 2009 as both Driver Safety Month and Healthy Vision Month in the State of Delaware, and Urging Delawareans to maintain their Eye Health and Their Driving Skills to Ensure Safe Driving.**

Consent Calendar #6 was adopted by voice vote and HCR 9 was sent to the Senate for concurrence and SCR 10 was returned to the Senate.

Representatives Lee, Wilson, Schooley & Cathcart requested that they be marked present. Representative Hudson & Mr. Speaker Gilligan made comments. Representatives Plant, Viola & Barbieri requested that they be marked present. The Majority Leader moved to recess to the call of the Chair at 2:10 p.m. Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following members were marked present by the Chief Clerk after the House recessed at 2:10 p.m.: Representatives Booth & Mulrooney.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 30, 2009. Representative D.P. Williams requested that he be marked present for the current Legislative Day. The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed HCR 9 and is returning the same to the House. The Chief Clerk read the following committee reports into the record:

**VETERANS AFFAIRES: HB 114 – 6F, 5M.**
**REVENUE & FINANCE: HB 92 – 6M.**
**JUDICIARY: HB 113 – 6M; HB 115 – 7M; HB 126 – 7M; HB 136 – 6M; SB 25 – 1F,6M; SB 33 – 1F,6M; SB 34 – 7M; SB 32 – 7M; SB 43 – 5M.**
**GAMING & PARIMUTUELS: SB 30 w/SA 1 – 3F, 5M; SB 31 w/SA 1 & 2 – 3F, 4M.**
**HEALTH & HUMAN DEVELOPMENT: HB 135 – 9M.**
**ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COURNER: HB 118 – 5F, 2M; SB 26 – 7F.**
**PUBLIC SAFETY & HOMELAND SECURITY: HB 111 – 7M; HB 122 – 7M; HB 128 – 7M.**
**EDUCATION: HB 117 – 9M.**
**HOUSE ADMINISTRATION: HB 9 – 1F,3M; HB 20 – 3M,1U; HB 50 – 4M; HB 98 – 1F,3M; HB 116 – 1F,3M; HB 123 – 1F,2M; HB 132 – 1F,3M; SB 53 – 1F,3M; SB 63 – 1F,3M.**

Mr. Speaker Gilligan assigned HB 128 to the Appropriations Committee. The Majority Leader moved to adjourn at 2:03 p.m., thereby ending the current legislative day. The House reconvened at 2:04 p.m.
The Chief Clerk called the roll.
Members Present: 41.
A prayer was offered by Representative William J. Carson, Jr., Twenty-eighth Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The minutes of the previous two legislative days were approved as posted.
The following prefilled legislation was introduced:
**HB 139** – SCHOOLEY & SENATOR BLEVINS; REPRESENTATIVES BARBIERI, BENNETT, BLAKEY, CATHCART, GILLIGAN, JAQUES, KEELEY, KOVACH, KOWALKO, LAVELLE, LONGHURST, MANOLAKOS, M. MARSHALL, MIRO, MITCHELL, OBERLE, RAMONE, SCHWARTZKOPF, SCOTT, B. SHORT, D. SHORT; SENATORS BUSHWELLER, CLOUTIER, CONNOR, HALL-LONG, PETERSON, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Delaware Healthy Children Program.
**HA 1 to HB 28** - MIRO - Placed with the Bill.
**HA 1 to HB 117** - BOOTH - Placed with the Bill.
**HA 1 to HB 122** - JAQUES - Placed with the Bill.
The Chief Clerk read the following committee report into the record:
POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY:
**HB 121** - 4F, 1M.
Representatives Carey, Lavelle, Kovach, Q. Johnson & Viola requested that they be marked present.
Representative Hocker requested that **HB 54** be stricken. Representative Schwartzkopf deferred to Representative D. Short. Representative D. Short requested and was granted privilege of the floor to make an announcement and to introduce guests. Representative Mulrooney requested that he be marked present.
The Majority Leader moved to recess for caucus at 2:12 p.m.
The House reconvened at 5:04 p.m.
Representative Schwartzkopf introduced and brought **HCR 11**, sponsored by Representative Gilligan on behalf of All Representatives & jointly sponsored by Senator Adams on behalf of All Senators, before the House for consideration.
Representatives B. Short, Keeley, Hudson, Cathcart & Oberle requested that they be marked present.
**HCR 11** - COMMENDING THE NOMINEES FOR THE 2009 DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE.
WHEREAS, over 16,000 State of Delaware employees provide critical services to the people of Delaware; and
WHEREAS, each year the Governor honors State employees who have delivered a superlative level of public service; and
WHEREAS, each day people working for the State of Delaware perform tasks that protect our environment, safeguard public health and safety, and execute other vital and necessary functions that keep our citizens well-served by their State government; and
WHEREAS, the level of dedication demonstrated by those nominated for the 2009 Delaware Award for Excellence and Commitment in State Service exceeds the already high standards of their colleagues; and
WHEREAS, the nominees for recognition for this achievement in 2009 include:
NOW, THEREFORE:
BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware, the Senate concurring therein, that we hereby honor the nominees for the 2009 Delaware Award for Excellence, and Commitment in State service and offer them our gratitude for a job well done.
BE IT FURTHER RESOLVED that copies of this Resolution be presented to the award nominees.
Representative Schwartzkopf made comments.
**HCR 11** was adopted by voice vote and was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Hocker.
Representative Hocker brought **SB 63**, jointly sponsored by Senator Bunting, before the House for consideration.
**SB 63** - AN ACT TO AMEND THE CHARTER OF THE TOWN OF FENWICK ISLAND, DELAWARE, CHAPTER 302, VOLUME 49, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF FENWICK ISLAND, DELAWARE", TO AMEND SECTION 33, AUTHORIZING THE BORROWING OF MONEY AND ISSUING OF BONDS. (2/3 bill) Representative Hocker made comments.
The roll call on **SB 63** was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 63** was returned to the Senate.

Representatives Plant & Schooley requested that they be marked present during the roll call.

Representative Oberle made an announcement.

Representative Schwartzkopf deferred to Representative Blakey.

Representative Blakey brought **SB 53**, jointly sponsored by Senator Bushweller, before the House for consideration.

**SB 53** - **AN ACT TO AMEND THE MUNICIPAL CHARTER OF THE TOWN OF WYOMING (43 DEL. LAWS 189) TO DESIGNATE THE FISCAL YEAR FOR THE TOWN AS JULY 1 THROUGH JUNE 30. (2/3 bill)**

Representative Blakey made comments.

The roll call on **SB 53** was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 53** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Viola.

Representative Viola brought **SB 30 w/SA 1**, jointly sponsored by Senator Ennis & Senator Adams & Senators Hall-Long, Bushweller & Venables & Representatives Bennett, Carson, Hudson, Outten, Mitchell, J. Johnson, Q. Johnson, Atkins, Keeley & cosponsored by Representative Scott, before the House for consideration.

**SB 30** - **AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO NON LIMIT TEXAS HOLD’EM POKER.**

Representative Viola made comments.

The roll call on **SB 30 w/SA 1** was taken and revealed:
YES: 38.
NOT VOTING: Representatives Jaques, Oberle, Ramone - 3.
Therefore, having received a constitutional majority, **SB 30 w/SA 1** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Viola.


**SB 31** - **AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO NONPROFIT CHARITABLE GAMING.**

Representative Viola made comments.

The roll call on **SB 31 w/SA 1 & 2** was taken and revealed:
YES: 39.
NOT VOTING: Representatives Jaques, Ramone - 2.
Therefore, having received a constitutional majority, **SB 31 w/SA 1 & 2** was returned to the Senate.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson moved to suspend the rules which interfere with action on **SB 4**. The motion was seconded by Representative Brady and adopted by voice vote.

Representative J. Johnson brought **SB 4**, jointly sponsored by Senator Peterson & Senator Blevins & Representative Keeley & Representative Kowalko & Representatives Ennis, Henry & Sorenson & Representatives Hudson, Jaques, Oberle & Ramone & cosponsored by Representative Outten, before the House for consideration.

**SB 4** - **AN ACT TO NAME THE WORSHIP CENTER/MULTI-PURPOSE BUILDING AT BAYLOR WOMEN’S CORRECTIONAL INSTITUTION IN HONOR OF FAY AND NORMAN WHITTLE.**

Representative J. Johnson made comments.

The roll call on **SB 4** was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, **SB 4** was returned to the Senate.

Mr. Speaker Gilligan appointed Representative D.P. Williams as Acting Speaker.

Representative Schwartzkopf deferred to Representative Gilligan.

Representative Gilligan brought **HB 126**, jointly sponsored by Representative M. Marshall & Senator Blevins & Representatives Bennett, Carson, Hocker, Hudson, Jaques, Keeley, Kovach, Lavelle, Schooley & Scott & Senators Bunting, Bushweller, Katz & Sokola & cosponsored by Representative Scott, before the House for consideration.

**HB 126** - **AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PENSIONS FOR MEMBERS OF THE STATE JUDICIARY.**

Representatives Gilligan & Kovach made comments.
The roll call on **HB 126** was taken and revealed:

**YES**: 41.

Therefore, having received a constitutional majority, **HB 126** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Gilligan.

Representative Gilligan moved to suspend the rules which interfere with introduction of and action on **HJR 3**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Gilligan introduced and brought **HJR 3**, jointly sponsored by Senator Adams & All Representative & All Senators, before the House for consideration.

**HJR 3 - DEDICATING AND ALLOWING AN AREA ON THE SOUTH SIDE OF THE LEGISLATIVE MALL TO BE USED FOR THE PLACEMENT OF A DELAWARE LAW ENFORCEMENT MEMORIAL.**

Representatives Gilligan, Keeley, Mitchell & Mr. Acting Speaker made comments.

The roll call on **HJR 3** was taken and revealed:

**YES**: 41.

Therefore, having received a constitutional majority, **HJR 3** was sent to the Senate for concurrence.

Speaker Gilligan resumed the Chair.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley made an announcement.

Representative Schwartzkopf deferred to Representative Q. Johnson.


**HB 135 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATED TO THE ISSUANCE OF A LIMITED LICENSE FOR A DIRECTOR OR CHAIRPERSON OF A DENTAL OR ORAL AND MAXILLOFACIAL SURGERY RESIDENCY PROGRAM.**

Mr. Speaker Gilligan introduced a guest. Representative Booth rose on a point of order.

Representative Q. Johnson made a comment. Mr. Speaker concurred. Representatives Lavelle & Oberle made comments. Representative Q. Johnson introduced and brought **HA 1 to HB 135** before the House for consideration. Representative Q. Johnson made a comment. **HA 1** was adopted by voice vote.

Representatives Q. Johnson, Lavelle, Booth, Kovach & Q. Johnson made comments.

The roll call on **HB 135 w/HA 1** was taken and revealed:

**YES**: 41.

Therefore, having received a constitutional majority, **HB 135 w/HA 1** was sent to the Senate for concurrence.


**SB 34 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO TERMINATION AND TRANSFER OF PARENTAL RIGHTS IN ADOPTION PROCEEDINGS.**

Representative M. Marshall made comments. The roll call on **SB 34** was taken and revealed:

**YES**: 40.

**ABSENT**: Representative D. Short - 1.

Therefore, having received a constitutional majority, **SB 34** was returned to the Senate.


Representative M. Marshall brought **SB 43**, jointly sponsored by Senator DeLuca, before the House for consideration.

**SB 43 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE.**

Representative M. Marshall made comments. The roll call on **SB 43** was taken and revealed:

**YES**: 40.

**ABSENT**: Representative D. Short - 1.

Therefore, having received a constitutional majority, **SB 43** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Bennett.

HB 136 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEX OFFENDERS AND SEXUAL OFFENSES. (F/N)
Representatives Bennett & Lavelle made comments.
The roll call on HB 136 was taken and revealed:
YES: 40.
ABSENT: Representative D. Short - 1.
Therefore, having received a constitutional majority, HB 136 was sent to the Senate for concurrence.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that is has passed HB 61 w/HA 1 & HB 68 and is returning the same to the House.
The Chief Clerk read the following committee report into the record:
AGRICULTURE: HB 99 – 6M.
Representatives Booth & M. Marshall made announcements.
The Majority Leader moved to recess to the call of the Chair at 6:06 p.m.
Mr. Speaker Gilligan called the House to order at 2:00 p.m. on May 5, 2009.
The Reading Clerk read the following communication into the record:
WITHDRAWAL OF SPONSORSHIP REQUEST
I, Rep. Atkins, do hereby request that my name be removed as co-sponsor of HB 129.
Date: 4-28-09  Signed: John C. Atkins
The Majority Leader moved to adjourn at 2:01 p.m., thereby ending the current legislative day. The House reconvened at 2:02 p.m.

24th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session
May 5, 2009

The Chief Clerk called the roll.
Members Present: 41.
A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following prefyled legislation was introduced:
HB 140 - B. SHORT & REPRESENTATIVE D. SHORT & SENATOR SOKOLA; REPRESENTATIVES HUDSON, KOWALKO, M. MARSHALL, MITCHELL, OBERLE; SENATORS BLEVINS, ENNIS, VENABLES - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to the Cancellation or Nonrenewal of an Automobile Insurance Policy.
HA 1 to HB 9 - HUDSON - Placed with the Bill.
HA 1 to HB 92 - HUDSON - Placed with the Bill.
HA 3 to HS 1 for HB 100 - VIOLA - Placed with the Bill.
Representative Schooley requested and was granted personal privilege of the floor to introduce guests.
Representative Viola requested that he be marked present.
Representative Brady requested and was granted personal privilege of the floor to introduce guests.
Representative D. Short requested that he be marked present.
The Reading Clerk read the following communication into the record:
MEMORANDUM
To: The Honorable Robert Gilligan, Speaker of the House
From: Nick Manolakos, Representative 20th District
RE: Absence Request
Date: May 5, 2009
I want to submit an absence request for the legislative sessions on May 6th and May 7th. I am attending a meeting in Washington D.C. over the next few days representing Delaware as a National Board member of the National Association of Secondary School Principal’s. My attendance is required to hold this position for our state, and I am sorry that this event conflicts with our sessions.
I appreciate your support and understanding with the absence request. It is my goal to attain the highest rate of attendance for my District in the Legislature as possible. I do not anticipate conflicts of this nature occurring on any regular basis in the future. In the case that they do, I will try to give you more advance notice.

I shall be returning on Sunday, May 9th. Please feel free to contact me at any time should the need arise. My cell phone number is as stated here in this letter.

Representatives Mitchell, M. Marshall & Mr. Speaker Gilligan made announcements.

Representative Schwartzkopf introduced and brought HCR 12, sponsored on behalf of All Representatives and jointly sponsored by Senator DeLuca on behalf of All Senators, before the House for consideration.

HCR 12 - COMMENDING THE WORK OF THE DEL-MAR-VA COUNCIL, BOY SCOUTS OF AMERICA IN SERVING THE YOUTH OF DELAWARE.

Representative Schwartzkopf made comments. Representative Schwartzkopf requested and was granted privilege of the floor for Patrick Sterrett, Scout Executive, Boy Scouts of America. Mr. Sterrett introduced Eagle Scout Andrew Bell who addressed the House. Representative Schwartzkopf made comments. Representative Kovach requested and was granted personal privilege of the floor to make comments.

HCR 12 was adopted by voice vote and was sent to the Senate for concurrence.

The Boy Scouts who were present announced their names & hometowns for the record.

The Majority Leader moved to recess for caucus at 2:25 p.m.

The House reconvened at 5:26 p.m.

Representative Schwartzkopf brought HS 1 for HB 100, jointly sponsored by Representative Longhurst & Senator DeLuca & Representative Barbieri, Gilligan, Hudson, Keeley, Lavelle, M. Marshall, Plant, Schooley, B. Short & Viola & Senators Henry, Katz & Sokola, before the House for consideration.

HB 100 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE LOTTERY. (3/5 bill)

Representative Plant requested that she be marked present.

Representative Schwartzkopf deferred to Representative Viola. Representative Viola brought HA 1 to HS 1 for HB 100 before the House for consideration. Representative Viola requested that HA 1 be stricken. Representative Viola brought HA 2 to HS 1 for HB 100 before the House for consideration. Representative Oberle announced that he would not be participating in the debate nor voting on HS 1 for HB 100 because of a possible conflict of interest. Representative D.P. Williams requested that he be marked present. Representatives Viola & Schwartzkopf made comments. HA 2 was adopted by voice vote.

Representative Viola brought HA 3 to HS 1 for HB 100 before the House for consideration. Representatives Viola, Cathcart & Lavelle made comments. Representative Viola requested and was granted personal privilege of the floor for James Nutter, House Attorney. Representatives Lavelle, Cathcart, Viola, Booth, Ramone, Lavelle & Hudson made comments.

Mr. Speaker Gilligan granted privilege of the floor to Tom Cook, Deputy Secretary of Finance. Representatives Hudson & Cathcart made comments. HA 3 was adopted by voice vote. Representative Oberle requested that he be marked present. Representative Oberle announced that he would not be participating in the debate nor voting on HS 1 for HB 100 because of a possible conflict of interest. Representative Schwartzkopf introduced and brought HA 4 to HS 1 for HB 100 before the House for consideration. Representatives Schwartzkopf & Kovach made comments. HA 4 was adopted by voice vote.

Representative Cathcart introduced and brought HA 5 to HS 1 for HB 100 before the House for consideration. Representative Cathcart made comments. HA 5 was adopted by voice vote. Representative Kovach introduced and brought HA 6 to HS 1 for HB 100 before the House for consideration. Representative Kovach introduced and brought HA 1 to HA 6 to HS 1 for HB 100 before the House for consideration. HA 1 to HA 6 was adopted by voice vote. Representatives Kovach & Schwartzkopf made comments.

The roll call on HA 6 w/HA 1 to HA 6 was taken and revealed:


NO: 21.

NOT VOTING: Representatives Bennett, Oberle - 2.

Therefore, not having received a constitutional majority, HA 6 w/HA 1 was declared defeated.

Representative Atkins requested that he be marked present during the roll call.

Mr. Speaker Gilligan ruled that twenty-one votes are required to adopt an amendment.

Representative Kovach introduced and brought HA 7 to HS 1 for HB 100, jointly sponsored by Representative Lavelle, before the House for consideration. Representatives Kovach & Schwartzkopf made comments. HA 7 was defeated by voice vote. Representatives Schwartzkopf, Cathcart, Schwartzkopf, Cathcart, Hudson, Kowalko, Kovach & Cathcart made comments. Representative Kovach requested and was granted privilege of the floor for Michael Barlow, Counsel to the Governor. Representatives Kovach, M. Marshall, D. Short, Miro, Kovach, Ramone, J. Johnson, Booth & Thornburg made comments.

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Representative D. Short requested and was granted privilege of the floor for Patti Key, Chief Executive Officer of Harrington Raceway. Representatives D. Short, Cathcart, Schwartzkopf, Ramone & D. Short made comments. Representative Schwartzkopf requested and was granted privilege of the floor for Thomas Cook, Deputy Secretary of Finance. Representatives Schwartzkopf, Cathcart, Ramone, Booth, Cathcart, Viola, Schwartzkopf, Kovach, Cathcart, Schwartzkopf, Kowalko & Cathcart made comments.

The roll call on HS 1 for HB 100 w/HA 2, 3, 4 & 5 was taken and revealed:

YES: 23.


NOT VOTING: Representatives Bennett, Jaques & Oberle - 3.

Therefore, not having received a constitutional majority of at least three-fifths Members of the House, HS 1 for HB 100 w/HA 2, 3, 4 & 5 was declared defeated.

The Majority Leader moved to recess to the call of the Chair at 8:09 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on May 6, 2009.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 54 w/HA 1 and requests the concurrence of the House. The Senate wishes to inform the House that it has passed HB 51 w/HA 1 & 2, HB 71 w/HA 1, HCR 12 and HJR 3 and is returning the same to the House.

The Majority Leader moved to adjourn at 2:01 p.m., thereby ending the current legislative day. The House reconvened at 2:02 p.m.

25th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – First Session
May 6, 2009

The Chief Clerk called the roll.

Members Present: 38.

Members Absent: Representatives Kovach, Manolakos & D.P. Williams - 3.

A prayer was offered by Representative Dennis E. Williams, Tenth Representative District.

Mr. Speaker Gilligan and preschool students from the Early Childhood Laboratory School at Delaware State University led those present in the pledge of allegiance to the American Flag. The students performed a song for the House.

Representatives Viola, Lavelle, D. Short & Miro requested that they be marked present.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:


HB 143 - BRADY; REPRESENTATIVES ATKINS, BENNETT, KEELEY, B. SHORT; SENATOR HALL-LONG - JUDICIARY - An Act to Amend Title 29 of the Delaware Code Relating to the Assessment of an Administrative Fee.

HB 144 - BRADY; REPRESENTATIVES ATKINS, BENNETT; SENATORS ENNIS, HALL-LONG - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to State Procurement and the Assessment of an Administrative Fee. (3/5 bill)

HB 145 – BOOTH & SENATOR VENABLES; REPRESENTATIVES D. SHORT, HOCKER, HUDSON, LAVELLE; SENATOR BUNTING - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to Prevailing Wage Requirements.

HA 1 to HB 120 - SCHOOLEY - Placed with the Bill.

SB 54 w/SA 1 - BUNTING; REPRESENTATIVE ATKINS - HOUSE ADMINISTRATION - An Act to Amend Chapter 138, Volume 68, Laws of Delaware, as Amended, Entitled "An Act to Incorporate the Town of Dagsboro", Related to Nominations for Town Council Elections. (2/3 bill)

Representative Brady requested and was granted personal privilege of the floor to introduce a guest. Representative Schwartzkopf made comments. Representative Cathcart requested and was granted personal privilege of the floor to introduce a guest. Representative Schwartzkopf made comments. Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell made an announcement. Representative M. Marshall requested that she be marked present.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #18

DATE: May 6, 2009

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:
Representative M. Marshall made comments. Representatives Hudson & Blakey requested that the Senate be marked present for the current legislative day. The Chief Clerk read the following committee reports into the record:

**Number** | **Sponsor** | **Date** | **Type** | **Description**
--- | --- | --- | --- | ---
H145-365 | Blakey | 4/13/2009 | M | Sandra E. Peterman
cosponsors: Reps. Carey, Walls, Outten, Thornburg & Wilson
cosponsors: Reps. Carey, Walls, Outten, Thornburg & Wilson
H145-367 | Outten | 4/18/2009 | T | Harrington Century Club - 100th Anniversary
H145-368 | Walls | 4/13/2009 | M | Hannah Morgan Davies
cosponsors: Reps. Carey & Wilson
cosponsors: All Representatives
H145-370 | Hudson | 4/14/2009 | M | R. Wayne Ashbee
H145-371 | Scott | 4/18/2009 | T | Alpha Kappa Alpha Sorority - 23rd Debutante Cotillion
H145-372 | Atkins | 4/20/2009 | T | Alethea Short/Board/Millsboro Housing for Progress
H145-373 | Atkins | 4/20/2009 | T | Albert Clark/Board/Millsboro Housing for Progress
H145-374 | Booth | 4/20/2009 | T | Ervin Williams/Board/Millsboro Housing for Progress
H145-376 | Blakey | 5/28/2009 | T | Lisa Lewis/Retire/Dept. of Technology and Information
H145-377 | Blakey | 4/30/2009 | T | Gerald William Mayan - Distinguished Alumni Award
cosponsors: Reps. Thornburg & Q. Johnson

M - Memorial
T- Tribute

Representative Schwartzkopf brought the following prefiled **Consent Calendar #7** before the House for consideration.

**HR 20** – SCHWARTZKOPF & REPRESENTATIVE GILLIGAN & REPRESENTATIVE CATHCART & REPRESENTATIVE D. SHORT – Requesting Each Delaware High School to Provide the House of Representatives with the Names and Addresses of Its Graduating Seniors.

**HCR 13** – HUDSON; SENATOR SOKOLA – Commending the Efforts of Delaware’s Charter Schools in Educating Delaware Students.


**Consent Calendar # 7** was adopted by voice vote and **HR 20** was declared passed and **HCR 13 & HCR 15** were sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Q. Johnson.
Representative Q. Johnson made comments regarding **HCR 15** and introduced guests.
Representative Brady requested and was granted personal privilege of the floor to make comments. Mr. Speaker Gilligan made a comment. Representative Schwartzkopf deferred to Representative Scott. Representative Scott requested and was granted personal privilege of the floor to introduce foreign exchange students from American Field Service who attended high schools in Delaware during the 2008-2009 school year. The students announced their names, grades, schools attended & countries for the record. Representative M. Marshall made comments. Representatives Hudson & Blakey requested that they be marked present.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:30 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following members were marked present by the Chief Clerk after the House recessed at 2:30 p.m.: Representatives Carey, Keeley, Mulrooney, Oberle & Schooley.

Mr. Speaker Gilligan called the House to order at 2:03 p.m. on May 7, 2009.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 14, SCR 15 & SCR 16** and requests the concurrence of the House and the Senate has passed **HCR 11, HCR 13 & HCR 15** and is returning the same to the House.

Representatives D.P. Williams & Kovach requested that they be marked present for the current legislative day.

The Chief Clerk read the following committee reports into the record:
PUBLIC SAFETY & HOMELAND SECURITY: HB 28 – 7M; HS 1 for HB 127 – 1F, 5M.
ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: HB 85 – 3F, 4M; HB
137 – 2F, 5M; HB 140 – 3F, 4M.

HOUSE ADMINISTRATION: HB 55 – 4M.
HOUSING & COMMUNITY AFFAIRS: HB 131 – 5F, 1M.
NATURAL RESOURCES: HCR 7 – 2F, 6M.
Representative Schwartzkopf deferred to Representative Keeley.
Representative Keeley made an announcement.
Mr. Speaker Gilligan & Representatives Mulrooney & Keeley made comments.
The Majority Leader moved to adjourn at 2:08 p.m., thereby ending the current legislative day. The
House reconvened at 2:09 p.m.

26th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – First Session
May 7, 2009
The Chief Clerk called the roll.
Members Present: 39.
Members Absent: Representatives Lavelle & Manolakos - 2.
A prayer was offered by Representative Clifford G. Lee, Fortieth Representative District.
Mr. Speaker Gilligan led those present in the pledge to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following prefilled legislation was introduced:
HB 146 - M. MARSHALL & SENATOR BLEVINS; REPRESENTATIVES BARBIERI, BENNETT, BOOTH, BRADY, CAREY, CARSON, HOCKER, HUDSON, JAQUES, KEELEY, KOVACH, KOWALKO, LEE, LONGHURST, MANOLAKOS, MIRO, MITCHELL, OBERLE, OUTTEN, RAMONE, SCHOOLEY, SCHWARTZKOPF, SCOTT, B. SHORT, D. SHORT, THORNBURG, WALLS, D.E. WILLIAMS, D.P. WILLIAMS, WILSON; SENATOR HALL-LONG -
JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Domestic Violence.
HB 147 - M. MARSHALL & SENATOR BLEVINS; REPRESENTATIVES BENNETT, JAQUES, KEELEY, KOWALKO, LEE, OUTFEN, PLANT, SCHOOLEY, WILSON; SENATORS HALL-LONG, BONINI - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Courts and Judicial
Procedure.
SB 39 – MCBRIDE & REPRESENTATIVE KOWALKO; SENATOR SOKOLA - POLICY
ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code
Relating to the Delaware Professional Engineers Act.

The Chief Clerk read the following committee reports into the record:
JUDICIARY: SB 55 – 5M; HB 120 – 5M; HB 133 – 5M.

The Reading Clerk read the following communication into the record:
The Senate wishes to inform the House that it has passed SB 39 and requests the concurrence of the
House.
Mr. Speaker Gilligan made an announcement regarding HB 1.
Representative Schwartzkopf introduced and brought HCR 17, jointly sponsored by Representative
Gilligan & Representative Longhurst & Representative Cathcart & Representative D. Short on behalf of All
Representatives and Senator Adams & Senator DeLuca & Senator Blevins & Senator Simpson & Senator
Sorenson on behalf of All Senators, before the House for consideration.

HCR 17 - EXTENDING SINCERE THANKS TO THE CAREER AND TECHNICAL STUDENT
ORGANIZATIONS OF DELAWARE FOR THE PRESENTATION OF THE BEAUTIFUL GERANIUMS
AND EXTENDING BEST WISHES FOR MUCH SUCCESS TO EACH OF THESE EXEMPLARY
STUDENTS.

Representative Schwartzkopf requested and was granted privilege of the floor for Frank Ingram,
Education Specialist, Student Activities, Department of Education. Samantha Burton, President, Future
Farmers of America; Brian Kelleher, President, Business Professionals of America; Jessica Rudolph,
President, Distributive Education Clubs of America, an Association of Marketing Students; Kelly Haugh,
Vice-President-Howard, SkillsUSA and Pratyusha Gupta, President, Technology Student Association
addressed the House. Representatives Schwartzkopf & Oberle made comments.

HCR 17 was adopted by voice vote and was sent to the Senate for concurrence.
Mr. Speaker Gilligan made comments. Representatives Mitchell & Carson requested that they be marked
present. Representative Keeley made comments. Representatives Carey requested privilege of the floor for
himself & Representative Walls to make comments & introduce guests from Milford Senior Center.
Representative Schwartzkopf deferred to Representative Blakey.
Representative Blakey introduced and brought HCR 16, jointly sponsored by Senator Bushweller &
Representatives Bennett & Scott & Senator Bonini, before the House for consideration.

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HCR 16 – DESIGNATING THE MONTH OF MAY 2009 AS “OLDER AMERICANS MONTH”.
WHEREAS, Delaware is a state in which 210,000 citizens age 55 and over make their home; and
WHEREAS, older adults in Delaware and throughout the nation are an increasing population with evolving needs; and
WHEREAS, older Delawareans are valuable members of our society who enhance our communities and personal lives; and
WHEREAS, the increasing number of baby boomers reaching traditional retirement age highlights the need for increased support of older adults; and
WHEREAS, our older citizens of today and tomorrow promise to be among the most active and involved older adult populations in our nation’s history; and
WHEREAS, it is the responsibility of Delaware and all communities in Delaware to work collaboratively to address older adults’ unique health and long-term-care challenges; and
WHEREAS, it is crucial that Delaware modernize its systems of care to help empower older Delaware Americans and give them more control over their own lives; and
WHEREAS, Delaware’s senior centers and senior service providers make it possible for citizens to age successfully, living well today to assure a better tomorrow; and
WHEREAS, Delaware can improve older citizens’ overall quality of life by helping them:
• make behavioral changes in their lifestyles that can reduce the risk of disease, disability, and injury;
• obtain the tools they need to make informed decisions about, and gain better access to, existing health and long-term-care options in their communities; and
• have more options to avoid placement in nursing homes and remain at home as long as possible;
NOW, THEREFORE:
BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware, the Senate concurring therein, that May 2009 is designated as “Older Americans Month”.
BE IT FURTHER RESOLVED that everyone should take time during May 2009 to honor older adults and the professionals, family members, and citizens who care for them, and to improve the lives of our older citizens and help pave the way for future generations.
Representative Blakey made comments.
Representative Blakey requested and was granted privilege of the floor for Carolyn Fredricks, Executive Director, Dover Modern Maturity Center & Sue Getman, Executive Director, Wilmington Senior Center.
HCR 16 was adopted by voice vote and was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Mr. Speaker Gilligan. Mr. Speaker Gilligan presented a House Tribute to Bonnie Lane, 2009 National Health Teacher of the Year, who addressed the House.
Representative B. Short requested that he be marked present. Representative Atkins requested and was granted privilege of the floor present a House Certificate to staff member Barbara Holton on the occasion of her birthday.
Representative Schwartzkopf deferred to Representative Booth.
Representative Booth requested that HB 66 be stricken.
The Majority Leader moved to recess to caucus at 2:50 p.m.
The House reconvened at 12:08 a.m. on May 8, 2009.
Mr. Speaker Gilligan made an announcement.
Representative Schwartzkopf deferred to Representative Walls.
Representative Walls moved to restore HS 1 for HB 100 w/HA 2, 3, 4 & 5 and to rescind the roll call. The motion was seconded by Representative J. Johnson and was adopted by voice vote.
Representative Schwartzkopf brought HS 1 for HB 100 w/HA 2, 3, 4 & 5, jointly sponsored by Representative Longhurst & Senator DeLuca & Representatives Barbieri, Gilligan, Hudson, Keeley, Lavelle, M. Marshall, Plant, Schooley, B. Short & Viola & Senators Henry, Katz & Sokola, before the House for consideration.
HB 100 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE LOTTERY. (3/5 bill)
Representatives Oberle, Thornburg & Bennett announced that they will not be participating in the debate nor voting on HS 1 for HB 100 w/HA 2, 3, 4 & 5 because of possible conflicts of interest.
Representative Schwartzkopf introduced and brought HA 8 to HS 1 for HB 100, jointly sponsored by Representative Longhurst, before the House for consideration. Representative Schwartzkopf moved to place HA 8 on the Speaker's Table. The motion was seconded by Representative D.P. Williams and adopted by voice vote. Representative Cathcart introduced and brought HA 9 to HS 1 for HB 100, jointly sponsored by Representative D. Short & Representative Kovach & Representative Blakey, before the House for consideration. Representative Cathcart moved to place HA 9 to HS 1 for HB 100 on the Speaker's Table. The motion was seconded by Representative D. Short and adopted by voice vote. Representative Schwartzkopf introduced and brought HA 10 to HS 1 for HB 100, jointly sponsored by Representative...
Gilligan & Representative Cathcart & Representative D. Short, before the House for consideration. Representatives Schwartzkopf, Cathcart & Kovach made comments. HA 10 was adopted by voice vote.

The roll call on HS 1 for HB 100 w/HA 2, 3, 4, 5 & 10 was taken and revealed:
YES: 30.
NO: Representatives Blakey, Booth, Hocker & Wilson - 4.
NOT VOTING: Representatives Bennett, Jaques, Oberle & Thornburg - 4.
ABSENT: Representatives Carey, Lavelle & Manolakos - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HS 1 for HB 100 w/HA 2, 3, 4, 5 & 10 was sent to the Senate for concurrence.

Representatives Plant, Viola & D.P. Williams requested that they be marked present during the roll call.
Representative Schwartzkopf made comments.

The Majority Leader moved to recess to the call of the Chair at 12:27 a.m.
Mr. Speaker Gilligan called the House to order at 2:05 p.m. on May 12, 2009.

Legislative Advisory #9
Governor Jack A. Markell signed the following legislation on the date indicated: 4/30/2009 – HB 44

The following prefiled legislation was introduced:

**HB 148** - MULROONEY & REPRESENTATIVE KEELEY & SENATOR DELUCA - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 4 of the Delaware Code Relating to Disposition of Stock of Insolvent, Deceased or Former Licensee.

**HB 149** - B. SHORT & SENATOR DELUCA; REPRESENTATIVES BENNETT, BRADY, HOCKER, HUDSON, KEELEY, LAVELLE, RAMONE, VIOLA; SENATORS ADAMS, BUNTING, BONINI, COOK, KATZ, SOKOLA - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 5 of the Delaware Code Relating to Compensation Received by Mortgage Loan Brokers and Licensed Lenders for Mortgage Loan Modification Services.


**HB 151** - M. MARSHALL & SENATOR DELUCA; REPRESENTATIVES CARSON, HUDSON, WALLS, WILSON, J. JOHNSON, KOVACH; SENATORS ADAMS, SIMPSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Abolishing Jury Commissioners.


**HB 157** – LONGHURST & SENATOR CONNOR; REPRESENTATIVES BARBIERI, J. JOHNSON, MULROONEY; SENATOR HENRY - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Family and Medical Leave Act.

**HA 1 to HB 85** - D. SHORT - Placed with the Bill.
An Act to Amend Title 13 of the Delaware Code Relating to Marriage.

Representative Schwartzkopf deferred to Representative Scott. Representative Scott requested and was granted privilege of the floor to present a House Tribute to Delaware Technical & Community College’s Men’s Lacrosse Team on the occasion of their Regional Championship. Representative Scott introduced Coach John Coveleski who addressed the House. Representative Lee made comments. The players announced their names, high schools attended and majors for the record.

Representative Schwartzkopf deferred to Mr. Speaker Gilligan. Mr. Speaker Gilligan presented a House Tribute to Elizabeth Pearce Quesenberry, a cancer survivor and Founder of the Pearce Q Foundation, Inc., who addressed the House. Representative M. Marshall made a comment.

Representative Schwartzkopf deferred to Representative Blakey. Representative Hudson requested that she be marked present. Representative Blakey introduced and brought HR 21, sponsored on behalf of all Representatives, before the House for consideration.

HR 21 - A RESOLUTION CELEBRATING ARMED FORCES DAY AND HONORING THE 4TH UNITED STATES COLORED INFANTRY REGIMENT.

WHEREAS, in the United States, Armed Forces Day is celebrated on the third Saturday in May; and
WHEREAS, the day, created in 1949, was a result of the consolidation of the military services in the Department of Defense to replace the separate Army, Navy, Air Force, Marine Corps, and Coast Guard Days; and
WHEREAS, the purpose of Armed Forces day is to recognize, venerate and honor Americans serving in those five services, and;
WHEREAS, at the beginning of the Civil War, African Americans rushed to join the Union army, but were turned away, but with the announcement of the Emancipation Proclamation on January 1, 1863, Union recruitment of African American men became legal; and
WHEREAS, the 4th U.S. Colored Infantry were a unit of the United States Colored Troops, an African American unit of the Union Army during the American Civil War; organized at Baltimore, Maryland from July 15 to September 1, 1863; and
WHEREAS, the 4th U.S. Colored Infantry fought in many campaigns and battles, out of which three men of the regiment receive the Medal of Honor for their actions at Chaffin’s Farm; and
WHEREAS, after being in existence for about three years, the 4th was mustered out on May 4, 1866, having lost a total of 292 men during their service; and
WHEREAS, the graves of two soldiers who served in the 4th U.S. Colored Infantry, Company E, were recently discovered in the Zion A.M.E. Church in Camden; and
WHEREAS, this Armed Forces Day, the Zion A.M.E. Church in Camden will be hosting a combined ceremony honoring these soldiers and all of Delaware’s military personnel with a service called “A Tribute to Forgotten Heroes”,
NOW, THEREFORE:
BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware that we hereby recognize, honor and salute all Delaware military personnel and the 4th U.S. Colored Infantry.
BE IT FURTHER RESOLVED, that a suitably prepared copy of this Resolution be presented to the Zion A.M.E. Church, Camden, Delaware.

Representative Blakey requested and was granted privilege of the floor for Hans Reigle who was instrumental in organizing “A Tribute to Forgotten Heroes”. Representative Blakey made comments. HR 21 was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Atkins. Representative Atkins made comments & introduced guests. Representative Atkins requested and was granted privilege of the floor for Nancy E. Lynch, author of “The Vietnam Mailbag”. Representative Cathcart & Mr. Speaker Gilligan made comments. Representative Atkins made an announcement. Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley introduced guests. The Majority Leader moved to recess for caucus at 2:43 p.m.
The House reconvened at 4:40 p.m.
The Reading Clerk read the following communication into the record:
May 12, 2009
Legislative Advisory #10
Governor Jack A. Markell signed the following legislation on the date indicated: 5/7/09 – SB 53; 5/12/09 – HB 61 aab HA 1; HB 68.
Representatives Mulrooney, Miro, Viola & Keeley requested that they be marked present.
Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with introduction of and action on

**SB 99.** The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Keeley introduced and brought **SB 99,** jointly sponsored by Senator Venables & Representative Keeley & Senators Blevins, Cook, McDowell, Simpson & Sorenson & Representatives Mulrooney, Schooley, Viola, Carey & Oberle, before the House for consideration.

**SB 99** – AN ACT AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; DEPOSITING CERTAIN FUNDS OF THE STATE TO THE GENERAL FUND; REVERTING CERTAIN FUNDS OF THE STATE AND AMENDING THE LAWS OF DELAWARE. (3/4 bill)

Representatives Keeley & Lavelle made comments.

The roll call on **SB 99** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **SB 99** was returned to the Senate.

Representative D.P. Williams requested that he be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson requested that **HB 3** be returned to the Ready List.


**SB 32** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AGAINST CHILDREN.

Representative M. Marshall made comments.

The roll call on **SB 32** was taken and revealed:

YES: 40.

ABSENT: Representative Barbieri - 1.

Therefore, having received a constitutional majority, **SB 32** was returned to the Senate.


**SB 33** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Representative M. Marshall made comments.

The roll call on **SB 33** was taken and revealed:

YES: 40.

ABSENT: Representative Barbieri - 1.

Therefore, having received a constitutional majority, **SB 33** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought **HB 111,** jointly sponsored by Senator Bushweller & Representatives Keeley, Plant & B. Short & Senators Blevins & Ennis and cosponsored by Senator Cloutier, before the House for consideration.

**HB 111** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE IGNITION INTERLOCK DEVICE (IID) PROGRAM.

Representative Mitchell introduced and brought **HA 1 to HB 111** before the House for consideration. Representative Mitchell made comments. **HA 1** was adopted by voice vote. Representative Mitchell made comments.

The roll call on **HB 111 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Barbieri - 1.

Therefore, having received a constitutional majority, **HB 111 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought **HB 118,** jointly sponsored by Representative Keeley & Senators Ennis & Hall-Long and cosponsored by Representatives Bennett, B. Short & D.E. Williams, before the House for consideration.

**HB 118** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE.

Representative Carson introduced and brought **HA 1 to HB 118** before the House for consideration.

Representative Carson made comments. **HA 1** was adopted by voice vote. Representative Carson made comments.
The roll call on HB 118 w/HA 1 was taken and revealed:
YES: 40.
ABSENT: Representative Barbieri - 1.
Therefore, having received a constitutional majority, HB 118 w/HA 1 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Carson.
Representative Carson brought HB 116, jointly sponsored by Senator Ennis, before the House for consideration.

HB 116 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF SMYRNA, 74 DELAWARE LAWS CHAPTER 176, RELATING TO THE REPAYMENT TERM OF LOANS THE TOWN IS AUTHORIZED TO BORROW. (2/3 bill)
Representative Carson made comments.
The roll call on HB 116 was taken and revealed:
YES: 40.
ABSENT: Representative Barbieri - 1.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 116 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Brady.
Representative Brady brought HB 132, jointly sponsored by Representative Jaques & Senator Blevins & Senator Hall-Long & Representatives Barbieri, Bennett, Hocker, Keeley, Lavelle, Lee, Plant, Ramone & Scott & Senator Ennis, before the House for consideration.

HB 132 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ABSENTEE VOTING.
Representative Brady made comments.
The roll call on HB 132 was taken and revealed:
YES: 40.
ABSENT: Representative Barbieri - 1.
Therefore, having received a constitutional majority, HB 132 was sent to the Senate for concurrence.
Representative Walls brought HS 1 for HB 127, jointly sponsored by Representatives Booth, Carson & Longhurst & Senator Adams & Representatives Carey, Lee, Thornburg & Wilson & Senator Simpson, before the House for consideration.

HB 127 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SIZE AND WEIGHT OF VEHICLES.
Representatives Walls & Booth made comments.
The roll call on HS 1 for HB 127 was taken and revealed:
YES: 40.
ABSENT: Representative Barbieri - 1.
Therefore, having received a constitutional majority, HS 1 for HB 127 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative B. Short.
Representative B. Short brought HB 140, jointly sponsored by Representative D. Short & Senator Sokola & Representatives Hudson, Kowalko, M. Marshall, Mitchell & Oberle & Senators Blevins, Ennis & Venables, before the House for consideration.

HB 140 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE CANCELLATION OR NONRENEWAL OF AN AUTOMOBILE INSURANCE POLICY.
Representative B. Short made comments.
The roll call on HB 140 was taken and revealed:
YES: 40.
ABSENT: Representative Barbieri - 1.
Therefore, having received a constitutional majority, HB 140 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Thornburg.
Representative Thornburg brought SB 55, jointly sponsored by Senator Cook & Senators Blevins & Marshall, before the House for consideration.

SB 55 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO TERMINATION AND TRANSFER OF PARENTAL RIGHTS IN ADOPTION PROCEEDINGS.
Representative Thornburg made comments.
The roll call on SB 55 was taken and revealed:
YES: 40.
ABSENT: Representative Barbieri - 1.
Therefore, having received a constitutional majority, SB 55 was returned to the Senate.

**SB 25** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JUDICIAL BRANCH EMERGENCIES.

Representative M. Marshall made comments.

The roll call on **SB 25** was taken and revealed:

YES: 40.

ABSENT: Representative Barbieri - 1.

Therefore, having received a constitutional majority, **SB 25** was returned to the Senate.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought **SB 26**, jointly sponsored by Senator DeLuca & Representative M. Marshall & Representative Bennett & Senators Bonini, Cook & Sokola & Representatives Brady, Hocker, Hudson, Keeley, Lavelle & Viola & cosponsored by Senator Katz & Representative Ramone, before the House for consideration.

**SB 26** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE.

Representative B. Short made a comment.

The roll call on **SB 26** was taken and revealed:

YES: 40.

ABSENT: Representative Barbieri - 1.

Therefore, having received a constitutional majority, **SB 26** was returned to the Senate.

Mr. Speaker Gilligan made announcements.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought **HB 122**, jointly sponsored by Representatives Schwartzkopf & Kowalko & Senators Hall-Long & Henry, before the House for consideration.

**HB 122** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLE PLATES. (2/3 bill)

Representative Jaques brought **HA 1** to **HB 122** before the House for consideration. Representatives Cathcart & Jaques made comments. **HA 1** was adopted by voice vote. Representative Jaques made comments. Representative Booth introduced and brought **HA 1 to HB 122** before the House for consideration. Representatives Booth & Jaques made comments. **HA 2** was adopted by voice vote. Representatives Lavelle & Jaques made comments.

The roll call on **HB 122 w/HA 1 & 2** was taken and revealed:


NO: Representatives Atkins, Jaques, J. Johnson, Lee, Mulrooney, Schwartzkopf, D.P. Williams & Mr. Speaker Gilligan – 8.

NOT VOTING: 21.

ABSENT: Representatives Barbieri & Plant - 2.

Therefore, not having received a constitutional majority, **HB 122 w/HA 1 & 2** was declared defeated.

Representatives Jaques, Miro & Hudson made comments. Representative Hudson requested privilege of the floor for Jamie Nutter, House Attorney. Representatives Hudson, Miro, Oberle, Hudson & Miro made comments.
Mr. Speaker Gilligan declared a recess at 6:26 p.m. The House reconvened at 6:27 p.m.
Representative Miro moved to place HA 3 on the Speaker's Table. The motion was seconded by Representative Thornburg and adopted by voice vote.
Representative Miro introduced and brought HA 4 to HB 40 before the House for consideration.
Representative Miro made comments.
Representative Miro moved to place HA 4 on the Speaker's Table. The motion was seconded by Representative M. Marshall and adopted by voice vote.

Representative Miro moved to place HB 40 w/HA 1 & 2 on the Speaker's Table. The motion was seconded by Representative D. Short and adopted by voice vote.
The Majority Leader moved to recess to the call of the Chair at 6:32 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on May 13, 2009.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 59 w/SA 3 and requests the concurrence of the House and the Senate has passed HS 1 for HB 100 w/HA 1, 2, 3, 4, 5 & 10 and is returning the same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST
I, George H. Bunting, Jr., do hereby request that my name be removed as co-sponsor of HS 1 for HB 100.

Date: 5/13/09
Signed: George H. Bunting, Jr.

Representative Barbieri requested that HB 125 be stricken.
Representatives Brady & J. Johnson made announcements.
The Majority Leader moved to adjourn at 2:02 p.m., thereby ending the current legislative day. The House reconvened at 2:03 p.m.

28th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY - First Session
May 13, 2009

The Chief Clerk called the roll.
Members Present: 35.
A prayer was offered by Representative Pamela J. Thornburg, Twenty-ninth Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following prefilled legislation was introduced:

HB 155 – LAVELLE & SENATOR SORENSON; REPRESENTATIVES D. SHORT, MANOLAKOS - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Pleadings and Practice.


HB 159 – BOOTH & SENATOR HALL-LONG; REPRESENTATIVES CARSON, MITCHELL, CATHCART, D. SHORT, CAREY, HOCKER, LAVELLE, OUTTEN, WILSON; SENATORS BUNTING, SIMPSON, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to Powers, Duties, and Functions of the Secretary of the Department of Health and Social Services.

HB 160 – MITCHELL & SENATOR BUSHWELLER; REPRESENTATIVES BENNETT, BOOTH, CARSON, J. JOHNSON, SCOTT, B. SHORT, D.P. WILLIAMS; SENATORS CONNOR, ENNIS, HENRY - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Drivers’ Licenses and Identification Cards.

HB 161 – MITCHELL & SENATOR BUSHWELLER; REPRESENTATIVE BRADY; SENATOR HENRY - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Titles 2 and Title 21 of the Delaware Code Relating to Public Carriers.


HA 1 to HB 37 - CATHCART - Placed with the Bill.

SB 59 w/SA 3 – MCDOWELL & REPRESENTATIVE KOWALKO; SENATORS KATZ, BUNTING, DELUCA, HALL-LONG, HENRY, SOKOLA, BLEVINS, SORENSON; REPRESENTATIVES GILLIGAN, J. JOHNSON, BRADY, MITCHELL, MULROONEY, PLANT,

Representative Schwartzkopf brought the following prefilled Consent Calendar #8 before the House for consideration.


**SCR 16** - SENATOR HENRY & REPRESENTATIVE KEELEY – Expressing the Sense of the Delaware General Assembly that Ensuring the Availability of Adequate Housing is an Essential Component of an Effective Strategy for the Prevention and Treatment of HIV and the Care of Individuals with HIV.

Consent Calendar # 8 was adopted by voice vote and HCR 10 & HCR 18 were sent to the Senate for concurrence and SCR 14, SCR 15 & SCR 16 were returned to the Senate.

Representatives Scott, Miro & Schooley requested that they be marked present.

The Reading Clerk read the following communication into the record:

**HOUSE TRIBUTE ANNOUNCEMENT # 19**

DATE: May 13, 2009

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H145-382</td>
<td>D.P. Williams</td>
<td>2/26/2009</td>
<td>M</td>
<td>Henry F. Smith</td>
</tr>
<tr>
<td>H145-385</td>
<td>Booth &amp; Schwartzkopf</td>
<td>5/7/2009</td>
<td>T</td>
<td>Leonard Marsh - Water Operator of the Year</td>
</tr>
<tr>
<td>H145-386</td>
<td>Booth &amp; Schwartzkopf</td>
<td>5/7/2009</td>
<td>T</td>
<td>Walter Baumer – Wastewater Operator of the Year</td>
</tr>
<tr>
<td>H145-387</td>
<td>Booth &amp; Walls</td>
<td>5/7/2009</td>
<td>T</td>
<td>Hilary Moore - On-Site Professional of the Year</td>
</tr>
<tr>
<td>H145-388</td>
<td>Booth &amp; Walls &amp; Carey, Walls &amp; Atkins</td>
<td>5/7/2009</td>
<td>T</td>
<td>Gerald L. Esposito – Environmental Lifetime Award</td>
</tr>
<tr>
<td>H145-392</td>
<td>Gilligan &amp; Schwartzkopf</td>
<td>4/29/2009</td>
<td>T</td>
<td>Bonnie Lane/National Health Care Pro of the Year</td>
</tr>
<tr>
<td>H145-393</td>
<td>Schwartzkopf</td>
<td>4/29/2009</td>
<td>T</td>
<td>Rehoboth Beach Main Street – Great American Award</td>
</tr>
<tr>
<td>H145-394</td>
<td>Walls</td>
<td>5/1/2009</td>
<td>T</td>
<td>Quality Deer Management Asso./ Delaware</td>
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<tr>
<td>H145-402</td>
<td>Miro &amp; Ramone</td>
<td>4/30/2009</td>
<td>T</td>
<td>Juliet Bottorff - Top Performer - Track and Field</td>
</tr>
</tbody>
</table>

T - Tribute
M - Memoriam

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Representative D.E. Williams requested and was granted privilege of the floor to make comments and to introduce officers in the Civil Air Patrol. Civil Air Patrol Cadets announced their names, ranks and squadrons for the record. Representatives Kovach & Longhurst requested that they be marked present. Representative Schwartzkopf deferred to Representative M. Marshall. Representative M. Marshall requested and was granted personal privilege of the floor to introduce guests & to make comments. Representatives Atkins & Hocker made comments. The House observed a moment of silence in memory of The Honorable Maurice A. Hartnett, III, at the request of Representative M. Marshall. Representative J. Johnson made an announcement. Representative Walls made comments.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:23 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following member was marked present by the Chief Clerk after the House recessed at 2:23 p.m.: Representative Mulrooney.

Mr. Speaker Gilligan called the House to order at 2:02 p.m. on May 14, 2009.

Representatives Hudson, Lavelle & D.P. Williams requested that they be marked present for the current Legislative Day.

The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 103 & SB 38 and requests the concurrence of the House. The Senate has passed HCR 10, HCR 16 & HCR 18 and is returning the same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST
I, Catherine L. Cloutier, do hereby request that my name be removed as co-sponsor of HB 119.
Date: 5/13/09
Signed: Catherine L. Cloutier

Representative Viola requested that he be marked present for the current Legislative Day.

Representative Atkins introduced a guest.

The Majority Leader moved to adjourn at 2:08 p.m., thereby ending the current legislative day. The House reconvened at 2:09 p.m.

29th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY - First Session
May 14, 2009

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Joseph W. Booth, Thirty-seventh Representative District.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:


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HB 166 – HOCKER & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Chapter 65, Volume 295, Laws of Delaware, An Act to Reincorporate the Town of Bethany Beach Regarding the Referendum Power, and to Allow Natural Persons Holding Title to Real Estate as Trustee, and the Spouses of Persons Who Hold Title to Real Estate (either in Their Own Name or as Trustee), to Vote in Municipal Elections; and Placing a Limit on the Total Number of Persons Who May Qualify to Vote as a “Nonresident Property Owner” to a Maximum of Eight Persons per Property. (2/3 bill)

HB 167 – HOCKER & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Chapter 65, Volume 295, Laws of Delaware, An Act to Reincorporate the Town of Bethany Beach Regarding the Holding of the Town Council’s Organizational Meeting to be Consistent with the Provisions of 15 Del.C. Chapter 75 (“municipal Elections”). (2/3 bill)

HB 168 – M. MARSHALL & REPRESENTATIVE HUDSON & SENATOR MCDOWELL & SENATOR SORENSEN; REPRESENTATIVES BLAKEY, BRADY, J. JOHNSON, KOVACH, KOWALKO, LAVELLE, LONGHURST, MANOLAKOS, MIRO, MULROONEY, PLANT, RAMONE, SCHOOLEY, B. SHORT, THORNBURG, VIOLA, WILSON; SENATORS BUNTING, CLOUTIER, ENNIS, HALL-LONG, HENRY, KATZ, PETERSON, SIMPSON, SOKOLA - JUDICIARY - An Act to Amend Title 16 of the Delaware Code Relating to Drug Offenses.


HCR 14 - TO RECOGNIZE MAY AS “POPPY MONTH” IN THE STATE OF DELAWARE.

WHEREAS, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers; and
WHEREAS, millions who have answered the call to arms have died on the field of battle; and
WHEREAS, a nation of peace must be reminded of the price of war and the debt owed to those who have died in war; and
WHEREAS, the red poppy has been designated as a symbol of sacrifice of lives in all wars; and
WHEREAS, the American Legion Auxiliary has pledged to remind America annually of the debt through the distribution of the memorial flower.
NOW, THEREFORE:
BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware, the Senate concurring therein, that the month of May 2009 be recognized as “Poppy Month” in the State of Delaware and ask that all citizens pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial poppy.
BE IT FURTHER RESOLVED, that a suitably prepared copy of this resolution be delivered to The American Legion Auxiliary Unit #28 in Millsboro, Delaware.

Representative Schwartzkopf deferred to Representative Atkins.
Representative Atkins introduced & brought HCR 14, sponsored on behalf of All Representatives & jointly sponsored by Senator Bunting, on behalf of All Senators, before the House for consideration.

HCR 14 - TO RECOGNIZE MAY AS “POPPY MONTH” IN THE STATE OF DELAWARE.
WHEREAS, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers; and
WHEREAS, millions who have answered the call to arms have died on the field of battle; and
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HCR 14 was adopted by voice vote and was sent to the Senate for concurrence.

Representative Atkins made comments.

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Representative Atkins introduced & brought HCR 14, sponsored on behalf of All Representatives & jointly sponsored by Senator Bunting, on behalf of All Senators, before the House for consideration.

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HCR 14 was adopted by voice vote and was sent to the Senate for concurrence.

Representative Atkins made comments.

HCR 14 was adopted by voice vote and was sent to the Senate for concurrence.

Representative Atkins requested and was granted privilege of the floor for Cindy Phillips, Secretary, American Legion Auxiliary Unit #28. Representative Jaques made comments.

Representative Schwartzkopf deferred to Representative Scott.
Representative Scott introduced & brought HR 13, jointly sponsored by Representative Walls on behalf of All Representatives, before the House for consideration.

HR 13 - COMMENDING THE DELAWARE DENTAL SOCIETY ON THE ACHIEVEMENTS OF ITS SIXTH ANNUAL GIVE KIDS A SMILE PROGRAM.

Representative Scott made comments.

HR 13 was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Carson.
Representative Carson requested and was granted personal privilege of the floor for himself and Representatives Scott & B. Short to present a House Tribute to Dr. Cara Lee Blume upon the occasion of her retirement from the Department of Natural Resources and Environmental Control, who addressed the House.

Representative B. Short made comments.

Representative Thornburg requested that she be marked present.
The Majority Leader moved to recess for caucus at 2:26 p.m.
The House reconvened at 4:16 p.m.
Mr. Speaker Gilligan made an announcement.
Representative Miro requested and was granted personal privilege of the floor to introduce guests & to make comments.
Representatives Mulrooney, Plant, D.P. Williams & Keeley requested that they be marked present.
Representative Schwartzkopf deferred to Representative Scott.

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**HB 99 - AN ACT TO AMEND CHAPTER 3, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DESIGNATION OF A STATE DESSERT.**

Representatives Cathcart, Scott, Thornburg, Lavelle & D.E. Williams made comments. Representative Thornburg introduced and brought HA 1 to HB 99 before the House for consideration. Representatives Thornburg, Scott & Hocker made comments. Representative Hocker moved to place HB 99 on the Speaker’s Table. Representative Scott made comments. Representative Cathcart rose on a point of order. Mr. Speaker Gilligan did not concur. Representative Hocker made comments. Representative Hocker moved to place HA 1 on the Speaker’s Table. The motion to table HA 1 was defeated by voice vote. Representative D.E. Williams made comments. Representative Cathcart rose on a point of order. Mr. Speaker Gilligan did not concur. Representatives D.E. Williams & Thornburg made comments. Representative Thornburg requested that HA 1 be stricken. Representative Hocker moved to place HB 99 on the Speaker’s Table. The motion was properly seconded. Representatives Lavelle & Schwartzkopf made comments. The motion was defeated by voice vote. Representatives Booth, Hocker, Thornburg, Lavelle, Atkins, Hocker, Scott, Lee, Atkins, Kovach, Cathcart, D.E. Williams & Scott made comments.

The roll call on HB 99 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 99 was sent to the Senate for concurrence.

Representative Oberle requested that he be marked present during the roll call. Representative Hocker made an announcement. Representative Blakey requested and was granted privilege of the floor for Mary Fifer Fennemore representing Fifer Orchards. Representative Walls made comments. Representative Schwartzkopf deferred to Representative Hocker. The motion to table HB 99 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 99 was sent to the Senate for concurrence.

**HB 50 – AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH TO LIMIT THE HEIGHT OF STRUCTURES WITHIN THE TOWN. (2/3 bill)**

Representative Schwartzkopf deferred to Representative Kowalko. Representative Kowalko brought HB 121, jointly sponsored by Senator Sokola & Representatives Atkins, Bennett, Lee & Thornburg & Senators Bonini, Bushweller, Connor & Katz, before the House for consideration.

**HB 121 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO COSMETOLOGY AND BARBERING AND LICENSURE OF AESTHETICIANS. (2/3 bill)**


**HB 62 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND SPECIFIC OFFENSES. (F/N)**

Representative Oberle requested that HA 1 & HA 2 to HB 62 be stricken. Representative Oberle brought HA 3 to HB 62 before the House for consideration. Representative Oberle made a comment. HA 3
was adopted by voice vote. Representatives Oberle, D.P. Williams, Schwartzkopf, Mitchell & Oberle made comments.

The roll call on HB 62 w/HA 3 was taken and revealed:
YES: 40.
ABSENT: Representative Thornburg - 1.
Therefore, having received a constitutional majority, HB 62 w/HA 3 was sent to the Senate for concurrence.

Representative Schwartzkopf made an announcement.
Representative Schwartzkopf deferred to Representative Jaques.
Representative Jaques brought HB 114, jointly sponsored by Senator Bunting & Representatives Kowalko & Oberle & Senators Ennis & Hall-Long, before the House for consideration.

HB 114 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE FEE FOR ISSUANCE OF MARRIAGE CERTIFICATES. (F/N)

Representative Jaques made comments.

The roll call on HB 114 was taken and revealed:
YES: 40.
ABSENT: Representative Thornburg - 1.
Therefore, having received a constitutional majority, HB 114 was sent to the Senate for concurrence.

Representative M. Marshall brought HB 123, jointly sponsored by Representative Schooley & Senator Blevins & Senator Simpson & Senator Sorenson & Representatives Barbieri, Jaques, Q. Johnson, Ramone & Schwartzkopf, before the House for consideration.

HB 123 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT.

Representative M. Marshall introduced and brought HA 1 to HB 123 before the House for consideration. Representatives M. Marshall & Hudson made comments. HA 1 was adopted by voice vote.

Representatives M. Marshall & Lavelle made comments. Representative Lavelle requested and was granted privilege of the floor for Bill Bush, House Attorney. Representative Lavelle made comments.

Representative M. Marshall rose on a point of order. Mr. Speaker did not concur. Representatives Lavelle, M. Marshall, Oberle, Hudson, Kowalko & Schooley, Mr. Speaker Gilligan & Representatives Schooley, Lavelle, Booth, Schooley & Jaques made comments.

The roll call on HB 123 w/HA 1 was taken and revealed:
YES: 39.
NOT VOTING: Representative Cathcart - 1.
ABSENT: Representative Thornburg - 1.
Therefore, having received a constitutional majority, HB 123 w/HA 1 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Miro.
Representative Miro requested that HB 40 be stricken.
Representative Cathcart rose on a point of order. Mr. Speaker concurred.

Representative Oberle moved to restore HB 40. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Miro moved to suspend the rules which interfere with introduction of and action on HS 1 for HB 40. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Oberle made a comment.

Representative Miro introduced and brought HS 1 for HB 40, jointly sponsored by Representative Hudson & Senator Blevins & Representatives Barbieri, Bennett, Booth, Brady, Carey, Carson, Cathcart, Gilligan, Hocker, Jaques, J. Johnson, Kovach, Lavelle, Mulrooney, Outten, Plant, Ramone, Schwartzkopf, Scott, B. Short, D. Short, Viola, Walls, D.E. Williams & Wilson & cosponsored by Representative M. Marshall, before the House for consideration.

HB 40 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.


Representative Miro moved to place HS 1 for HB 40 on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf deferred to Representative Brady.
Representative Brady moved to suspend the rules which interfere with action on HB 131. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Brady brought HB 131, jointly sponsored by Representative B. Short & Senator Hall-Long & Representatives Kowalko, Ramone, Viola & D.E. Williams & Senator Peterson, before the House for consideration.
HB 131 – AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY.

Representatives Brady & Cathcart made comments.
The roll call on HB 131 was taken and revealed:
YES: 40.
ABSENT: Representative Thornburg - 1.

Therefore, having received a constitutional majority, HB 131 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri moved to suspend the rules which interfere with introduction of and action on SB 103. The motion was properly seconded and adopted by voice vote.

SB 103 – AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE BY ESTABLISHING MAY AS MELANOMA AND SKIN CARE DETECTION AND PREVENTION MONTH IN DELAWARE.
The roll call on SB 103 was taken and revealed:
YES: 40.
ABSENT: Representative Thornburg - 1.

Therefore, having received a constitutional majority, SB 103 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri introduced and brought HR 22, jointly sponsored by Representative J. Johnson & Representative Schooley, before the House for consideration.

HR 22 - CREATING A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS FOR IMPROVING DELAWARE’S LAWS, REGULATIONS AND SCHOOL DISTRICT POLICIES RELATING TO SCHOOL DISCIPLINE AND VIOLATIONS OF SCHOOL CODES OF CONDUCT.
Representatives Barbieri, J. Johnson & Schooley made comments.
HR 22 was adopted by voice vote.
Representative Schwartzkopf deferred to Representative Miro.
Representative Miro moved to lift HS 1 for HB 40 from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

HB 40 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.
Representative Hudson made a comment. Representative Hudson introduced and brought HA 1 to HS 1 for HB 40 before the House for consideration.

HA 1 was adopted by voice vote.
The roll call on HS 1 for HB 40 w/HA 1 was taken and revealed:
YES: 39.
NO: Representative Blakey - 1.
ABSENT: Representative Thornburg - 1.

Therefore, having received a constitutional majority, HS 1 for HB 40 w/HA 1 was sent to the Senate for concurrence.
Representative Schwartzkopf introduced and brought HR 23, jointly sponsored by Representative Cathcart & Representative Longhurst & Representative Gilligan & Representative D. Short, before the House for consideration.
Representative Q. Johnson made an announcement.
HR 23 - RELATING TO TEMPORARY RULES OF THE HOUSE OF REPRESENTATIVES OF THE 145TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE.
Representative Schwartzkopf moved to place HR 23 on the Speaker's Table. The motion was seconded by Representative Longhurst and adopted by voice vote.
Representative Manolakos requested and was granted personal privilege of the floor to make an announcement.
The Majority Leader moved to recess to the call of the Chair at 6:19 p.m.
Mr. Speaker Gilligan called the House to order at 2:01 p.m. on June 2, 2009.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 84, SB 47 w/SA1, SB 48 & SB 85 w/SA 1 and requests the concurrence of the House and the Senate has passed HB 96 and is returning the
same to the House. The Senate wishes to inform the House that is has passed HCR 14 and is returning the same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST
I, E. Bradford Bennett, do hereby request that my name be removed as co-sponsor of HS 1 for HB 70.
Date: 5/14/09
Signed: E.B. Bennett
May 14, 2009

Legislative Advisory #11
Governor Jack A. Markell signed the following legislation on the date indicated: 5/14/09 – SB 4, SB 30 aab SA 1, SB 31 aab SA 1 & 2, SB 34, SB 43, SB 63, SB 99, HB 71 aab HA 1 & HS 1 for HB 100 aab HA 2, 3, 4, 5 & 10.
The Majority Leader moved to adjourn at 2:03 p.m., thereby ending the current Legislative Day. The House reconvened at 2:05 p.m.

30th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session
June 2, 2009
The Chief Clerk called the roll.
Members Present: 39.
A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following out-of-session prefilled legislation was introduced:
May 28, 2009
HB 175 – BRADY & SENATOR HALL-LONG; REPRESENTATIVES KEELEY, LAVELLE, OBERLE, PLANT - JUDICIARY - An Act to Amend Title 29 of the Delaware Code Relating to the Assessment of a Prosecution Fee.
HB 178 – HOCKER & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Chapter 65, Volume 295, Laws of Delaware, Entitled Charter of the Town of Bethany Beach, Regarding Penalties for Violations of Town Ordinances, to Increase the Maximum Financial Penalty that may be Imposed to Eliminate Imprisonment as a Potential Sanction, and to Authorize the Town to Impose Civil Penalties as Well as Criminal Penalties as Well as Criminal Penalties. (2/3 bill)
HB 179 – WILSON & SENATOR ADAMS - HOUSE ADMINISTRATION - An Act to Amend Chapter 237, Volume 51, Entitled an Act to Reincorporate the Town of Bridgeville Relating to Sewer and Water Main Improvements. (2/3 bill)
HB 180 – HUDSON & SENATOR SORENSON & SENATOR SOKOLA; REPRESENTATIVES LONGHURST, HOCKER, LAVELLE, MANOLAKOS, OUTTEN, WILSON; SENATOR BUSHEWELLER - ECONOMIC DEVELOPMENT/
BANKING/INSURANCE/COMMERCE - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Beverage Control Licenses and Taxes, and Direct Purchasing and Shipment of Wine. (2/3 bill)
HB 182 - M. MARSHALL; REPRESENTATIVES GILLIGAN, HUDSON, KOWALKO, MITCHELL, SCHOOLEY; SENATORS DELUCA, PETERSON, SIMPSON - JUDICIARY - An Act to Amend Titles 10 and 11 of the Delaware Code Relating to Certain Offenses.
HA 1 to HB 55 - M. MARSHALL - Placed with the Bill.
HA 1 to HB 160 - MITCHELL - Placed with the Bill.
HA 1 to HB 171 - M. MARSHALL - Placed with the Bill.
SB 47 w/SA 1 – SOKOLA & REPRESENTATIVE KOWALKO; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 16 of the Delaware Code Relating to the Delaware Health Statistics Center.
SB 48 – SOKOLA & REPRESENTATIVE KOWALKO; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 7 of the Delaware Code Relating to the Conservation Districts.
SB 85 w/SA 1 – MCDOWELL & SENATOR SIMPSON & REPRESENTATIVE KOWALKO & REPRESENTATIVE THORNBURG; SENATORS BUSHWELLER, HALL-LONG, KATZ, REPRESENTATIVES MULROONEY, BARBIERI, BRADY, HOCKER, KOVACH, B. SHORT, SCOTT - ENERGY - An Act to Amend Title 26 of the Delaware Code Relating to Net Energy Metering. (2/3 bill)
The following prefiled legislation was introduced:
HA 1 to HS 1 for HB 70 - OBERLE - Placed with the Bill.
HA 1 to HB 162 – KOVACH & REPRESENTATIVE OBERLE - Placed with the Bill.
HA 2 to HB 171 - M. MARSHALL - Placed with the Bill.
The Reading Clerk read the following communications into the record:
MEMORANDUM:
TO: Robert F. Gilligan
Speaker of the House
Richard Puffer
Chief Clerk
FROM: Quinton Johnson, IV
State Representative
DATE: May 29, 2009
Due to a family matter I will be unable to attend session on Tuesday June 2nd but I will be here on Wednesday June 3rd.
May 22, 2009
Legislative Advisory #12
Governor Jack A. Markell signed the following legislation on the date indicated: 5/18/09 – HB 51
aab HA 1 & 2; 5/19/09 – SB 25, SB 26 & SB 55; 5/22/09 – SB 32 & SB 33.
Legislative Advisory #13
Governor Jack A. Markell signed the following legislation on the date indicated: 5/27/09 – SB 103 & HB 96.
Representative Thornburg requested that she be marked present. Representative Hocker introduced a guest & made comments. Representative B. Short requested that he be marked present. Representatives Cathcart, Schwartzkopf & Hocker made comments.
The Majority Leader moved to recess for caucus at 2:14 p.m.
The House reconvened at 4:05 p.m.
Representatives Oberle, Hudson, Mulrooney & Mitchell requested that they be marked present.
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Representative Schwartzkopf deferred to Representative Ramone.
Representative Ramone introduced and brought SCR 18, jointly sponsored by Senator Peterson, before the House for consideration.

**SCR 18 - RECOGNIZING THE WEEK OF JUNE 1-7, 2009 AS NATIONAL CARDIOPULMONARY RESUSCITATION (CPR) AND AUTOMATED EXTERNAL DEFIBRILLATOR (AED) AWARENESS WEEK IN DELAWARE.**

Representative Ramone made comments and introduced guests. Representative Ramone requested and was granted privilege of the floor for Stewart Krug, representing the Matthew Krug Foundation.

Representative Ramone made comments. Representatives Lavelle & Viola requested that they be marked present.

SCR 18 was adopted by voice vote and was returned to the Senate.

Representative M. Marshall brought HB 142, jointly sponsored by Senator DeLuca & Representatives Carson, J. Johnson, Kovach, Lee, Mitchell, Plant, D.P. Williams & Wilson, before the House for consideration.

**HB 142 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS.**

Representative M. Marshall made comments.
The roll call on HB 142 was taken and revealed:
YES: 39.

ABSENT: Representatives Q. Johnson & Plant - 2.

Therefore, having received a constitutional majority, HB 142 was sent to the Senate for concurrence.


**HB 146 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO DOMESTIC VIOLENCE.**

Representatives M. Marshall & Hudson made comments.
The roll call on HB 146 was taken and revealed:
YES: 39.

ABSENT: Representatives Q. Johnson & Plant - 2.

Therefore, having received a constitutional majority, HB 146 was sent to the Senate for concurrence.


Representative M. Marshall brought HR 23, jointly sponsored by Representative Cathcart & Representative Longhurst & Representative Gilligan & Representative D. Short, before the House for consideration.

HR 23 - RELATING TO TEMPORARY RULES OF THE HOUSE OF REPRESENTATIVES OF THE 145TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE.

Representative Schwartzkopf made comments.

The roll call on HR 23 was taken and revealed:
YES: 39.

ABSENT: Representatives Q. Johnson & Plant - 2.

Therefore, having received a constitutional majority, HR 23 was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Miro.

Representative Miro brought HB 28, jointly sponsored by Senator Hall-Long & Representatives D. Short & Kovach, before the House for consideration.

**HB 28 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO A SPECIAL EXAMINATION FOR A DRIVER LICENSE DUE TO A POSSIBLE PHYSICAL OR MENTAL IMPEDIMENT.**
Representative Miro brought HA 1 to HB 28 before the House for consideration. Representatives Miro & Cathcart made comments. **HA 1** was adopted by voice vote. Representatives Miro & Hudson made comments.

The roll call on **HB 28 w/HA 1** was taken and revealed:

- **YES:** 32.
- **NO:** Representatives Atkins, Bennett, Blakey, Carson, Keeley & D.P. Williams - 6.
- **ABSENT:** Representatives Q. Johnson, Plant & Viola - 3.

Therefore, having received a constitutional majority, **HB 28 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.


**HB 120 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN OFFENSES**

Representative Schooley brought **HA 1 to HB 120** before the House for consideration.

Representative Schooley made a comment. **HA 1** was adopted by voice vote. Representatives Schooley, Lavelle, Kovach, Hudson & D.P. Williams made comments.

The roll call on **HB 120 w/HA 1** was taken and revealed:

- **YES:** 39.
- **ABSENT:** Representatives Q. Johnson & Plant - 2.

Therefore, having received a constitutional majority, **HB 120 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Gilligan made an announcement regarding **HB 1**.

Representative Schwartzkopf deferred to Representative Oberle.


**HCR 7 - A RESOLUTION URGING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO REQUIRE ALL FACILITIES THAT OPERATE IN DELAWARE WATERS AND UTILIZE COOLING WATER INTAKE STRUCTURES TO IMPLEMENT "CLOSED-CYCLE" COOLING SYSTEMS, AND URGING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO DECLARE THAT "CLOSED CYCLE" COOLING SYSTEMS CONSTITUTE THE BEST TECHNOLOGY AVAILABLE FOR WATER INTAKE STRUCTURES.**

Representative Oberle made comments.

**HCR 7** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Oberle introduced a guest.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins brought **SB 54 w/SA 1**, jointly sponsored by Senator Bunting, before the House for consideration.

**SB 54 - AN ACT TO AMEND CHAPTER 138, VOLUME 68, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF DAGSBORO", RELATED TO NOMINATIONS FOR TOWN COUNCIL ELECTIONS.** (2/3 bill)

Representative Atkins made a comment.

The roll call on **SB 54 w/SA 1** was taken and revealed:

- **YES:** 39.
- **ABSENT:** Representatives Q. Johnson & Plant - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 54 w/SA 1** was returned to the Senate.

Mr. Speaker Gilligan, Representatives Atkins & Booth made comments. Representatives Longhurst & Brady made announcements.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley introduced **HB 186** jointly sponsored by Senator Henry & Representatives Schwartzkopf, D.P. Williams, Atkins, Booth, Hoeker, Lavelle & Wilson & Senators Cloutier, Connor & Simpson.

**HB 186 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT AND ADMINISTRATION OF A TAX DEFERRED SAVINGS PLAN FOR EMPLOYEES OF THE DEPARTMENT OF EDUCATION AND THE PUBLIC SCHOOLS OF THE STATE OF DELAWARE.**

Mr. Speaker Gilligan assigned **HB 186** to the Education Committee.

The Majority Leader moved to recess to the call of the Chair at 4:53 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 3, 2009.
Representative Q. Johnson requested that he be marked present for the current Legislative Day. The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 36 & SB 37, SB 60, SB 82, SB 83 & SCR 18 and requests the concurrence of the House. The Senate wishes to inform the House that it has passed HB 1 w/HA 1 & HA 1 to HA 1, HA 2 to HA 1, HA 2 & 3 and is returning the same to the House. Representatives Barbieri & Mulrooney made announcements.

The Majority Leader moved to adjourn at 2:02 p.m., thereby ending the current Legislative Day. The House reconvened at 2:03 p.m.

31st LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session June 3, 2009

The Chief Clerk called the roll.

Members Present: 37.

Members Absent: Representatives Carey, Oberle, Plant & D.P. Williams - 4.

A prayer was offered by Representative Robert E. Walls, Thirty-third Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

HA 1 to HB 90 - LAVELLE - Placed with the Bill.
HA 1 to HB 139 - SCHOOLEY - Placed with the Bill.
HA 1 to HB 154 - Q. JOHNSON - Placed with the Bill.

SB 36 – ADAMS; REPRESENTATIVE M. MARSHALL; SENATORS DELUCA, MARSHALL, SIMPSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Procedures Applicable to Trespass, Replevin, and Detinue Claims in the Justice of the Peace Court.

SB 37 – ADAMS; REPRESENTATIVE M. MARSHALL; SENATORS DELUCA, MARSHALL, SIMPSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Costs in the Justice of the Peace Court.

SB 60 – DELUCA & REPRESENTATIVE MITCHELL; SENATORS ADAMS, COOK, ENNIS; REPRESENTATIVES ATKINS, BENNETT, CARSON, LAVELLE, D. SHORT - JUDICIARY - An Act Proposing an Amendment to Article I, Section 12 of the Delaware Constitution of 1897 Relating to Criminal Procedures. (2/3 bill)

SB 82 – DELUCA & REPRESENTATIVE M. MARSHALL - JUDICIARY - An Act to Amend Chapter 18, Title 6 of the Delaware Code Relating to the Creation, Regulation Operation and Dissolution of Domestic Limited Liability Companies and the Registration and Regulation of Foreign Limited Liability Companies.


The Reading Clerk read the following communication into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Robert E. Walls, do hereby request that my name be removed as co-sponsor of HB 171.

Date: 6/3/09

Signed: Robert E. Walls

Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell requested and was granted privilege of the floor for himself and Representative Q. Johnson to present a House Tribute to David W. Thomas, U.S. Marshal, District of Delaware, who addressed the House. Representative J. Johnson made comments. Representatives Kovach, Wilson & Carson requested that they be marked present. Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst made an announcement. Representative Longhurst requested and was granted privilege of the floor for herself and Representative Mulrooney to present a House Tribute to Tyler Snook, State Wrestling Champion. Representative Longhurst introduced guests. Representative Booth made comments. Representative Manolakos introduced a guest and made comments. Representatives Ramone & Atkins made comments. Representative Lavelle requested that he be marked present. Representative Lavelle requested and was granted personal privilege of floor to make a comment. Representatives Lee & M. Marshall requested that they be marked present. Representative M. Marshall made an announcement. Representative Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson introduced HB 184, jointly sponsored by Senator Hall-Long & Representatives Plant, Schooley & B. Short & Senator Blevins.

HB 184 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS

Mr. Speaker Gilligan assigned HB 184 to the Health & Human Development Committee. Representative Schwartzkopf deferred to Representative Brady.
Representative Brady requested and was granted privilege of the floor for himself and Representative Cathcart to present a House Tribute to Pam Price, Minority Chief of Staff, who addressed the House.

Representative Schwartzkopf brought the following prefiled Consent Calendar #9 before the House for consideration.

HR 24 – SCHOOLEY; REPRESENTATIVES BRADY, CARSON, HUDSON, J. JOHNSON, KEELEY, KOWALKO, M. MARSHALL, MITCHELL, MULROONEY, OBERLE, PLANT, SCOTT - A Resolution Creating a Committee to Study Implementation of a Statewide Universal Breakfast Program.  
HR 26 - MIRO - Recognizing Dr. Robert J. Andrezewski on the Honor of Receiving the Jane Maroney Award.

SCR 17 – MCBRIDE ON BEHALF OF ALL SENATORS & REPRESENTATIVE GILLIGAN ON BEHALF OF ALL REPRESENTATIVES - Honoring Delaware Public Defender Lawrence M. Sullivan as He Prepares to Retire from the Position He has Held Ably and Well for Nearly Four Decades.  
Consent Calendar # 9 was adopted by voice vote and HR 24, HR 25 & HR 26 were declared passed and SCR 17 was returned to the Senate.

The Majority Leader moved to adjourn at 2:08 p.m., thereby ending the current Legislative Day. The House reconvened at 2:09 p.m.

32nd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session  
June 4, 2009

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Plant - 1.

A prayer was offered by Representative Earl G. Jaques, Twenty-Seventh Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

HB 188 – BRADY & REPRESENTATIVE MIRO & REPRESENTATIVE HUDSON & SENATOR ENNIS; REPRESENTATIVES MITCHELL, B. SHORT, VIOLA - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Lodging Tax. (3/5 bill)


HB 190 – BARBIERI & SENATOR HALL-LONG; REPRESENTATIVES M. MARSHALL, SCHWARTZKOPF, SCOTT; SENATOR HENRY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to Drug Testing of Employees of the Department of Services for Children, Youth and Their Families


HA 1 to HB 159 - BOOTH - Placed with the Bill.
HA 1 to HB 164 - MITCHELL - Placed with the Bill.
HA 1 to HB 172 - RAMONE - Placed with the Bill.
HA 2 to HCR 2 - KOWALKO - Placed with the Bill.


SB 72 – MCBRIDE & REPRESENTATIVE MULROONEY; SENATORS BUNTING, VENABLES, CONNOR; REPRESENTATIVES Q. JOHNSON, OUTTEN, THORNBURG, WALLS, CAREY, HOCKER - NATURAL RESOURCES - An Act to Amend Title 26, Chapter 13 of the Delaware Code Relating to Public Utilities, Gas, Water and Oil Corporations.


Representative Schwartzkopf requested and was granted privilege of the floor for Sudi Green, Youth Governor, Youth In Government, YMCA of Delaware, who addressed the House.

Representative Viola introduced HB 193, jointly sponsored by Senator DeLuca.

HB 193 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO PURCHASING, RECEIVING, STORING, AND SELLING WINE AND BEER IN GROCERY STORES. (3/5 bill)

TO: Rep. Robert F. Gilligan
    Speaker of the House
CC: Rich Puffer
    Chief Clerk
FROM: Rep. Hazel D. Plant
DATE: June 4, 2009
RE: Absence from session

I was unable to attend session on Tuesday, June 2nd and Wednesday June 3rd and will not be attending session today due to medical reasons.

The Chief Clerk read the following committee report into the record:

JUDICIARY: HS 1 for HB 169 – 8M.
Representative Kovach requested and was granted personal privilege of the floor to introduce a guest. Mr. Speaker Gilligan made an announcement.
Representative Viola introduced HB 193, jointly sponsored by Senator DeLuca.

MEMORANDUM
Mr. Speaker Gilligan assigned HB 193 to the Revenue & Finance Committee. Representative Schwartzkopf deferred to Representative Schooley.


**HB 119** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE WITH RESPECT TO PUBLIC EDUCATION.

Mr. Speaker Gilligan assigned HS 1 for HB 119 to the Education Committee. Representative Schooley made comments. The Majority Leader moved to recess for caucus at 2:30 p.m. The House reconvened at 4:44 p.m. Representative Schwartzkopf introduced HB 194, jointly sponsored by Senator Venables & Representatives Atkins, Booth, Hudson, Lavelle, Longhurst & B. Short & Senator Sokola.

**HB 194** - AN ACT TO AMEND TITLES 3 AND 29 OF THE DELAWARE CODE RELATING TO THE LICENSING OF VENUES WHICH DID NOT CONDUCT HARNESS RACING DURING 1992 AS VIDEO LOTTERY AGENTS.

Mr. Speaker Gilligan assigned HB 194 to the Gaming & Parimutuels Committee. Representative Schwartzkopf deferred to Representative Carson. Representative Carson made a comment. Representative Carlson brought SB 78, jointly sponsored by Senator Katz, before the House for consideration.

**SB 78** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE.

Representative Carson made comments. Representatives Oberle, Keeley, Lavelle & Atkins requested that they be marked present. Mr. Speaker Gilligan made an announcement.

The roll call on SB 78 was taken and revealed:

YES: 39.
ABSENT: Representatives Cathcart & Plant - 2.
Therefore, having received a constitutional majority, SB 78 was returned to the Senate. Representative Schwartzkopf deferred to Representative Barbieri. Representative Barbieri brought SB 79, sponsored by Senator Katz & Representative Bennett, before the House for consideration.

**SB 79** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE.

Representative Barbieri made comments. The roll call on SB 79 was taken and revealed:

YES: 38.
ABSENT: Representatives Cathcart, Plant & Viola - 3.
Therefore, having received a constitutional majority, SB 79 was returned to the Senate. Representative Schwartzkopf deferred to Representative J. Johnson. Representative J. Johnson requested that action on HB 163, HB 36, HB 37 & HB 39 be deferred to a Day Certain, Tuesday, June 9, 2009. Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst brought HB 165, jointly sponsored by Senator Blevins & Representatives Barbieri, Bennett, Carson, Hudson, M. Marshall, Mitchell, Schooley, Schwartzkopf, Scott & D. Short & Senator Hall-Long, before the House for consideration.

**HB 165** - AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE RELATING TO THE ADULT ABUSE REGISTRY.

Representative Longhurst introduced and brought HA 1 to HB 165 before the House for consideration. Representative Longhurst made comments. HA 1 was adopted by voice vote. Representative Longhurst made comments.

The roll call on HB 165 w/HA 1 was taken and revealed:

YES: 39.
ABSENT: Representatives Cathcart & Plant - 2.
Therefore, having received a constitutional majority, HB 165 w/ HA 1 was sent to the Senate for concurrence.

HB 133 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE PERTAINING TO COMPENSATION FOR INNOCENT VICTIMS OF CRIME. (F/N)
Representatives D.P. Williams & Thornburg made comments. The roll call on HB 133 was taken and revealed:
YES: 39.
ABSENT: Representatives Cathcart & Plant - 2.
Therefore, having received a constitutional majority, HB 133 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Kowalko. Representative Kowalko brought SB 39, jointly sponsored by Senator McBride & Senator Sokola, before the House for consideration.
SB 39 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE DELAWARE PROFESSIONAL ENGINEERS ACT.
Representative Kowalko made comments. The roll call on SB 39 was taken and revealed:
YES: 39.
ABSENT: Representatives Cathcart & Plant - 2.
Therefore, having received a constitutional majority, SB 39 was returned to the Senate.
HB 174 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE RECORDATION OF INSTRUMENTS.
Representative Scott made comments. Representative Scott introduced and brought HA 1 to HB 174 before the House for consideration. Representative Scott made comments. HA 1 was adopted by voice vote. Representative Scott made comments.
The roll call on HB 174 w/HA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Cathcart & Plant - 2.
Therefore, having received a constitutional majority, HB 174 w/HA 1 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri brought HB 181, jointly sponsored by Senator Blevins & Representative Hudson & Senator Sorensen, before the House for consideration.
HB 181 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES & CRIMINAL PROCEDURE
Representative Barbieri made comments. The roll call on HB 181 was taken and revealed:
YES: 39.
ABSENT: Representatives Cathcart & Plant - 2.
Therefore, having received a constitutional majority, HB 181 was sent to the Senate for concurrence.
HB 151 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO ABOLOISHING JURY COMMISSIONERS.
Representative M. Marshall introduced and brought HA 1 to HB 151 before the House for consideration. Representative M. Marshall made comments. HA 1 was adopted by voice vote. The roll call on HB 151 w/HA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Cathcart, Plant - 2.
Therefore, having received a constitutional majority, HB 151 w/HA 1 was sent to the Senate for concurrence.
Representative Schwartzkopf brought Consent Agenda A, which requires a two-thirds vote, before the House for consideration.
HB 166 – HOCKER & SENATOR BUNTING – An Act to Amend Chapter 65, Volume 295, Laws of Delaware, an Act to Reincorporate the Town of Bethany Beach Regarding the Referendum Power, and to Allow Natural Persons Holding Title to Real Estate as Trustee, and the Spouses of Persons who Hold Title to Real Estate (Either in Their Own Name or as Trustee), to Vote in Municipal Elections; and Placing a Limit on the Total Number of Persons who may Qualify to Vote as a “Nonresident Property Owner” to a Maximum of Eight Persons per Property. (2/3 bill)
HB 167 – HOCKER & SENATOR BUNTING – An Act to Amend Chapter 65, Volume 295, Laws of Delaware, An Act to Reincorporate the Town of Bethany Beach Regarding the Holding of the Town Council’s Organizational Meeting to be Consistent with the Provisions of 15 DEL.C. Chapter 75 (“Municipal Elections”). (2/3 bill)


HB 178 – HOCKER & SENATOR BUNTING – An Act to Amend Chapter 65, Volume 295, Laws of Delaware, Entitled Charter of the Town of Bethany Beach, Regarding Penalties for Violations of Town Ordinances, to Increase the Maximum Financial Penalty that may be Imposed to Eliminate Imprisonment as a Potential Sanction, and to Authorize the Town to Impose Civil Penalties as Well as Criminal Penalties. (2/3 bill)

HB 179 – WILSON & SENATOR ADAMS – An Act to Amend Chapter 237, Volume 51, Entitled An Act to Reincorporate the Town of Bridgeville Regarding Sewer and Water Main Improvements. (2/3 bill)

The roll call on Consent Agenda A was taken and revealed:
YES: 39.
ABSENT: Representatives Cathcart & Plant - 2.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 166, HB 167, HB 177, HB 178 & HB 179 were sent to the Senate for concurrence.

Representatives Hocker & Wilson made comments.
Representative Schwartzkopf deferred to Representative D.P. Williams.
Representative D.P. Williams introduced HB 195, jointly sponsored by Senator Henry & Representatives Gilligan & Schwartzkopf & Senator Katz.

HB 195 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PERSONAL ACTIONS.
Mr. Speaker Gilligan assigned HB 195 to the Health & Human Development Committee.

HB 196 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.
Mr. Speaker Gilligan assigned HB 196 to the Judiciary Committee.
Representative M. Marshall made an announcement.
Representative Schwartzkopf deferred to Representative D.E. Williams.
Representative D.E. Williams introduced HB 198, jointly sponsored by & Senator Katz & Representatives Bennett & cosponsored by Representatives Brady, Q. Johnson, Kowalko & Mitchell.

HB 198 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE.
Mr. Speaker Gilligan assigned HB 198 to the Housing & Community Affairs Committee.
Representatives Schwartzkopf & Brady & Mr. Speaker Gilligan made announcements.
Representative D. Short made comments.
The Chief Clerk read the following committee report into the record:
LABOR: HB 170 - 8M.
The Majority Leader moved to recess to the call of the Chair at 5:38 p.m.
Mr. Speaker Gilligan called the House to order at 2:02 p.m. on June 9, 2009.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 86, SCR 20 & SCR 19 and requests concurrence of the House and the Senate has passed HB 67 and is returning the same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST
I, Dennis P. Williams, do hereby request that my name be removed as co-sponsor of HB 193.
Date: 6/4/09
Signed: Dennis P. Williams

WITHDRAWAL OF SPONSORSHIP REQUEST
I, David Wilson, do hereby request that my name be removed as co-sponsor of HB 193.
Date: 6/4/09
Signed: David L. Wilson

WITHDRAWAL OF SPONSORSHIP REQUEST
I, Terry Schooley, do hereby request that my name be removed as co-sponsor of HB 193.
Date: 6/4/09
Signed: Terry Schooley

WITHDRAWAL OF SPONSORSHIP REQUEST
I, Gerald Hocker, do hereby request that my name be removed as co-sponsor of HB 193.
Date: 6/4/09
Signed: Gerald Hocker

WITHDRAWAL OF SPONSORSHIP REQUEST

95
I, John L. Mitchell, Jr., do hereby request that my name be removed as co-sponsor of HB 193.

Date: 6/4/09

Signed: John Mitchell

Representative Schwartzkopf deferred to Representative Scott.
Representative Scott introduced HB 205, jointly sponsored by Senator Bonini & Representatives Outten & Thornburg.

HB 205 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO REGIONAL PLANNING.

Mr. Speaker Gilligan assigned HB 205 to the Housing & Community Affairs Committee.
Representative Schwartzkopf deferred to Representative Schooler.

HB 199 – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO DEVELOPMENTAL SCREENING OF INFANTS AND TODDLERS.

Mr. Speaker Gilligan assigned HB 199 to the Health & Human Development Committee.
Representative Barbieri made an announcement.
Representative Schwartzkopf deferred to Representative Jaques.

HB 204 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF MURDER IN THE FIRST DEGREE AND THE CLASSIFICATION OF OFFENSES.

Mr. Speaker Gilligan assigned HB 204 to the Judiciary Committee.
Representative Jaques made comments regarding HB 204.
Representative M. Marshall made an announcement.
Representative Schwartzkopf deferred to Representative Bennett.

HB 206 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Mr. Speaker Gilligan assigned HB 206 to the Judiciary Committee.
Representative Booth requested that HB 69 be stricken.
Representative M. Marshall made an announcement.
Representative Schwartzkopf deferred to Representative Ramone.
Representative Ramone introduced HA 2 to HB 172. HA 2 was placed with the Bill.
Representative Ramone made comments.
Representative Schwartzkopf deferred to Representative Hooker.
Representative Hooker made comments.

HB 203 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DESIGNATING THE STRAWBERRY AS THE STATE FRUIT.

Mr. Speaker Gilligan assigned HB 203 to the Agriculture Committee.
Representative Brady made an announcement.
Representative Schwartzkopf deferred to Representative Brady.
Representative Brady introduced HB 197, jointly sponsored by Senator Ennis & Representative Mitchell.

HB 197 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLE SPEED MONITORING SYSTEMS.

Mr. Speaker Gilligan assigned HB 197 to the Public Safety & Homeland Security Committee.
Representative Walls made an announcement.
Representative Schwartzkopf deferred to Representative Longhurst.
Representative Longhurst introduced HB 208, jointly sponsored by Senator Ennis & Representatives Atkins & Schwartzkopf.

HB 208 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOMES.

Mr. Speaker Gilligan assigned HB 208 to the Manufactured Housing Committee.

**HB 200** - **AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES.**


**HB 207** - **AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SPECIAL LAW ENFORCEMENT ASSISTANCE FUND.**


**HB 209** – **AN ACT TO AMEND TITLES 9 AND 22 OF THE DELAWARE CODE RELATING TO COUNTIES AND MUNICIPALITIES.**

Mr. Speaker Gilligan assigned **HB 209** to the Housing & Community Affairs Committee. The Majority Leader moved to adjourn at 2:23 p.m., thereby ending the current Legislative Day. The House reconvened at 2:24 p.m.

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**33rd LEGISLATIVE DAY – 145th GENERAL ASSEMBLY - First Session**

**June 9, 2009**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Plant – 1.

A prayer was offered by Representative Deborah D. Hudson, Twelfth Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

**HB 201** – **VIOLA & REPRESENTATIVE MIRO & SENATOR HENRY; REPRESENTATIVES MITCHELL, SCHOOLEY, D.P. WILLIAMS, WILSON; SENATORS BONINI, SIMPSON - NATURAL RESOURCES - An Act to Amend Chapter 60, Title 7 of the Delaware Code Relating to Beverage Containers.**


**HA 2 to HB 160** - MITCHELL - Placed with the Bill.

**HA 1 to HB 175** – BRADY - Placed with the Bill.


The House observed a moment of silence in memory of Kelly Fritchman at the request of Representative Hocker. The House observed a moment of silence in memory of William J. McGowan, Jr. at the request of Representative Brady. Representative Lavelle requested that he be marked present.

The Reading Clerk read the following communications into the record:

**MEMORANDUM**

TO: Rep. Robert F. Gilligan
Speaker of the House

CC: Rich Puffer
Chief Clerk

FROM: Rep. Hazel D. Plant

DATE: June 9, 2009

RE: Absence from session

I will be unable to attend session on Tuesday, June 9, 2009 due to personal reasons.

Dear Friends in the Delaware House of Representatives,
Thank you very much for your memoriam to my husband, Nelson “Wayne” Cannon. He would be very honored to receive this tribute. I am sure he is looking down on us today and smiling.

Sincerely,
Barbara Cannon

Representative Schwartzkopf deferred to Representative Longhurst. Representatives Longhurst & Carey made comments. Representative Longhurst requested and was granted privilege of the floor for herself and Representative Carey to present a House tribute to Kayla Martell, who addressed the House. Representative Schwartzkopf requested and was granted privilege of the floor for Galen Giacone, Miss Delaware 2008, who presented her official portrait. The 2009 Miss Delaware contestants announced their names, titles & platforms for the record. Representatives Hocker & Atkins made comments. Representative Atkins introduced guests. Representative Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative Longhurst.


HB 117 - AN ACT TO AMEND TITLES 14 AND 15 OF THE DELAWARE CODE RELATING TO SCHOOL BOARDS AND SCHOOL BOARD ELECTIONS.

Representative Booth brought HA 1 to HB 117 before the House for consideration. Representatives Booth & Longhurst made comments. HA 1 was defeated by voice vote. Representative Lavelle brought HA 2 to HB 117 before the House for consideration. Representatives Lavelle & Kowalko made comments. Representative Hudson introduced and brought HA 1 to HA 2 to HB 117 before the House for consideration. Representative Hudson made comments. Representative Hudson moved to place HA 1 to HA 2 on the Speaker's Table. The motion was seconded by Representative Miro and adopted by voice vote. Representatives Lavelle, B. Short, Kowalko, Longhurst, Lavelle, B. Short, Kowalko & Manolakos made comments.

The roll call on HA 2 to HB 117 was taken and revealed:
NO: 26.
NOT VOTING: Representative Atkins - 1.
ABSENT: Representative Plant - 1.
Therefore, not having received a constitutional majority, HA 2 to HB 117 was declared defeated.

The roll call on HA 3 was taken and revealed:
NO: 24.
ABSENT: Representatives Keeley & Mulrooney - 1.
Therefore, not having received a constitutional majority, HA 3 to HB 117 was declared defeated.
Representative Hudson requested and was granted privilege of the floor for Ron Smith, House Attorney. Representative Hudson made comments. Representative Hudson introduced and brought HA 4 to HB 117 before the House for consideration. Representative Hudson & Longhurst made comments.

HA 4 was adopted by voice vote. Representatives Lavelle & Booth made comments. Representative Booth requested and was granted privilege of the floor for Susan Francis, Executive Director, Delaware School Boards Association. Representative Booth made comments. Representative Longhurst rose on a point of order. Mr. Speaker Gilligan concurred. Representatives Booth, Kowalko, Hudson & Longhurst made comments. Representative Booth rose on a point of order. Mr. Speaker Gilligan did not concur. Representatives Mitchell, Manolakos, Schooley, Kowalko & Longhurst made comments. Representative Kowalko requested and was granted personal privilege of the floor for Dan Curry, Superintendent, Lake Forest School District and President, Chief School Officers Association. Representative Kowalko made comments.

The roll call on HB 117 w/HA 4 was taken and revealed:
YES: 23.
Therefore, having received a constitutional majority, **HB 117 w/HA 4** was sent to the Senate for concurrence.

Representative Schwartzkopf made an announcement.


**HB 210** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO LICENSING FEES. (3/5 bill)

Mr. Speaker Gilligan assigned **HB 210** to the Revenue & Finance Committee.

Representative Schwartzkopf introduced **HB 211**, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson.

**HB 211** - AN ACT TO AMEND CHAPTER 53, TITLE 30 OF THE DELAWARE CODE RELATING TO THE LEVY, COLLECTION AND USE OF TOBACCO PRODUCT TAX REVENUE. (3/5 bill)

Mr. Speaker Gilligan assigned **HB 211** to the Revenue & Finance Committee.

Representative Schwartzkopf introduced **HB 212**, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson.

**HB 212** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO TAXES ON ALCOHOLIC BEVERAGES. (3/5 bill)

Mr. Speaker Gilligan assigned **HB 212** to the Revenue & Finance Committee.

Representative Schwartzkopf deferred to Representative Cathcart.


**HB 36** - AN ACT TO AMEND TITLES 16 AND 29 OF THE DELAWARE CODE RELATING TO NURSING FACILITIES AND SIMILAR FACILITIES.

Representatives Cathcart & J. Johnson made comments.

The roll call on **HB 36** was taken and revealed:

YES: 38.


Therefore, having received a constitutional majority, **HB 36** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Cathcart.


**HB 37** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE MENTAL HEALTH PATIENTS' BILL OF RIGHTS.

Representative Cathcart brought **HA 1 to HB 37** before the House for consideration. Representative Cathcart requested that **HA 1** be stricken. Representative Cathcart introduced and brought **HA 2 to HB 37** before the House for consideration. Representative Cathcart made comments.

**HA 2** was adopted by voice vote.

Representative Cathcart made comments.

The roll call on **HB 37 w/HA 2** was taken and revealed:

YES: 38.

ABSENT: Representatives Keeley, Lavelle & Plant - 3.

Therefore, having received a constitutional majority, **HB 37 w/HA 2** was sent to the Senate for concurrence.

Representative Cathcart made an announcement.

Representative Schwartzkopf deferred to Representative Cathcart.


**HB 39** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES.

Representative Cathcart made comments.

The roll call on **HB 39** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 39** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Cathcart.

HB 163 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ESTABLISHMENT OF A DEPARTMENT OF HEALTH AND SOCIAL SERVICES DEATH REVIEW COMMITTEE.

Representative Barbieri introduced and brought HA 1 to HB 163 before the House for consideration. Representatives Cathcart & Barbieri made comments. HA 1 was adopted by voice vote. Representative Cathcart made comments.

The roll call on HB 163 w/HA 1 was taken and revealed:
YES: 40,
ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, HB 163 w/HA 1 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Cathcart. Representative Cathcart requested that HB 34 be stricken. Representative Cathcart requested and was granted personal privilege of the floor to make comments. Mr. Speaker Gilligan made comments.

Representative Schwartzkopf deferred to Representative B. Short. Representative B. Short brought HB 149, jointly sponsored by Senator DeLuca & Representatives Bennett, Brady, Hocker, Hudson, Keeley, Lavelle, Ramone, Viola & Senators Adams, Bunting, Bonini, Cook, Katz & Sokola, before the House for consideration.

HB 149 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO COMPENSATION RECEIVED BY MORTGAGE LOAN BROKERS AND LICENSED LENDERS FOR MORTGAGE LOAN MODIFICATION SERVICES.

Representative B. Short made comments.

The roll call on HB 149 was taken and revealed:
YES: 39,
ABSENT: Representatives Keeley & Plant - 2.

Therefore, having received a constitutional majority, HB 149 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Brady. Representative Brady brought HB 175, jointly sponsored by Senator Hall-Long & Representatives Keeley, Lavelle, Oberle & Plant, before the House for consideration.

HB 175 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ASSESSMENT OF A PROSECUTION FEE.

Representative Brady brought HA 1 to HB 175 before the House for consideration. Representative Brady made a comment. HA 1 was adopted by voice vote. Representative Brady made comments.

The roll call on HB 175 w/HA 1 was taken and revealed:
YES: 40,
ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, HB 175 w/HA 1 was sent to the Senate for concurrence.


HB 176 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Representatives Brady, Mitchell, Lavelle, Kovach & Walls made comments.

The roll call on HB 176 was taken and revealed:
YES: 40,
ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, HB 176 was sent to the Senate for concurrence.

Representative Schwartzkopf made an announcement.

Representative Schwartzkopf deferred to Representative Hudson. Representative Hudson brought HB 92, jointly sponsored by Senator Blevins & Senator Henry & Senator Simpson, before the House for consideration.

HB 92 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL LICENSES AND FEES. (F/N)
Representative Hudson brought **HA 1 to HB 92** before the House for consideration. Representative Hudson made a comment. **HA 1** was adopted by voice vote. Representatives Hudson & J. Johnson made comments.

The roll call on **HB 92 w/HA 1** was taken and revealed:

- **YES:** 40.
- **ABSENT:** Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 92 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Manolakos.
Representative Manolakos introduced **HB 213**, jointly sponsored by Senator Sokola & Senator Peterson & Representatives Keeley, Hudson, Kovach, Miro & Outten.

**HB 213** - **AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO BUSINESS LICENSES.** (2/3 bill)

Mr. Speaker Gilligan assigned **HB 213** to the Economic Development/Banking/Insurance/Commerce Committee.

Representative Schwartzkopf deferred to Representative B. Short.
Representative B. Short requested that action on **HB 85** be Deferred to a Day Certain, Thursday, June 11, 2009.

Representative Schwartzkopf deferred to Representative Ramone.
Representative Ramone introduced **HB 214**, jointly sponsored by Senator Peterson.

**HB 214** - **AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY.**

Mr. Speaker Gilligan assigned **HB 214** to the House Administration Committee.

The Majority Leader moved to recess to the call of the Chair at 5:34 p.m.

Mr. Speaker Gilligan called the House to order at 2:03 p.m. on June 10, 2009.

The following prefiled legislation was introduced:

- **HA 1 to HB 156** - **M. MARSHALL** - Placed with the Bill.
- **HA 1 to HA 1 to HB 159** - **BOOTH** - Placed with the Bill.
- **HA 1 to HS 1 for HB 169** - **M. MARSHALL** - Placed with the Bill.
- **HA 1 to HB 183** - **M. MARSHALL** - Placed with the Bill.
- **HA 1 to HB 193** - **VIOLA** - Placed with the Bill.

**34th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – First Session**

The Chief Clerk called the roll:

Members Present: 41.

The House observed a moment of silence in memory of Reverend Chad Miller at the request of Representative Schooley.

A prayer was offered by Representative Teresa L. Schooley, Twenty-third Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

- **HA 1 to HB 156** - **M. MARSHALL** - Placed with the Bill.
- **HA 1 to HA 1 to HB 159** - **BOOTH** - Placed with the Bill.
- **HA 1 to HS 1 for HB 169** - **M. MARSHALL** - Placed with the Bill.
- **HA 1 to HB 183** - **M. MARSHALL** - Placed with the Bill.
- **HA 1 to HB 193** - **VIOLA** - Placed with the Bill.
SB 61 w/SA 2 – MCDOWELL & SENATOR HENRY & REPRESENTATIVE KOVACH & REPRESENTATIVE D.E. WILLIAMS; SENATOR KATZ; REPRESENTATIVES B. SHORT, LAVELLE - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Assaults.

SB 88 – DELUCA & REPRESENTATIVE B. SHORT; REPRESENTATIVES M. MARSHALL, KOVACH - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Titles 6 and 12 of the Delaware Code Relating to Transfers of Property and Fiduciary Relations.

SB 89 – DELUCA & REPRESENTATIVE B. SHORT; REPRESENTATIVES M. MARSHALL, KOVACH - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 12 with Respect to the Allocation of Principal and Income of Trusts, Decedents’ Estates and Other Fiduciary Accounts.


SB 101 – PETERSON & REPRESENTATIVE HUDSON; SENATORS BUNTING, BUSHWELLER, SORENSON; REPRESENTATIVES SCOTT, RAMONE, KOWALKO, MIRO, CARSON, MANOLAKOS - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Personal Actions.

Representatives Cathcart, D. Short, Johnson, Carson, Thornburg, Miro & Oberle requested that they be marked present.

The Reading Clerk read the following communications into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #20**

**DATE:** June 10, 2009

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>H145-403</td>
<td>Kovach</td>
<td>5/21/2009</td>
<td>T</td>
<td>Edward Mason - Eagle Scout</td>
</tr>
<tr>
<td>H145-404</td>
<td>Bennett</td>
<td>4/30/2009</td>
<td>T</td>
<td>Constance L. Stultz - Retirement - Department of State</td>
</tr>
<tr>
<td>H145-405</td>
<td>Schooley</td>
<td>5/6/2009</td>
<td>T</td>
<td>Nancy Neal - Woman of Year - UofD Women’s Club</td>
</tr>
<tr>
<td>H145-406</td>
<td>Kovach; B. Short</td>
<td>5/7/2009</td>
<td>T</td>
<td>Walt Borders - Cubmaster, Dedication and Leadership</td>
</tr>
<tr>
<td>H145-407</td>
<td>Kovach; Lavelle</td>
<td>5/7/2009</td>
<td>T</td>
<td>Vicki Hughes - Committee Chair, Pack 99 - Dedicated Service</td>
</tr>
<tr>
<td>H145-409</td>
<td>D. Short</td>
<td>5/16/2009</td>
<td>T</td>
<td>Blades Fire Company - 75th Anniversary</td>
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<tr>
<td>H145-413</td>
<td>Oberle</td>
<td>6/4/2009</td>
<td>T</td>
<td>Donald A. Steele, Jr. - Sterck School - Graduation</td>
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<tr>
<td>H145-418</td>
<td>Kovach</td>
<td>05/13/2009</td>
<td>T</td>
<td>Mariah Parker - Lion's Club Scholarship Winner</td>
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<td>H145-419</td>
<td>Kovach; B. Short</td>
<td>5/13/2009</td>
<td>T</td>
<td>Mairead Browne - Lion’s Club ScholarshipWinner</td>
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<td>H145-420</td>
<td>Kovach; Lavelle</td>
<td>5/13/2009</td>
<td>T</td>
<td>Caitlin Graf - Lion’s Club Scholarship Winner</td>
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<td>H145-421</td>
<td>Kovach</td>
<td>5/13/2009</td>
<td>T</td>
<td>Hannah Andersen - Lion’s Club Scholarship Winner</td>
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<td>H145-422</td>
<td>Kovach</td>
<td>5/13/2009</td>
<td>T</td>
<td>LaVon Johnson - Lion’s Club Scholarship Winner</td>
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**HOUSE TRIBUTE ANNOUNCEMENT #21**

**DATE:** June 10, 2009

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

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<th>Number</th>
<th>Sponsor</th>
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<th>Type</th>
<th>Description</th>
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<tr>
<td>H145-424</td>
<td>Schwartzkopf</td>
<td>5/11/2009</td>
<td>T</td>
<td>Dr. Harriet Smith Windsor - Retire - Secretary of State</td>
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<tr>
<td>H145-425</td>
<td>Outten</td>
<td>5/2/2009</td>
<td>M</td>
<td>Annie Elisabeth Brown</td>
</tr>
<tr>
<td>H145-426</td>
<td>Hocker</td>
<td>5/12/2009</td>
<td>T</td>
<td>Chief Michael Redmon - 20 Years – Bethany Police</td>
</tr>
</tbody>
</table>

102
H145-429 Atkins 5/16/2009 T Dale & Evelyn Short - 50th Wedding Anniversary
H145-430 Kovach 5/30/2009 T Martin Jose Martinez - Eagle Scout
H145-431 Scott 5/31/2009 T Jack Eanes - Retire - Deputy Director -Motor Vehicles
H145-433 Brady; Cathcart 5/8/2009 T Sergeant First Class Harry Grantland, Jr. - Retirement - Army National Guard
H145-434 Brady; Gilligan 5/8/2009 T Sergeant First Class Deane Cressman - Retirement - Army National Guard
H145-435 Gilligan 5/12/2009 T Elizabeth Pearce Quesenberry - Pearce Q. Foundation
H145-436 Scott 5/12/2009 T Del Tech Men's Lacrosse Team - Region Champions
H145-439 Outten; Walls 5/19/2009 T Dr. Judy Craig - Retirement - Lake Forest Schools
H145-440 Outten; Scott 5/19/2009 T Kathleen LaTourette - Retirement - Lake Forest Schools
H145-441 Carey; Outten; Atkins 6/19/2009 T Robert Egbert - Retirement - Lake Forest Schools
H145-442 Outten; Scott 5/19/2009 T Ruthann MacFarland - Retirement - Lake Forest Schools
H145-443 Outten; D. Short 5/19/2009 T Janet Blevins - Retirement - Lake Forest Schools
H145-444 Outten; Scott 5/19/2009 T Stephanie Collins - Retirement – Lake Forest Schools

T- Tribute
M – Memoriam
Representatives Booth, Hudson & Mitchell requested that they be marked present.
Representative Schwartzkopf brought the following prefiled Consent Calendar #10 before the House for consideration.

HCR 19 - Q. JOHNSON & SENATOR HALL-LONG & REPRESENTATIVES BARBIERI, BENNETT, CARSON, J. JOHNSON, SCOTT, B. SHORT, WALLS - Proclaiming the Month of October to be “Disability History and Awareness Month” and Encouraging All Delaware Schools to Provide Instruction and Events Related Thereto.

SCR 19 – ADAMS & SENATORS BUNTING & SIMPSON & REPRESENTATIVES SCHOOLEY & D. SHORT - Encouraging All Delaware Public and Private Schools to Increase the Amount of Physical Activity for Students in Order to Decrease Obesity and Improve the Health of Delaware's Young People.

SCR 20 – HENRY & REPRESENTATIVE MITCHELL - Recognizing the Month of June, 2009, as Amateur Radio Month in the State of Delaware.

Consent Calendar # 10 was adopted by voice vote and HCR 19 was sent to the Senate for concurrence and SCR 19 & SCR 20 were returned to the Senate.
Representative Q. Johnson requested and was granted personal privilege of the floor to make comments regarding HCR 19.
Representative Schwartzkopf deferred to Representative Mitchell. Representative Kovach requested that he be marked present. Representative Mitchell requested and was granted privilege of the floor for himself and Representative Keeley to present a House Tribute to Mr. James F. Keeley on the occasion of his 80th birthday. Mr. Keeley addressed the House. Representatives Brady, Longhurst, Keeley & Mulrooney made comments. Representatives Manolakos & Wilson requested that they be marked present. Representative Schwartzkopf made comments.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:23 p.m.
Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following members were marked present by the Chief Clerk after the House recessed at 2:23 p.m.: Representatives Lee, M. Marshall & D.P. Williams.
Mr. Speaker Gilligan called the House to order at 2:04 p.m. on June 11, 2009.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 102 & SB 156 and requests the concurrence of the House and the Senate has passed HB 76, HS 1 for HB 21 & HB 109 w/HA 1 and is returning same to the House.
Representative Schwartzkopf made comments. Representative Schwartzkopf requested and was granted privilege of the floor for himself and Representative Kovach to welcome Eagle Scouts who announced their names, troops and home towns for the record.
Representatives Kovach & Brady made comments.
The Chief Clerk read the following committee reports into the record:
MANUFACTURED HOUSING: HB 105 - 4F; HB 200 - 4F; HB 208 - 2F, 1M.
POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: SB 47 w/SA 1 - 3F, 1M; SB 48 - 2F, 2M.
JUDICIARY: HB 171 - 5M; HB 196 - 6M,1U; HB 204 - 8M; HB 206 - 8M; SB 36 - 8M; SB 37 - 7M; SB 82 - 8M; SB 83 - 8M; SB 84 - 2M,5U.
AGRICULTURE: HB 192 - 1F, 5M; HB 203 - 4F, 2M.
PUBLIC SAFETY & HOMELAND SECURITY: HB 197 - 2F, 3M, 3U; HB 207 - 9M.
EDUCATION: HS 1 for HB 119 - 1F, 11M; HB 157 - 3F, 7M
HEALTH & HUMAN DEVELOPMENT: HB 139 - 11M; HB 184 - 2F, 8M; HB 190 - 8M; HB 199 - 3F, 8M; SB 65 w/SA 2 - 9M; HB 38 - 11M.
NATURAL RESOURCES: SB 72 - 7M.
HOUSING & COMMUNITY AFFAIRS: HB 198 - 5F,3M; HB 205 - 1F,6M; HB 209 - 3F,4M; SB 77 - 4F,3M.
REVENUE & FINANCE: HB 97 - 3F,6M; HB 138 - 2F,6M; HB 210 - 5M,3U; HB 211 - 6M,2U; HB 212 - 4M,3U.
ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: HB 148 - 7F; HB 202 - 7F.

Mr. Speaker Gilligan made an announcement and introduced a guest. Representatives Carey, B. Short & J. Johnson requested and were granted personal privilege of the floor to introduce guests. Representative Lavelle made a comment.
Representative Schwartzkopf deferred to Representative Walls. Representative Walls introduced HB 216 jointly sponsored by Senator Bunting & Representatives Atkins, Bennett, Booth, Carson, Mulrooney & Oberle & Senator Ennis.
HB 216 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING & FISHING LICENSES
Mr. Speaker Gilligan assigned HB 216 to the Natural Resources Committee.
The Majority Leader moved to adjourn at 2:17 p.m., thereby ending the current Legislative Day. The House reconvened at 2:18 p.m.

35th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – First Session
June 11, 2009

The Chief Clerk called the roll.
Members Present: 40.
Members Absent: Representatives Schooley - 1.
A prayer was offered by Representative Joseph E. Miro, Twenty-second Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
Representatives Cathcart & Keeley requested that they be marked present.
The following prefilled legislation was introduced:
SB 156 – M. MARSHALL; SENATOR VENABLES; REPRESENTATIVES B. SHORT, JAQUES, OBERLE; SENATOR CLOUTIER - LABOR - An Act to Amend Chapter 33, Title 19 of the Delaware Code Relating to Unemployment Compensation.
Representative Schwartzkopf requested and was granted personal privilege of the floor for himself, Chiefs of Police and law enforcement officers involved in the Special Olympics Torch Run. Retired Captain John M. Miller, Special Olympics State Director, addressed the House. Representative Jaques requested and was granted personal privilege of the floor to make comments. Representatives Lavelle & Schwartzkopf made comments. Representative Q. Johnson requested and was granted personal privilege of the floor to introduce guests. The Providence Creek Academy Percussion Ensemble performed and the students announced their names and grades for the record.
Representative Schwartzkopf introduced HR 27 jointly sponsored by Representative Gilligan & Representative Cathcart & Representative Longhurst & Representative D. Short on behalf of All Representatives

WHEREAS, it is a well known fact that without the dedicated, hard working staff of the Delaware House of Representatives, legislators would be like sports bookies without the goons that help them collect; and
WHEREAS. whether it is helping legislators find their lost items (couch, bible, coat rack) or trying not to laugh when some of those same legislators accidently stumbled into the wrong office during the great office transition, the devoted legislative staff always knows how to make their bosses look good; and

WHEREAS, the legislative staff could even start up a successful office moving, décor, and cleaning company after all their work earlier this year, and then they wouldn’t have to mutter under their breath that none of that is in their job description; and

WHEREAS, each and every staff member truly has the state’s interests at heart, even if it means pretending when talking to other state employees that an 8 percent pay cut really wouldn’t be that bad; and

WHEREAS, as if the budget deficit wasn’t depressing enough, legislative staffers have to constantly hear from legislators and lobbyists alike about how fun Legislative Hall was back when the state had money; and

WHEREAS, legislative staff are perhaps the only people in Delaware who curse the plethora of free food in the building because of what it does to their waistlines, and then turn right around and complain that no one is providing lunch that day; and

WHEREAS, the legislative staff would collectively like to thank the representatives for having the uncanny insight to know that they would much rather have this appreciation day instead of a pay raise; and

WHEREAS, the legislative staff is such an integral part of the legislative process that this resolution would not be possible without them.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware that we hereby extend our deepest, most sincere, most heartfelt, almost to the point of tears, gratitude for all of the hard work and dedication by our loyal legislative staff.

BE IT FURTHER RESOLVED that a suitably prepared copy of this resolution NOT be prepared for our dedicated staff because that would be too much work.

Representatives Schwartzkopf, Cathcart & Mr. Speaker Gilligan made comments.

HR 27 was adopted by voice vote.

Representative Schwartzkopf made an announcement. Representative Lavelle requested that he be marked present. Mr. Speaker Gilligan made an announcement. Representative M. Marshall requested that HB 171 be stricken. Representative J. Johnson requested and was granted personal privilege of the floor to introduce a guest.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: Rep. Robert F. Gilligan
    Speaker of the House

CC: Richard Puffer

FROM: Rep. Teresa L. Schooley

DATE: June 11, 2009

RE: Absence from session

I will be unable to attend today’s session because of a family obligation.

The Majority Leader moved to recess for caucus at 2:50 p.m.

The House reconvened at 5:24 p.m.

Representatives Blakey, Mulrooney & Plant requested that they be marked present. The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SCR 23 and requests the concurrence of the House. The Senate has passed SB 138 w/SA 2, & SS 1 for SB 35 w/SA 1 and the Senate has passed HB 112 w/HA 1 and is returning the same to the House.

The Senate wishes to inform the House that it has passed HB 135 w/HA 1 & SA 1 and is returning same to the House and the Senate wishes to inform the House that it has passed SB 140 and requests the concurrence of the House and the Senate has passed SB 139, SB 73, SB 111, SB 116 & SB 117 and requests the concurrence of the House.

Representatives D.P. Williams & Oberle requested that they be marked present.

Mr. Speaker Gilligan declared a recess at 5:30 p.m. The House reconvened at 5:37 p.m.

Representative Schwartzkopf deferred to Representative Bennett.


HB 218 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO DELAWARE COUNTY AND MUNICIPAL POLICE/FIREFIGHTER PENSION PLAN.

Mr. Speaker Gilligan assigned HB 218 to the Public Safety & Homeland Security Committee.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with introduction of and action on SB 148. The motion was seconded by Representative J. Johnson and adopted by voice vote.
Representative Keeley introduced and brought **SB 148**, jointly sponsored by Senators Venables, Blevins, Cook, McDowell, Simpson & Sorenson & Representatives Mulrooney, Schooley, Viola, Carey & Oberle, before the House for consideration.

**SB 148** – AN ACT REVERTING CERTAIN FUNDS OF THE STATE AND DEPOSITING CERTAIN FUNDS OF THE STATE TO THE GENERAL FUND.

Representatives Keeley & Oberle made comments.

The roll call on **SB 148** was taken and revealed:

YES: 38.

ABSENT: Representatives Kovach, Schooley & Walls - 3.

Therefore, having received a constitutional majority, **SB 148** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell moved to suspend the rules which interfere with action on **HB 207**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Mitchell brought **HB 207**, jointly sponsored by Representative D. P. Williams & Representative Schwartzkopf & Senator Ennis & cosponsored by Representaties Atkins, Barbieri, Booth, Carey, Cathcart, Hudson, Jaques, J. Johnson, Q. Johnson, Kovach, Lee, Manolakos, Miro, Outten, Plant, Ramone, B. Short, D. Short, D.E. Williams & Wilson, before the House for consideration.

**HB 207** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SPECIAL LAW ENFORCEMENT ASSISTANCE FUND.

Representatives Mitchell & D.P. Williams made comments.

The roll call on **HB 207** was taken and revealed:

YES: 39.

ABSENT: Representatives Schooley & Walls - 2.

Therefore, having received a constitutional majority, **HB 207** was sent to the Senate for concurrence.

Representative Mitchell made an announcement.

Representative Schwartzkopf brought **Consent Agenda B** before the House for consideration.

**HB 150** – MITCHELL & SENATOR BUSHWELLER - An Act to Amend Title 10 of the Delaware Code Relating to the Qualifications and Training of Constables.


**SB 36** – ADAMS & REPRESENTATIVE M. MARSHALL & SENATORS DELUCA, MARSHALL & SIMPSON - An Act to Amend Title 10 of the Delaware Code Relating to Procedures Applicable to Trespass, Replevin, and Detinue Claims in the Justice of the Peace Court.

**SB 82** – DELUCA & REPRESENTATIVE M. MARSHALL - An Act to Amend Chapter 18, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Liability Companies and the Registration and Regulation of Foreign Limited Liability Companies.

**SB 83** – DELUCA & REPRESENTATIVE M. MARSHALL - An Act to Amend Chapter 15, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation, And Dissolution of Domestic Partnerships and the Registration and Regulation of Foreign Limited Liability Partnerships.

The roll call on **Consent Agenda B** was taken and revealed:

YES: 38.

ABSENT: Representatives Plant, Schooley & Walls – 3.

Therefore, having received a constitutional majority, **HB 150 & HB 186** were sent to the Senate for concurrence and **SB 36, SB 82 & SB 83** were returned to the Senate.

Representative Schwartzkopf deferred to Representative Jaques.


**HB 204** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIME OF MURDER IN THE FIRST DEGREE AND THE CLASSIFICATION OF OFFENSES.

Representative Jaques introduced and brought **HA 1 to HB 204** before the House for consideration.

Representative Jaques made a comment. **HA 1** was adopted by voice vote. Representatives Jaques & Cathcart made comments.

The roll call on **HB 204 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Schooley & Walls - 2.

Therefore, having received a constitutional majority, **HB 204 w/HA 1** was sent to the Senate for concurrence.

Representative Jaques requested and was granted personal privilege of the floor for himself, Representative Cathcart and Representative Longhurst to introduce guests and to make a presentation.
Representative Schwartzkopf deferred to Representative Q. Johnson. Representative Q. Johnson brought HB 154, jointly sponsored by Representatives Bennett & Keeley & Senator Hall-Long & cosponsored by Representative Carson, before the House for consideration.

**HB 154 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE.**

Representative Q. Johnson brought HA 1 to HB 154 before the House for consideration. Representative Q. Johnson made comments. HA 1 was adopted by voice vote. Representative Q. Johnson made comments.

The roll call on HB 154 w/HA 1 was taken and revealed:
- **YES:** 39.
- **ABSENT:** Representatives Schooley & Walls - 2.

Therefore, having received a constitutional majority, HB 154 w/HA 1 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative D. Short. Representative D. Short brought HB 85, jointly sponsored by & Representative B. Short & Senator Blevins & Representatives Barbieri, Bennett, Carey, Hocker, Hudson, Q. Johnson, Lavelle, Kovach, Miro, Outten, Ramone, Walls & Wilson & Senators Bunting, Ennis, Venables & Simpson, before the House for consideration.

**HB 85 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SMALL EMPLOYER HEALTH INSURANCE.**

Representative D. Short made comments. Representative D. Short brought HA 1 to HB 85 before the House for consideration. Representative D. Short made comments. HA 1 was adopted by voice vote. Representatives D. Short, B. Short, Kovach & Q. Johnson made comments.

The roll call on HB 85 w/HA 1 was taken and revealed:
- **YES:** 39.
- **ABSENT:** Representatives Schooley & Walls - 2.

Therefore, having received a constitutional majority, HB 85 w/HA 1 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative J. Johnson. Representative J. Johnson brought HB 98, jointly sponsored by Representative Brady & Senator McDowell & Senators Ennis, Hall-Long & Henry, before the House for consideration.

**HB 98 - AN ACT TO AMEND THE CITY OF WILMINGTON'S HOME RULE CHARTER TO RELATING TO THE DEPARTMENT OF PERSONNEL, PERSONNEL DIRECTOR AND PERSONNEL CODE. (2/3 bill)**

Representative J. Johnson made a comment. The roll call on HB 98 was taken and revealed:
- **YES:** 39.
- **ABSENT:** Representatives Schooley & Walls - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 98 was sent to the Senate for concurrence.


**HB 160 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS’ LICENSES AND IDENTIFICATION CARDS. (2/3 bill)**

Representative Mitchell brought HA 1 to HB 160 before the House for consideration. Representative Mitchell made a comment. HA 1 was adopted by voice vote. Representative Mitchell brought HA 2 to HB 160 before the House for consideration. Representative Mitchell made a comment. HA 2 was adopted by voice vote. Representative Mitchell made comments.

The roll call on HB 160 w/HA 1 & 2 was taken and revealed:
- **YES:** 39.
- **ABSENT:** Representatives Schooley & Walls - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 160 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell brought HB 161, jointly sponsored by Senator Bushweller & Representative Brady & Senator Henry, before the House for consideration.

**HB 161 - AN ACT TO AMEND TITLES 2 AND TITLE 21 OF THE DELAWARE CODE RELATING TO PUBLIC CARRIERS. (3/5 bill) (F/I)**

Representative Mitchell made comments. The roll call on HB 161 was taken and revealed:
- **YES:** 39.
- **ABSENT:** Representatives Schooley & Walls - 2.
Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 161 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.
Representative Mitchell brought HB 164, jointly sponsored by Senator Adams & Representatives Booth, Gilligan, Hocker, Jaques, J. Johnson, Lee, Mulrooney, Outten, Ramone, Schwartzkopf & D. Short, before the House for consideration.

**HB 164 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS, SECON DHAND DEALERS, SCRAP METAL PROCESSORS AND JUNK DEALERS.**

Representative Mitchell brought HA 1 to HB 164 before the House for consideration.
Representative Mitchell & Cathcart made comments. HA 1 was adopted by voice vote.
Representatives Mitchell & Cathcart made comments. Representative Mitchell requested and was granted privilege of the floor for Peggy Anderson representing the Detective Licensing Division, Delaware State Police. Representatives Cathcart, Kovach & Mitchell made comments.
The roll call on HB 164 w/HA 1 was taken and revealed:
YES: 29.
NO: Representatives Atkins, Carey, Cathcart, J. Johnson, Lavelle, Manolakos, Mulrooney, Oberle & B. Short - 9.
NOT VOTING: Representative Blakey - 1.
ABSENT: Representatives Schooley & Walls - 2.
Therefore, having received a constitutional majority, HB 164 w/HA 1 was sent to the Senate for concurrence.

Representative M. Marshall brought HS 1 for HB 169, jointly sponsored by Senator McDowell & Senator Venables & Representatives Bennett, J. Johnson, Keeley, Kovach, Kowalko, Mulrooney, Plant, Schooley & B. Short, before the House for consideration.

**HB 169 - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO RECORDS OF ARREST AND PROSECUTION.**

Representative M. Marshall made comments. Representative M. Marshall brought HA 1 to HS 1 for HB 169 before the House for consideration. Representative M. Marshall made comments. HA 1 was adopted by voice vote. Representative Kovach made comments. Representative M. Marshall requested and was granted privilege of the floor for Meredith Stewart, House Attorney.
The roll call on HS 1 for HB 169 w/HA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Schooley & Walls - 2.
Therefore, having received a constitutional majority, HS 1 for HB 169 w/HA 1 was sent to the Senate for concurrence.

Representative Lavelle requested and was granted personal privilege of the floor to make comments. Representative Schwartzkopf deferred to Representative Keeley. Representative Keeley requested and was granted personal privilege of the floor to introduce guests. Representatives Booth, Cathcart & Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative Brady.
Representative Brady brought HB 143, jointly sponsored by Representatives Atkins, Bennett, Keeley & B. Short & Senator Hall-Long, before the House for consideration.

**HB 143 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ASSESSMENT OF AN ADMINISTRATIVE FEE. (3/5 bill)**

Representative Brady introduced and brought HA 1 to HB 143 before the House for consideration. Representative Brady made a comment. HA 1 was adopted by voice vote. Representative Brady made comments.
The roll call on HB 143 w/HA 1 was taken and revealed:
YES: 38.
ABSENT: Representatives Keeley, Schooley & Walls - 3.
Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 143 w/HA 1 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.
Representative B. Short brought HB 202, jointly sponsored by Senator McDowell & Representatives Bennett, Carson, Ramone & D. Short & Senator Cloutier, before the House for consideration.

**HB 202 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE DELAWARE LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION.**

Representative B. Short made comments.
The roll call on HB 202 was taken and revealed:
YES: 35.
ABSENT: Representatives Hudson, Kovach, Manolakos, Ramone, Schooley & Walls - 6.
Therefore, having received a constitutional majority, HB 202 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Mitchell.
Representative Mitchell brought HB 113, jointly sponsored by Senator Bushweller & Representative Carson & Senators Blevins & Ennis, before the House for consideration.

HB 113 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.
Representative Mitchell made comments.
The roll call on HB 113 was taken and revealed:
YES: 36.
ABSENT: Representatives Atkins, Cathcart, Miro, Schooley & Walls - 5.
Therefore, having received a constitutional majority, HB 113 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Kowalko.
Representative Kowalko brought SB 65 w/SA 2, jointly sponsored by Senator Hall-Long & Senator Blevins & Senator Ennis & Representatives Carson, B. Short, Mulrooney, Jaques, Viola, M. Marshall, Q. Johnson, Oberle, Lavelle & Keeley and cosponsored by Representative Scott, before the House for consideration.

SB 65 – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO DENTAL INSURANCE AND CHILDREN WITH SEVERE DISABILITIES.
Representative Kowalko made comments.
The roll call on SB 65 w/SA 2 was taken and revealed:
YES: 38.
ABSENT: Representatives Blakey, Schooley & Walls - 3.
Therefore, having received a constitutional majority, SB 65 w/SA 2 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Ramone.
Representative Ramone brought HB 172, jointly sponsored by Representative Keeley & Senator Peterson & Senator Sokola & Representatives D. Short, Booth, Hudson, Kovach & Lavelle & Senators Sorenson, Bonini & Cloutier, before the House for consideration.

HB 172 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DISCLOSURE OF COUNCIL OR BOARD MEMBERSHIP.
Representative Ramone brought HA 1 to HB 172 before the House for consideration.
Representatives Ramone, Jaques & D.E. Williams made comments. HA 1 was adopted by voice vote.
Representative Ramone brought HA 2 to HB 172 before the House for consideration. Representatives Schwartzkopf & Ramone made comments. HA 2 was adopted by voice vote. Representatives Ramone, Atkins, Q. Johnson, J. Johnson, D.E. Williams, Ramone, Carson, Jaques, Schwartzkopf & Keeley made comments.
The roll call on HB 172 w/HA 1 & 2 was taken and revealed:
YES: 39.
ABSENT: Representatives Schooley & Walls - 2.
Therefore, having received a constitutional majority, HB 172 w/HA 1 & 2 was sent to the Senate for concurrence.
Representative M. Marshall introduced HB 220, jointly sponsored by Senator Cook & Representative Kovach & Senator Ennis

HB 220 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEE BENEFITS COMMITTEE.
Mr. Speaker Gilligan assigned HB 220 to the House Administration Committee.
Representative Schwartzkopf made an announcement.
Representative Schwartzkopf deferred to Representative Q. Johnson.
Representative Q. Johnson introduced HB 219, jointly sponsored by Senator Ennis & Representatives Cathcart, Manolakos, Miro, Ramone & D. Short

HB 219 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE STATE PUBLIC ASSISTANCE CODE.
Mr. Speaker Gilligan assigned HB 219 to the Health & Human Development Committee.
Representative Barbieri made an announcement.
The Majority Leader moved to recess to the call of the Chair at 7:27 p.m.
Mr. Speaker Gilligan called the House to order at 2:04 p.m. on June 16, 2009.
The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: Richard L. Puffer
Chief Clerk of the House
FROM: Joseph E. Miro
State Representative
22nd District
DATE: June 11, 2009
RE: Withdrawal of Sponsorship – House Bill 193
I request my name be withdrawn as a Sponsor of House Bill 193.

Thank you for your attention to this request.

Representative Schwartzkopf deferred to Representative J. Johnson.
Representative J. Johnson introduced **HB 225**, jointly sponsored by Senator Ennis.

**HB 225** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS.

Mr. Speaker Gilligan assigned **HB 225** to the Corrections Committee.
Representative J. Johnson made an announcement.
Representative Schwartzkopf deferred to Representative Kowalko.

**HB 227** – AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ARCHITECTURE.

Mr. Speaker Gilligan assigned **HB 227** to the Policy Analysis & Government Accountability Committee.
Representative Kowalko made an announcement.
Representative Schwartzkopf deferred to Representative Scott.
Representative Scott introduced **HB 229**, jointly sponsored by Representative D.P. Williams & Senator Peterson & Representatives Kowalko & Mitchell & Senator Sokola.

**HB 229** – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (2/3 bill)

Mr. Speaker Gilligan assigned **HB 229** to the Public Safety & Homeland Security Committee.

**HB 230** – AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO LABOR.

Mr. Speaker Gilligan assigned **HB 230** to the Labor Committee.
Representative Schwartzkopf deferred to Representative Mitchell.
Representative Mitchell introduced **HB 226**, jointly sponsored by Senator Bushweller & Representative Barbieri & Senator Blevins.

**HB 226** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE.

Mr. Speaker Gilligan assigned **HB 226** to the Public Safety & Homeland Security Committee.
Representative Mitchell made announcements.
Mr. Speaker Gilligan reassigned **HB 230** to the House Administration Committee.
The Majority Leader moved to adjourn at 2:13 p.m., thereby ending the current Legislative Day. The House reconvened at 2:14 p.m.

**36th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session**

**June 16, 2009**

The Chief Clerk called the roll:
Members present: 41.

A prayer was offered by Representative B. Short, Seventh Representative District.
Jake Buchler, Boys State Speaker, led those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.
The following prefiled legislation was introduced:

**HB 217** – OBERLE & SENATOR DELUCA - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Littering on or Alongside a Highway.

**HB 221** – KEELEY & SENATOR MCDOWELL; REPRESENTATIVES CARSON, MANOLAKOS, RAMONE, VIOLA; SENATOR HALL-LONG - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to Credit Services Organizations.


HB 229 – SCOTT & REPRESENTATIVE D.P. WILLIAMS & SENATOR PETERSON; REPRESENTATIVES KOWALKO, MITCHELL; SENATOR SOKOLA - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road. (2/3 bill)

HA 1 to HS 1 for HB 119 – SCHOOLEY – Placed with the Bill.
HA 2 to HB 159 - BOOTH - Placed with the Bill.
HA 1 to HB 211 - HUDSON - Placed with the Bill.
HA 2 to HB 211 – HUDSON & REPRESENTATIVE D. SHORT & REPRESENTATIVE MIRO - Placed with the Bill.


SB 111 – DELUCA & REPRESENTATIVE B. SHORT; SENATOR KATZ; REPRESENTATIVES BRADY, HUDSON, LAVALLE, VIOLA - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Notaries Public. (3/5 bill)


SB 138 w/SA 2 - HALL-LONG & REPRESENTATIVE BARBIERI & REPRESENTATIVE MIRO; REPRESENTATIVES SCHOOLEY, KEELEY, MULROONEY, GILLIGAN, WILSON, THORNBURG, JAQUES, HOCKER; SENATORS SORENSON. BLEVELS, SOKOLA, BUSHEWELLER, - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Medical Certification for License Plates and Parking Permits for Persons with Disabilities. (2/3 bill)

SB 139 – ENNIS & SENATOR ADAMS & REPRESENTATIVE ATKINS & REPRESENTATIVE CATHCART; SENATORS BONINI, BUNTING, DELUCA, HALL-LONG, MCBRIDE, SIMPSON, VENABLES; REPRESENTATIVES BENNETT, BOOTH, CAREY, CARSON, GILLIGAN, HOCKER, Q. JOHNSON, MITCHELL, KOVACH, LEE, OUTTEN, RAMONE, D. SHORT, THORNBURG, WALLS, WILSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to Criminal History Record Checks for the Sales of Firearms. (2/3 bill)

SB 140 - BUNTING; REPRESENTATIVES SCHWARTZKOPF, BOOTH, CAREY; SENATORS BUSHEWELLER, SIMPSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the State Board of Education.

Representatives D.P. Williams & Thornburg requested that they be marked present. Representative Schwartzkopf deferred to Representative Scott. Representative Scott introduced HB 231, jointly sponsored by Senator Sokola & Representatives M. Marshall & Wilson & Senator Henry.

HB 231 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT PRACTICES.

Mr. Speaker Gilligan assigned HB 231 to the Labor Committee. Representative Schwartzkopf deferred to Representative Keeley. Representative Keeley introduced HB 232, jointly sponsored by Senator Henry & Representatives Carson, Gilligan, Manolakos & Viola & cospersoned by Representative Lavelle.

HB 232 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO DEBT MANAGEMENT SERVICES.
Mr. Speaker Gilligan assigned HB 232 to the Economic Development/Banking/Insurance/Commerce Committee.

Mr. Speaker Gilligan reassigned HB 231 to the Education Committee.

Representative Keeley made a comment. Mr. Speaker Gilligan introduced a guest. Representative Hocker made comments. Mr. Speaker Gilligan granted privilege of the floor to Representative Carey, Chief Justice Myron Steele, Justice Carolyn Berger, Justice Henry DuPont Ridgely & Justice Randy Holland. Mr. Speaker Gilligan made comments and presented a House Tribute to Justice Randy Holland. Representative Carey made comments. Justice Holland & Chief Justice Steele addressed the House. Representative M. Marshall made comments.

The Majority Leader moved to recess for caucus at 2:34 p.m.

The House reconvened at 4:53 p.m.

Representative Outten requested that he be marked present.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins brought HB 107 w/HA 1, 2 & 3 & SA 1, jointly sponsored by Representatives Kowalko, Longhurst & Schwartzkopf & Senator Bunting, before the House for concurrence on SA 1.

HB 107 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE.

Representative Atkins made a comment.

The roll call on HB 107 w/HA 1, 2 & 3 & SA 1 was taken and revealed:

YES: 21.


NOT VOTING: Representatives Blakey, Hocker & Kovach - 3.

ABSENT: Representatives Keeley & D.P. Williams - 2.

Therefore, having received a constitutional majority, HB 107 w/HA 1, 2 & 3 & SA 1 was sent to the Governor.

Representatives Booth, Lavelle, Viola, Cathcart & Oberle requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Booth.


HB 159 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO POWERS, DUTIES, AND FUNCTIONS OF THE SECRETARY OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES.

Representative Booth brought HA 1 to HB 159 before the House for consideration. Representative Booth made comments.

HA 1 was adopted by voice vote. Representatives Booth & Jaques made comments.

The roll call on HB 159 w/HA 1 & HA 1 to HA 1 & HA 2 was taken and revealed:

YES: 38.

NO: Representative Jaques - 1.

ABSENT: Representatives Keeley & D.P. Williams - 2.

Therefore, having received a constitutional majority, HB 159 w/HA 1 & HA 1 to HA 1 & HA 2 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst introduced and brought HR 28, sponsored on behalf of All Representatives, before the House for consideration.

HR 28 - CREATING A DART PARATRANSIT CELL PHONE PILOT PROGRAM.

Representatives Longhurst & Oberle made comments.

HR 28 was adopted by voice vote.

Representative Schwartzkopf deferred to Representative Cathcart.

Representative Cathcart brought HB 38, jointly sponsored by Senator Hall-Long & Representatives J. Johnson, Plant, Booth, & Manolakos & cosponsored by Representative Blakey, before the House for consideration.

HB 38 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE MENTAL HEALTH PATIENTS' BILL OF RIGHTS, NOTIFICATIONS AND FORMS.

Representative Cathcart made comments.

The roll call on HB 38 was taken and revealed:

YES: 37.

ABSENT: Representatives Keeley, B. Short, D. Short & D.P. Williams - 4.

Therefore, having received a constitutional majority, HB 38 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Walls.
Representative Walls brought HB 192, jointly sponsored by Senator Ennis & Representatives Atkins, Carson & Jaques & cosponsored by Representatives Booth & Schwartzkopf, before the House for consideration.

**HB 192** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE ANIMAL POPULATION CONTROL PROGRAM AND SPAY/NEUTER FUND.
Representative Walls made comments.
The roll call on HB 192 was taken and revealed:
YES: 37.
ABSENT: Representatives Keeley, B. Short, D. Short & D.P. Williams - 4.
Therefore, having received a constitutional majority, HB 192 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Bennett.

**HB 206** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.
Representative Bennett made comments.
The roll call on HB 206 was taken and revealed:
YES: 37.
ABSENT: Representatives Keeley, B. Short, D. Short & D.P. Williams - 4.
Therefore, having received a constitutional majority, HB 206 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Kowalko.
Representative Kowalko brought SB 47 w/SA 1, jointly sponsored by Senator Sokola & Senators Bonini, Bushweller, Connor & Katz & Representatives Atkins, Bennett, Lee & Thornburg, before the House for consideration.

**SB 47** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTH STATISTICS CENTER.
Representative Kowalko made comments.
The roll call on SB 47 w/SA 1 was taken and revealed:
YES: 37.
ABSENT: Representatives Keeley, B. Short, D. Short & D.P. Williams - 4.
Therefore, having received a constitutional majority, SB 47 w/SA 1 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri brought HB 190, jointly sponsored by Senator Hall-Long & Representatives M. Marshall, Schwartzkopf & Scott & Senator Henry, before the House for consideration.

**HB 190** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DRUG TESTING OF EMPLOYEES OF THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES.
Representatives Barbieri, Lavelle, Hudson, Booth, Bennett & Jaques made comments.
Representative Cathcart rose on a point of order. Mr. Speaker concurred. Representatives Oberle, J. Johnson, Barbieri, Oberle, Manolakos & Thornburg made comments. Representative Thornburg requested and was granted privilege of the floor for Mitchell Rock representing the Department of Services for Children, Youth and Their Families. Representatives Thornburg, Mitchell & Barbieri made comments. Representative Barbieri requested and was granted privilege of the floor for Mitchell Rock representing the Department of Services for Children, Youth and Their Families.
Representative Mitchell made comments.
The roll call on HB 190 was taken and revealed:
YES: 37.
ABSENT: Representatives Keeley, B. Short, D. Short & D.P. Williams - 4.
Therefore, having received a constitutional majority, HB 190 was sent to the Senate for concurrence.
The House observed a moment of silence in memory of the brother-in-law of Representative D.P. Williams at the request of Representative Gilligan.
Representative Schwartzkopf deferred to Representative Schooley.
Representative Schooley brought HS 1 for HB 119, jointly sponsored by Senator Sokola & Representatives Blakey, Booth, Jaques, Kovach, Kowalko, Manolakos, Miro & Scott & cosponsored by Representatives Carey, Hocker, J. Johnson, Q. Johnson, Lavelle, Mitchell, Schwartzkopf & Wilson, before the House for consideration.

**HB 119** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE WITH RESPECT TO PUBLIC EDUCATION.
Representative Schooley brought HA 1 to HS 1 for HB 119 before the House for consideration.
Representative Schooley made comments. HA 1 was adopted by voice vote. Representatives Schooley,
Kovach, Booth & Lavelle made comments. Representative Schooley requested and was granted privilege of the floor for Dr. Lillian Lowery, Secretary, Department of Education. Representatives Lavelle, Schwartzkopf & Jaques made comments.

The roll call on HS 1 for HB 119 w/HA 1 was taken and revealed:
YES: 37.
ABSENT: Representatives Keeley, B. Short, D. Short & D.P. Williams - 4.
Therefore, having received a constitutional majority, HS 1 for HB 119 w/HA 1 was sent to the Senate for concurrence.

Representative Schooley made comments.
Representative Schwartzkopf deferred to Representative Oberle.
Representative Oberle moved to suspend the rules which interfere with introduction of and action on HB 228. The motion was seconded by Representative Longhurst and adopted by voice vote.
Representative Oberle introduced and brought HB 228, jointly sponsored by Representative Keeley & Senator Venables & Senator Blevins & Representatives Jaques, D. Short, Hocker, Hudson & Kovach & Senators Bunting, Ennis & Sokola & cosponsored by Representatives Barbieri, Bennett, Carey, Carson, Cathcart, J. Johnson, Q. Johnson, Kowalko, Lee, Longhurst, Manolakos, Miro, Mitchell, Outten, Plant, Ramone, Schooley, Scott, Schwartzkopf, Thornburg, D. P. Williams & Wilson, before the House for consideration.

HB 228 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX.
Representative Oberle moved to place HB 228 on the Speaker’s Table. The motion was seconded by Representative Lee and adopted by voice vote.
Representative Schwartzkopf deferred to Representative Walls.
Representative Walls introduced HB 243, jointly sponsored by Senator Bonini.

HB 243 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF BOWERS, CHAPTER 279, VOLUME 53, LAWS OF DELAWARE AS AMENDED TO (1) CONFER UPON THE TAX COLLECTOR THE POWERS OF THE KENT COUNTY RECEIVER OF TAXES FOR PURPOSES OF COLLECTING DELINQUENT TAXES, AND (2) GRANT THE TOWN THE SPECIFIC AUTHORITY TO REGULATE THE USE OF GOLF CARTS. (2/3 bill)
Mr. Speaker Gilligan assigned HB 243 to the House Administration Committee.
Representative M. Marshall introduced HB 233.

HB 233 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTIES AND TITLE 7 OF THE DELAWARE CODE RELATING TO DOGS.
Representative Carson made an announcement.
Mr. Speaker Gilligan assigned HB 233 to the Natural Resources Committee.
The Majority Leader moved to recess to the call of the Chair at 6:09 p.m.
Mr. Speaker Gilligan called the House to order at 2:04 p.m. on June 17, 2009.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 110, SB 50, SB 107, SB 133, SB 129 w/SA 1, SB 161, SB 149, SB 118, SB 151, SB 165, SB 145 w/SA 1 & SS 1 for SB 49 and requests the concurrence of the House and the Senate wishes to inform the House that it has passed HB 99. HS 1 for HB 127 & HB 120 w/HA 1 and is returning the same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST
I, Colin Bonini, do hereby request that my name be removed as a co-sponsor of SB 118.
Date: 6/16/09
Signed: Colin Bonini

WITHDRAWAL OF SPONSORSHIP REQUEST
I, Sen. Katz, do hereby request that my name be removed as a co-sponsor of HB 236.
Date: 6/16/09
Signed: Michael S. Katz

WITHDRAWAL OF SPONSORSHIP REQUEST
I, Sen. Katz, do hereby request that my name be removed as a co-sponsor of HB 245.
Date: 6/16/09
Signed: Michael S. Katz

WITHDRAWAL OF SPONSORSHIP REQUEST
I, Thomas H. Kovach, do hereby request that my name be removed as a co-sponsor of HB 188.
Date: 6/16/09
Signed: Thomas H. Kovach

WITHDRAWAL OF SPONSORSHIP REQUEST
I, Rep. Wilson, do hereby request that my name be removed as a co-sponsor of HB 224.
Date: 6/16/09
Signed: Dave Wilson

The Majority Leader moved to adjourn at 2:06 p.m., thereby ending the current Legislative Day. The House reconvened at 2:07 p.m.
The Chief Clerk called the roll.
Members Present: 29.
A prayer was offered by Representative Joseph W. Booth, Thirty-seventh Representative District.
The House observed a moment of silence in memory of Julie Grace Gricol at the request of Representative Ramone. Representative D.P. Williams made comments.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following prefilled legislation was introduced:

**HB 234**: BARBIERI & SENATOR PETERSON; REPRESENTATIVES JAQUES, KOWALCO, OBERLE; SENATORS MCDOWELL, SOKOLA - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to State Taxes and Vessel-to-Vessel Transfers of Petroleum Products. (3/5 bill)

**HB 235**: CARSON & SENATOR ENNIS; REPRESENTATIVES BARBIERI, BRADY, HUDSON, KEELEY, B. SHORT, VIOLA, D.E. WILLIAMS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Pharmacy.

**HB 236**: JAQUES & SENATOR BUNTING; SENATOR ENNIS - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Special Elections.

**HB 238**: KOWALCO & REPRESENTATIVE KEELEY & SENATOR HENRY - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax. (3/5 bill)

**HB 239**: KOWALCO & SENATOR HENRY - REVENUE & FINANCE - An Act to Amend Title 6 of the Delaware Code Relating to Tax on Limited Liability Company. (3/5 bill)

**HB 240**: KOWALCO & SENATOR HENRY - REVENUE & FINANCE - An Act to Amend Title 8 of the Delaware Code Relating to Corporate Franchise Tax. (3/5 bill)

**HB 241**: KOWALCO & SENATOR HENRY - REVENUE & FINANCE - An Act to Amend Title 6 of the Delaware Code Relating to Tax on Limited Liability Company. (3/5 bill)

**HB 242**: KOWALCO & REPRESENTATIVE KEELEY & SENATOR HENRY - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax. (3/5 bill)

**HB 244**: JAQUES & SENATOR BLEVINS - HOUSE ADMINISTRATION - An Act to Amend Title 14 of the Delaware Code Relating to Notice of School Elections.

**HB 245**: JAQUES & SENATOR BUNTING; REPRESENTATIVE PLANT - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Elections.


**HB 247**: KEELEY & SENATOR MCBRIDE; REPRESENTATIVES BRADY, HUDSON, MITCHELL - JUDICIARY - An Act to Amend Title 6, Title 25 and Title 29 of the Delaware Code Relating to Consumer Protection.


**HA 2 to HS 1 for HB 70**: OBERLE - Placed with the Bill.

**HA 1 to HB 205**: SCOTT - Placed with the Bill.


**SB 50**: SORENSON & SENATOR PETERSON; SENATORS BONINI, CONNOR, ENNIS, SIMPSON - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to the Delaware Society for the Prevention of Cruelty to Animals. (2/3 bill)

**SB 107**: SORENSON & SENATOR PETERSON; SENATORS BONINI, CLOUTIER, CONNOR, ENNIS, HENRY, SIMPSON; REPRESENTATIVES LAVELLE, M. MARSHALL, OUTTEN, RAMONE, D. SHORT - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to Cruelty to Animals.

**SB 110**: BLEVINS & REPRESENTATIVE M. MARSHALL; SENATORS; PETERSON, HALL-LONG; REPRESENTATIVE HUDSON - JUDICIARY - An Act to Amend Title 16 of the Delaware Code Relating to the Penalties for Failing to Report Suspected Child Abuse or Neglect.

**SB 118**: SOKOLA & REPRESENTATIVE KOWALCO; SENATORS CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 27, Title 24 of the Delaware Code Relating to Professional Land Surveyors.
SB 129 w/SA 1 – BUNTING & REPRESENTATIVE CARSON; SENATORS ADAMS, HALL-LONG, ENNIS; REPRESENTATIVES THORNBURG, LONGHURST, ATKINS - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to Delaware Agricultural Lands Protection.


SB 151 – SOKOLA & REPRESENTATIVE SCHOOLEY - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to an Academic Achievement Award Program.

SB 161 – MCBRIDE; REPRESENTATIVES BARBIERI, RAMONE - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Taxes.

SB 165 - BUSHWELLER & REPRESENTATIVE BENNETT; SENATOR ENNIS; REPRESENTATIVES SCOTT, CARSON - HOUSE ADMINISTRATION - An Act to Amend the Charter of the City of Dover Being Chapter 175, Volume 75, of the Laws of Delaware, as Amended, Relating to Governance, Elections, Administration and Finance. (2/3 bill)

Representative Outten introduced HB 251, jointly sponsored by Senator Cook.

HB 251 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF FELTON, CHAPTER 91, VOLUME 70, LAWS OF DELAWARE, AS AMENDED, TO PRECLUDE CONTEMPORANEOUS SERVICE ON THE TOWN COUNCIL BY RELATED INDIVIDUALS, TO CHANGE THE DURATION OF THE TERM OF A MEMBER OF THE TOWN COUNCIL, AND TO IMPLEMENT USE OF THE KENT COUNTY VOTER REGISTRATION SYSTEM. (2/3 bill)

Mr. Speaker Gilligan assigned HB 251 to the House Administration Committee.

Representative Lavelle requested that he be marked present.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:14 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following members were marked present by the Chief Clerk after the House recessed at 2:14 p.m.: Representatives Hocker, Wilson & Manolakos.

Mr. Speaker Gilligan called the House to order at 2:06 p.m. on June 18, 2009.

Representatives Carey, Miro, Blakey, Hudson, Kovach, Lee, Viola & Oberle requested that they be marked present for the current Legislative Day.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 104, SB 105, SB 142, SB 115, SB 109, SB 150 w/SA 1, SB 76 & SB 114 and requests the concurrence of the House. The Senate wishes to inform the House that it has passed HB 121, HB 116, HB 131, HB 93 w/HA 1 & 2 & HB 114 and is returning the same to the House.

June 16, 2009

Legislative Advisory #14


Representative Thornburg requested that she be marked present for the current Legislative Day.

The Chief Clerk read the following committee reports into the record:

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: HB 227 - 4F; SB 45 w/SA 3 - 4F.

REVENUE & FINANCE: HB 191 - 4F, 4M.

LABOR: SB 156 - 6M.

JUDICIARY: HB 155 - 7M; SB 61 w/SA 2 - 1F, 4M; SB 101 - 6M.

EDUCATION:HB 30 - 1F, 9M; HB 224 - 10M; SB 140 - 1F, 7M.

CORRECTIONS: HB 225 - 6F.

PUBLIC SAFETY & HOMELAND SECURITY: HB 189 - 1F,7M,1U; HB 218 - 5F,2M; HB 226 - 8M; HB 229 - 1F,4M,4U; SB 139 - 2F,5M.

VETERANS AFFAIRS: HB 187 - 12F.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: HB 232 - 2F,5M; SS 1 for SB 35 w/SA 1 - 3F,5M; SB 73 - 1F,9M; SB 88 - 2F,7M; SB 89 - 2F,7M.

HEALTH & HUMAN DEVELOPMENT: SB 86 - 9M.

HOUSE ADMINISTRATION: HB 220 - 4M; HB 230 - 3M; HB 243 - 3M; HB 251 - 3M; SB 102 - 4M; SB 111 - 3M.

NATURAL RESOURCES: HB 216 - 4F, 5M.
Representative Keeley requested that she be marked present for the current Legislative Day. Representative Schwartzkopf deferred to Representative Keeley. Representative Keeley made comments. Representative Keeley introduced HB 249, jointly sponsored by Senator Katz & Representatives Barbieri, Bennett, Brady, Gilligan, J. Johnson, Q. Johnson, Kowalko, Lavelle, M. Marshall, Mitchell, Mulrooney, Plant, Ramone, Schwartzkopf, B. Short, Viola, D.E. Williams & D.P. Williams & Senators McDowell & Sorensen. HB 249 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. Mr. Speaker Gilligan assigned HB 249 to the Health & Human Development Committee. Representative Schwartzkopf deferred to Representative Kowalko. Representative Kowalko made comments. Representative Kowalko introduced HB 253, jointly sponsored by Senator Sokola & Representatives Atkins, Bennett, Lee & Thornburg & Senators Bushweller, Connor & Katz. HB 253 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COMPENSATION FOR INNOCENT VICTIMS OF VIOLENT CRIME. Mr. Speaker Gilligan assigned HB 253 to the Policy Analysis & Government Accountability Committee. Representative Cathcart requested that he be marked present for the current Legislative Day. Representative D. Short requested that he be marked present for the current Legislative Day. The Majority Leader moved to adjourn at 2:15 p.m., thereby ending the current Legislative Day. The House reconvened at 2:16 p.m.

38th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – First Session
June 18, 2009

The Chief Clerk called the roll:
Members present: 41. The House observed a moment of silence in memory of Ed Givens at the request of Representative Lee. The House observed a moment of silence in memory of Michelle Rigney at the request of Representative D.E. Williams.

A prayer was offered by Representative John C. Atkins, Forty-first Representative District.
Mr. Speaker Gilligan invited former Speaker Spence to join him in leading those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted. The following prefilled legislation was introduced:


HA 1 to HB 157 - LONGHURST - Placed with the Bill.
HA 1 to HB 220 - OBERLE - Placed with the Bill.
HA 1 to HB 228 – OBERLE - Placed with the Bill.
SB 104 - SOKOLA & REPRESENTATIVE SCOTT; SENATOR SORENSON; REPRESENTATIVE LAVELLE - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Freedom of Information Act to Permit Video-Conferencing in Certain Circumstances.
SB 105 - SOKOLA & REPRESENTATIVE KOWALKO - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend 76 Delaware Laws, Chapter 261 Relating to the Medical Practice Act.
SB 109 - PETERSON; SENATORS ENNIS, BUSHWELLER, BUNTING; REPRESENTATIVES CARSON, RAMONE, D. SHORT, KEELEY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Salvinorin A. (2/3 bill)
SB 114 - COOK & REPRESENTATIVE BENNETT; SENATORS BLEVINS, DELUCA, SORENSON; REPRESENTATIVES HUDSON, M. MARSHALL, VIOLA, KOVACH - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Jurisdiction of the Family Court.


SB 142 - SOKOLA & REPRESENTATIVE KOWALKO; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 29 of the Delaware Code Relating to the Department of Information and Technology.

SB 150 w/SA 1 - SOKOLA & REPRESENTATIVE KOWALKO; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 14, Title 18, and Title 29 of the Delaware Code.

HA 1 to SB 45 - KOWALKO - Placed with the Bill.

Representative Schwartzkopf deferred to Mr. Speaker Gilligan.

Mr. Speaker Gilligan made comments and presented a gift to former Speaker Terry R. Spence, who addressed the House. Representative Oberle made comments and presented a gift to former Representative Vincent A. Lofink, who addressed the House. Representative Lee made comments and presented a gift to former Representative Nancy H. Wagner, who addressed the House. Representative Lavelle made comments and presented a gift to former Representative Donna D. Stone, who addressed the House. Representative Longhurst made comments and presented a gift to Senator Bethany A. Hall-Long, who addressed the House. Representative Manolakos made comments and presented a gift to former Representative Gregory A. Hastings, who addressed the House. Former Speaker Spence made comments.

Representatives Keeley, Booth & Oberle made comments.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short requested and was granted privilege of the floor for Karen L. Miller, Carla Withers & Devona Williams, representing the Delaware Chapter of the National Association of Women Business Owners, who addressed the House.

The Majority Leader moved to recess for caucus at 3:14 p.m.

The House reconvened at 5:34 p.m.

Representative Schwartzkopf deferred to Representative Oberle.

Representative Oberle moved to lift HB 228 from the Speaker's Table. The motion was seconded by Representative Lavelle and adopted by voice vote. Representative Oberle moved to suspend the rules which interfere with action on HB 228. The motion was seconded by Representative Lavelle and adopted by voice vote.

Representative Oberle brought HB 228, jointly sponsored by Representative Keeley & Senator Venables & Senator Blevins & Representatives Jaques, D. Short, Hocker, Hudson & Kovach & Senators Bunting, Ennis & Sokola & cosponsored by Representatives Barbieri, Bennett, Carey, Carson, Cathcart, J. Johnson, Q. Johnson, Kowalko, Lee, Longhurst, Manolakos, Miro, Mitchell, Outten, Plant, Ramone, Schooley, Scott, Schwartzkopf, Thornburg, D.P. Williams & Wilson, before the House for consideration.

HB 228 – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX.

Representative Oberle brought HA 1 to HB 228 before the House for consideration. Representative Oberle made comments. HA 1 was adopted by voice vote. Representative Oberle introduced and brought HA 2 to HB 228 before the House for consideration. Representative Oberle made comments. HA 2 was adopted by voice vote. Representative Oberle made comments. Representative Oberle introduced guests. Representative Oberle requested and was granted privilege of the floor for Tammy Brittingham, an Ovarian Cancer Survivor. Representative Oberle made comments.

The roll call on HB 228 w/HA 1 & 2 was taken and revealed:

YES: 41

Therefore, having received a constitutional majority, HB 228 w/HA 1 & 2 was sent to the Senate for concurrence.

Representatives Mitchell & D.P. Williams requested that they be marked present during the roll call. Representative Oberle made comments.

Representative Schwartzkopf deferred to Representative D.E. Williams.

Representative D.E. Williams moved to suspend the rules which interfere with action on SB 90 w/SA 2. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.E. Williams brought SB 90 w/SA 2, jointly sponsored by Senator Hall-Long & Senator Blevins & Senator Henry & Representative Longhurst & Senators Cloutier, Petersen, Sorenson & Connor & Representatives Jaques, Q. Johnson, Thornburg, Booth, Hudson, J. Johnson & Barbieri, before the House for consideration.
SB 90 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO TANNING FACILITIES. (2/3 bill)
Representatives D.E. Williams & Blakey made comments.
The roll call on SB 90 w/SA 2 was taken and revealed:
YES: 39.
ABSENT: Representatives Atkins & Lavelle - 2.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 90 w/SA 2 was returned to the Senate.
Mr. Speaker Gilligan & Representatives Barbieri, D.E. Williams & Schwartzkopf made comments regarding SB 90.
Representative Schwartzkopf deferred to Representative Q. Johnson.
HB 135 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATED TO THE ISSUANCE OF A LIMITED LICENSE FOR A DIRECTOR OR CHAIRPERSON OF A DENTAL OR ORAL AND MAXILLOFACIAL SURGERY RESIDENCY PROGRAM.
Representative Q. Johnson made comments.
The roll call on HB 135 w/HA 1 & SA 1 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, HB 135 w/HA 1 & SA 1 was sent to the Governor.
Representative Schwartzkopf deferred to Representative Mitchell.
Representative Mitchell requested that HB 115 be stricken.
Representative Schwartzkopf brought Consent Agenda C before the House for consideration.
Representative Schwartzkopf requested that HB 220 be removed from Consent Agenda C.
Representative Hudson made comments regarding HB 191.
SS 1 for SB 35 w/SA 1 – BLEVIN & REPRESENTATIVE B. SHORT & REPRESENTATIVE OBERLE & REPRESENTATIVE KOWALKO & SENATORS BUSHWELLER, ENNIS, HALL-LONG, HENRY & PETERSON; REPRESENTATIVES HUDSON, Q. JOHNSON, KEELEY, MITCHELL, RAMONE, SCHOOLEY, B. SHORT & D. SHORT – An Act to Amend Title 18 of the Delaware Code Relating to Rates and Rating Organizations.
SS 88 – DELUCA & REPRESENTATIVE B. SHORT & REPRESENTATIVES M. MARSHALL & KOVACH – An Act to Amend Titles 6 and 12 of the Delaware Code Relating to Transfers of Property and Fiduciary Relations.
SS 89 – DELUCA & REPRESENTATIVE B. SHORT & REPRESENTATIVES M. MARSHALL & KOVACH – An Act to Amend Title 12 with Respect to the Allocation of Principal and Income of Trusts, Decedents’ Estates and Other Fiduciary Accounts.
The roll call on Consent Agenda C was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, HB 187, HB 191, HB 216, HB 225 & HB 232 were sent to the Senate for concurrence and SS 1 for SB 35 w/SA 1, SB 88 & SB 89 were returned to the Senate.
Representative Schwartzkopf brought Consent Agenda D, which requires a two-thirds vote, before the House for consideration.

HB 243 – WALLS & SENATOR BONINI – An Act to Amend the Charter of the Town of Bowers, Chapter 279, Volume 53, Laws of Delaware as Amended to (1) Confer Upon the Tax Collector the Powers of the Kent County Receiver of Taxes for Purposes of Collecting Delinquent Taxes, and (2) Grant the Town the Specific Authority to Regulate the Use of Golf Carts. (2/3 bill)

HB 251 – OUTTEN & SENATOR COOK – An Act to Amend the Charter of the Town of Felton, Chapter 91, Volume 70, Laws of Delaware, as Amended, to Preclude Contemporaneous Service on the Town Council by Related Individuals, to Change the Duration of the Term of a Member of the Town Council, and to Implement Use of the Kent County Voter Registration System. (2/3 bill)


The roll call on Consent Agenda D was taken and revealed:
YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 243 & HB 251 were sent to the Senate for concurrence and SB 73 was returned to the Senate.


Representative M. Marshall brought HB 220, jointly sponsored by Senator Cook & Representative Kovach & Senator Ennis, before the House for consideration.

HB 220 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEE BENEFITS COMMITTEE.

Representative M. Marshall made comments. Representative Oberle requested that HA 1 to HB 220 be stricken. Representative Oberle made comments.

The roll call on HB 220 was taken and revealed:
YES: 41.

Therefore, having received a constitutional majority, HB 220 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.


HB 139 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTHY CHILDREN PROGRAM.

Representative Schooley brought HA 1 to HB 139 before the House for consideration. Representative Schooley made comments. HA 1 was adopted by voice vote. Representatives Schooley & Kovach made comments.

The roll call on HB 139 w/HA 1 was taken and revealed:
YES: 41.

Therefore, having received a constitutional majority, HB 139 w/HA 1 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott brought HB 205, jointly sponsored by Senator Bonini & Representatives Outten & Thornburg, before the House for consideration.

HB 205 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO REGIONAL PLANNING.

Representative Scott brought HA 1 to HB 205 before the House for consideration. Representative Scott made comments. HA 1 was adopted by voice vote. Representative Scott made comments.

The roll call on HB 205 w/HA 1 was taken and revealed:
YES: 41.

Therefore, having received a constitutional majority, HB 205 w/HA 1 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Oberle

Representative Oberle brought SB 38, jointly sponsored by Senator DeLuca, before the House for consideration.

SB 38 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS’ COMPENSATION.

Representative Oberle made comments.

The roll call on SB 38 was taken and revealed:
YES: 41.

Therefore, having received a constitutional majority, SB 38 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought SB 85 w/SA 1, jointly sponsored by Senator McDowell & Senator Simpson & Representative Thornburg & Senators Bushweller, Hall-Long & Katz & Representatives Mulrooney, Barbieri, Brady, Hocker, Kovach, B. Short & Scott, before the House for consideration.

**SB 85 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO NET ENERGY METERING. (2/3 bill)**

Representative Kowalko made comments.

The roll call on SB 85 w/SA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 85 w/SA 1 was returned to the Senate.


**SB 37 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COSTS IN THE JUSTICE OF THE PEACE COURT.**

Representative M. Marshall made comments.

The roll call on SB 37 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 37 was returned to the Senate.

Representative Schwartzkopf brought SB 140, jointly sponsored by Senator Bunting & Representative Booth & Senators Bushweller & Simpson & Representative Carey, before the House for consideration.

**SB 140 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE BOARD OF EDUCATION.**

Representative Schwartzkopf made comments.

The roll call on SB 140 was taken and revealed:

YES: 36.

NO: Representatives Oberle, Ramone, Thornburg & Viola - 4.

NOT VOTING: Representative Keeley - 1.

Therefore, having received a constitutional majority, SB 140 was returned to the Senate.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought SB 48, jointly sponsored by Senator Sokola & Senators Bonini, Bushweller, Connor & Katz & Representatives Atkins, Bennett, Lee & Thornburg, before the House for consideration.

**SB 48 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE CONSERVATION DISTRICTS.**

Representative Kowalko made comments.

The roll call on SB 48 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 48 was returned to the Senate.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought HB 170, jointly sponsored by Representative Oberle & Senator Marshall, before the House for consideration.

**HB 170 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.**

Representatives B. Short, Oberle, Lavelle & Kovach made comments. Representative B. Short requested and was granted privilege of the floor for Tom McPherson, Director, Division of Unemployment Insurance. Representatives Kovach, Ramone, Kovach, B. Short & Oberle made comments.

The roll call on HB 170 was taken and revealed:

YES: 38.

NO: Representatives Hocker, Lavelle & Wilson - 3.

Therefore, having received a constitutional majority, HB 170 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.


**SB 59 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ENERGY CONSERVATION.**

Representatives Kowalko & Kovach made comments.

Representative Kowalko requested and was granted privilege of the floor for Collin O’Mara, Secretary, Department of Natural Resources and Environmental Control.

Representatives Kovach, Lavelle, B. Short, Ramone, Hocker & Keeley made comments.
The roll call on SB 59 w/SA 3 was taken and revealed:

YES: 29
NOT VOTING: Representatives Lavelle, Miro - 2.
Therefore, having received a constitutional majority, SB 59 w/SA 3 was returned to the Senate.
Representative M. Marshall brought HB 156, jointly sponsored by Representative Kovach & Representative D. Short & Senator Hall-Long & cosponsored by Representative Ramone, before the House for consideration.

HB 156 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNIFORM COMMON INTEREST OWNERSHIP ACT
Representative M. Marshall brought HA 1 to HB 156 before the House for consideration.
Representative M. Marshall made a comment. HA 1 was adopted by voice vote. Representative M. Marshall introduced and brought HA 2 to HB 156 before the House for consideration. Representative M. Marshall made comments.

The roll call on HB 156 w/HA 1 & 2 was taken and revealed:

YES: 41.
Therefore, having received a constitutional majority, HB 156 w/HA 1 & 2 was sent to the Senate for concurrence.
Representative M. Marshall brought HB 183, jointly sponsored by Representative Kovach & Representative D. Short & Senator Hall-Long & cosponsored by Representative Ramone, before the House for consideration.

HB 183 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE UNIT PROPERTY ACT
Representative M. Marshall brought HA 1 to HB 183 before the House for consideration.
Representative M. Marshall made a comment. HA 1 was adopted by voice vote. Representative M. Marshall introduced and brought HA 2 to HB 183 before the House for consideration. Representative M. Marshall made a comment. HA 2 was adopted by voice vote. Representative M. Marshall made comments.

The roll call on HB 183 w/HA 1 & HA 2 was taken and revealed:

YES: 41.
Therefore, having received a constitutional majority, HB 183 w/HA 1 & 2 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Mulrooney.
Representative Mulrooney brought HB 148, jointly sponsored by Representative Keeley & Senator DeLuca, before the House for consideration.

HB 148 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO DISPOSITION OF STOCK OF INSOLVENT, DECEASED OR FORMER LICENSEE
Representative Mulrooney made comments.
The roll call on HB 148 was taken and revealed:

YES: 41.
Therefore, having received a constitutional majority, HB 148 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Kowalko.
Representative Kowalko brought HB 227, jointly sponsored by Senator McDowell & Senator Sokola & Representatives Brady, Carson, J. Johnson, Barbieri, Bennett, Gilligan, Jaques, Mitchell, Mulrooney, Plant, B. Short, Viola, D.E. Williams & D.P. Williams, before the House for consideration.

HB 227 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ARCHITECTURE
Representative Kowalko made comments.
The roll call on HB 227 was taken and revealed:

YES: 41.
Therefore, having received a constitutional majority, HB 227 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Kowalko.
Representative Kowalko brought SB 45 w/SA 3, jointly sponsored by Senator Sokola & Senators Bonini, Bushweller, Connor & Katz & Representatives Atkins, Bennett, Lee & Thornburg, before the House for consideration.

SB 45 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE PUBLIC SERVICE COMMISSION
Representative Kowalko brought HA 1 to SB 45 before the House for consideration.
Representatives Kowalko & Lavelle made comments. Representative Kowalko requested and was granted privilege of the floor for Deborah Puzzo, Executive Director, Joint Sunset Committee. Representatives Lavelle & Kowalko made comments. HA 1 was adopted by voice vote.
The roll call on SB 45 w/SA 3 & HA 1 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, SB 45 w/SA 3 & HA 1 was returned to the Senate for concurrence on HA 1.
Representative Schwartzkopf deferred to Representative Hudson.
Representative Hudson brought SB 101, jointly sponsored by Senator Peterson & Senators Bunting, Bushweller & Sorenson & Representatives Scott, Ramone, Kowalko, Miro, Carson & Manolakos, before the House for consideration.

SB 101 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PERSONAL ACTIONS.
Speaker Gilligan appointed Representative D.P. Williams as Acting Speaker.
Representatives Hudson & Lavelle made comments.
The roll call on SB 101 was taken and revealed:
YES: 41,
Therefore, having received a constitutional majority, SB 101 was returned to the Senate.
Mr. Speaker Gilligan resumed the Chair.
Representative Schwartzkopf deferred to Representative Oberle.
Representative Oberle brought HS 1 for HB 70, jointly sponsored by Senator McBride & cosponsored by Representatives Kovach & Kowalko & Senator McDowell, before the House for consideration.

HB 70 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO WIND ENERGY SYSTEMS.
Representative Oberle brought HA 1 to HS 1 for HB 70 before the House for consideration.
Representative Oberle moved to place HA 1 on the Speaker’s Table. The motion was seconded by Representative Mulrooney and adopted by voice vote. Representative Oberle brought HA 2 to HS 1 for HB 70 before the House for consideration. Representative Oberle made comments. HA 2 was adopted by voice vote.
Representatives Oberle, Booth & B. Short made comments.
The roll call on HS 1 for HB 70 w/HA 2 was taken and revealed:
YES: 25.
NOT VOTING: Representatives Blakey & Ramone - 2.
Therefore, having received a constitutional majority, HS 1 for HB 70 w/HA 2 was sent to the Senate for concurrence.
Representative Schwartzkopf made an announcement. Representatives Cathcart & Schwartzkopf made comments.
Representative Schwartzkopf brought HB 212, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson, before the House for consideration.

HB 212 - AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO TAXES ON ALCOHOLIC BEVERAGES. (3/5 bill)
Representative Hudson brought HA 1 to HB 212, jointly sponsored by Rep. D. Short & Representative Miro, before the House for consideration. Representatives Hudson & Schwartzkopf made comments. HA 1 was defeated by voice vote. Representative Keeley introduced and brought HA 2 to HB 212, jointly sponsored by Representative Schwartzkopf, before the House for consideration. Representative Keeley made comments. HA 2 was adopted by voice vote. Representative Schwartzkopf made comments.
The roll call on HB 212 w/HA 2 was taken and revealed:
YES: 23.
NOT VOTING: Representative Oberle - 1.
Therefore, not having received a constitutional majority of at least three-fifths Members of the House, HB 212 w/HA 2 was declared defeated.

Representative Schwartzkopf brought HB 211, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson, before the House for consideration.

HB 211 - AN ACT TO AMEND CHAPTER 53, TITLE 30 OF THE DELAWARE CODE RELATING TO THE LEVY, COLLECTION AND USE OF TOBACCO PRODUCT TAX REVENUE. (3/5 bill)
Representative Scott announced that he will not be participating in the debate nor voting on HB 211 because of a possible conflict of interest. Representative Hudson moved to place HA 1 on the Speaker’s Table. The motion was seconded by Representative Lee and adopted by voice vote. Representative Hudson brought HA 2 to HB 211, jointly sponsored by Rep. D. Short & Rep. Miro, before the House for consideration.
Representatives Hudson & Schwartzkopf made comments. **HA 2** was defeated by voice vote.

Representative Schwartzkopf made comments.

The roll call on **HB 211** was taken and revealed:

YES: 22.


NOT VOTING: Representative Oberle – 1.

ABSENT: Representative Scott - 1

Therefore, not having received a constitutional majority of at least three-fifths Members of the House, **HB 211** was declared defeated.

Representative Schwartzkopf brought **HB 210**, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson, before the House for consideration.

**HB 210** - **AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO LICENSING FEES.** (3/5 bill)

Representative Schwartzkopf made comments.

The roll call on **HB 210** was taken and revealed:

YES: 23.


NOT VOTING: Representative Oberle - 1.

Therefore, not having received a constitutional majority of at least three-fifths Members of the House, **HB 210** was declared defeated.

Representative Schwartzkopf made comments.

The Chief Clerk read the following Committee Reports into the record:

**MANUFACTURED HOUSING:** **HB 246** - 1F, 3M.

**HEALTH & HUMAN DEVELOPMENT:** **SB 90 w/SA 2** – 9M.

**NATURAL RESOURCES:** **HB 201** - 1F, 5M, 1U.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 68 w/SA 1**, **SB 143 w/SA 1**, **SCR 21 & SCR 22** and requests the concurrence of the House and the Senate wishes to inform the House that it has passed **HCR 7 w/SA 1 & HCR 19** and the Senate wishes to inform the House that it has passed **HB 142, HB 146 w/SA 2, HB 126 & HB 147** and is returning the same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Deborah Hudson, do hereby request that my name be removed as co-sponsor of **HB 197**.

DATE: June 18, ’09

Signed: Deborah D. Hudson

MEMORANDUM

TO: Bernard J. Brady, Secretary of the Senate

FROM: Sen. Brian J. Bushweller

DATE: June 17, 2009

SUBJECT: **SB 165**

Please arrange for the return of **SB 165** (re: Changes to the City of Dover Charter) from the House of Representatives.

Thank you,

Brian J. Bushweller

MEMORANDUM

TO: Rich Puffer

Chief Clerk of the House

FROM: Bernard J. Brady

Secretary of the Senate

DATE: June 17, 2009

RE: **SB 165**

Senator Brian J. Bushweller has requested, through this office, the return of **SB 165** (RE: City of Dover Charter) from the House to the Senate.

Thank you for your time and assistance.

MEMORANDUM

TO: Bernard J. Brady

Secretary of the Senate

FROM: Richard L. Puffer

Chief Clerk of the House

DATE: June 18, 2009

RE: **SB 165** – Return of Legislation to the Senate
Pursuant to your written request dated June 17, 2009, I hereby am returning SB 165 to the Senate.
Mr. Speaker Gilligan made an announcement.
The Majority Leader moved to recess to the call of the Chair at 8:28 p.m.
Mr. Speaker Gilligan called the House to order at 2:20 p.m. on June 23, 2009.
The Reading Clerk read the following communication into the record:

June 19, 2009

Governor Jack A. Markell signed the following legislation on the date indicated: 6/17/09 – SB 78 & SB 79; 6/18/09 – HB 112 aab HA 1, SB 39 & SB 140.

Mr. Speaker Gilligan reassigned HB 247 to the Judiciary Committee.
The Majority Leader moved to adjourn at 2:21 p.m., thereby ending the current Legislative Day. The House reconvened at 2:22 p.m.

39th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY - First Session
June 23, 2009

The Chief Clerk called the roll.
Members Present: 40.
Member Absent: Representative Plant - 1.
The House observed a moment of silence in memory of Senator Thurman G. Adams, Jr., President pro Tempore, at the request of Mr. Speaker Gilligan.
A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.
Mr. Speaker Gilligan invited Jamie Gottshalk to join him in leading those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following out of session prefiled legislation was introduced:


HB 257 - REPRESENTATIVE GILLIGAN & SENATOR DELUCA; REPRESENTATIVES SCHWARTZKOPF, LONGHURST, KEELEY, BRADY, CARSON, ATKINS, SCOTT, CATHCART, D. SHORT, LEE, RAMONE; SENATORS COOK, HALL-LONG, SIMPSON - GAMING & PARIMUTUELS - An Act to Amend Title 29 of the Delaware Code Relating to Lotteries.

HB 258 - REPRESENTATIVE ATKINS & SENATOR ENNIS; REPRESENTATIVES CARSON, GILLIGAN, MULROONEY, SCHWARTZKOPF, WALLS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to Licenses to Carry Concealed Deadly Weapons. (3/5 bill)

HB 259 - REPRESENTATIVE MULROONEY & REPRESENTATIVE LONGHURST & SENATOR MCBRIDE & SENATOR MARSHALL; REPRESENTATIVE KOWALKO - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Oil Refineries and Employment Practices.


HB 262 - REPRESENTATIVE GILLIGAN & REPRESENTATIVE SCHWARTZKOPF & REPRESENTATIVE LONGHURST & SENATOR DELUCA & SENATOR ADAMS & SENATOR COOK & SENATOR BLEVINS - REVENUE & FINANCE - An Act to Amend Title 9 and Title 29 of the Delaware Code Relating to Government Records Management. (3/5 bill)

HB 263 - REPRESENTATIVE SCHWARTZKOPF & REPRESENTATIVE GILLIGAN & REPRESENTATIVE LONGHURST & SENATOR DELUCA & SENATOR ADAMS & SENATOR
COOK & SENATOR BLEVINS - REVENUE & FINANCE - An Act to Amend Title 16 of the Delaware Code Relating to Fire Marshal Fees. (3/5 bill)


HB 267 - REPRESENTATIVE GILLIGAN & REPRESENTATIVE SCHWARTZKOPF & REPRESENTATIVE LONGHURST & SENATOR DELUCA & SENATOR ADAMS & SENATOR COOK & SENATOR BLEVINS - REVENUE & FINANCE - An Act to Amend Title 6, Title 8, Title 12, and Title 29 of the Delaware Code Relating to Various Fees and Taxes Charged by the Secretary of State. (2/3 bill)


HA 1 to HB 30 - JAQUES - Placed with the Bill.

HA 1 to HB 233 – WALLS - Placed with the Bill.

SB 68 w/SA 1 - SENATOR SOKOLA & REPRESENTATIVE SCHOOLEY; SENATORS BLEVINS, BONINI, BUSHWELLER, CLOUTIER, HALL-Long, HENRY, KATZ, PETERSON, SORENSON, SIMPSON, VENABLES; REPRESENTATIVES LONGHURST, Q. JOHNSON, SCOTT, BRADY, MITCHELL, MULROONEY, BENNETT, PLANT, VIOLA, MANOLAKOS, WALLS, KEELEY, MIRO; SENATORS CONOR, BUNTING, ENNIS; REPRESENTATIVES BARBIERI, JAQUES - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Student Assessment and Academic Promotion.

SB 143 w/SA 1 - SENATOR MCDOWELL & SENATOR HENRY & REPRESENTATIVE BRADY & REPRESENTATIVE KEELEY - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Exemptions from Local Taxes.

The following prefilled legislation was introduced:

HB 269 - MITCHELL & SENATOR HENRY; REPRESENTATIVES BENNETT, BOOTH, BRADY, CAREY, CATHCART, HOCKER, HUDSON, LAVELLE, LEE, MANOLAKOS, M. MARSHALL, OUTTEN, RAMONE, SCHOOLEY, D. SHORT, THORNBURG, WALLS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses and Sale and Distribution of Tobacco Products. (2/3 bill)

HA 1 to HB 260 - OBERLE - Placed with the Bill.

HA 1 to HB 261 - OBERLE - Placed with the Bill.

HA 1 to HB 262 - OBERLE - Placed with the Bill.

HA 1 to HB 263 - OBERLE - Placed with the Bill.

HA 1 to HB 264 - OBERLE - Placed with the Bill.

HA 1 to HB 265 - OBERLE - Placed with the Bill.

HA 1 to HB 266 - OBERLE - Placed with the Bill.

HA 1 to HB 267 - OBERLE - Placed with the Bill.

The Chief Clerk read the following committee reports into the record:

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY:

HB 253 - 1F,3M; SB 105 - 3M; SB 118 - 1F,3M; SB 142 - 1F,3M; SB 150 w/SA 1 - 1F,3M.

JUDICIARY: HB 168 - 5M,1U; HB 221 - 7M; HB 252 - 7M; SB 116 - 8M; SB 117 - 8M; SB 60 - 6M.

Representatives B. Short & Viola made announcements. Representative Schooley introduced guests and made an announcement. Representative Bennett requested and was granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf requested and was granted personal privilege of the floor for Amanda Lamar, Communications Coordinator, and the 2009 Legislative Fellows. Representative Schooley made comments and presented a House Tribute to Amy Clark. Representatives Carson & Jaques made comments. Representative Kowalko made comments and presented a House Tribute to Nicole Gentile. Representative Mitchell made comments. Ms. Gentile addressed the House. Representative Mulrooney made comments and presented a House Tribute to Brittany Schwartz. Representatives J. Johnson & D.P. Williams made comments. Ms. Schwartz addressed the House. Representative Longhurst made comments and presented a
House Tribute to Matthew Stieglitz. Representatives B. Short & Scott made comments. Mr. Stieglitz addressed the House. Representative Viola made comments and presented a House Tribute to Pam Townsend. Representative Schwartzkopf made comments. Ms. Townsend addressed the House. Mr. Speaker Gilligan made an announcement. Representative Oberle made comments. Amanda Lamar made an announcement.

Representative Schwartzkopf requested and was granted personal privilege of the floor to welcome Senator Nancy Cook who introduced the daughters of Senator Thurman G. Adams, Jr. Polly Mervine & Lynn Kokjohn addressed the House. Mr. Speaker Gilligan made comments.

Representative Oberle requested and was granted privilege of the floor for Pam Price, Minority Chief of Staff, who made comments and presented House Tributes to Lorraine Makone and Dan Wavra. Representatives Oberle & Blakey made comments. Ms. Makone and Mr. Wavra addressed the House.

Representative Schooley requested and was granted privilege of the floor to present a House Tribute to Dr. Jerome Lewis, on the occasion of 40 years of service at the University of Delaware, who addressed the House & introduced guests.

Representative Kowalko requested and was granted personal privilege of the floor to make comments. Representative Schwartzkopf introduced a guest.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Oberle requested and was granted personal privilege of the floor to introduce a guest. Representative Schooley introduced HA 1 to HB 199. HA 1 was placed with the Bill. Representative Hocker made comments & requested privilege of the floor for Ellen Magee representing Magee Farms.

Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell introduced HA 1 to HB 226. HA 1 was placed with the Bill. Representative B. Williams requested that he be marked present.

Representative Schwartzkopf brought the following prefiled Consent Calendar # 11 before the House for consideration.


SCR 22 - HALL-LONG & REPRESENTATIVE BARBIERI - Encouraging Delaware Hospitals and Other Healthcare Facilities to Adopt the National Color Standards for Patient Alert Wristbands.

SCR 23 – SORENSON & DELUCA ON BEHALF OF ALL SENATORS & REPRESENTATIVES SCHWARTZKOPF & THORNBURG ON BEHALF OF ALL REPRESENTATIVES - Commending the Class of 2008-2009 Eagle Scouts for Having Attained the Highest Rank One Can Earn in the Boy Scouts of America

Consent Calendar # 11 was adopted by voice vote and SCR 21, SCR 22 & SCR 23 were returned to the Senate.

Representative Schwartzkopf made an announcement. Representative Lavelle requested that he be marked present. Mr. Speaker Gilligan made an announcement.

The Chief Clerk read the following committee reports into the record:

JUDICIARY: SB 110 - 7M; SB 114 - 7M.

HEALTH & HUMAN DEVELOPMENT: HB 249 - 11M; SB 109 - 11M; SB 115 - 12M.

The Majority Leader moved to recess for caucus and to the call of the chair at 3:11 p.m.

Mr. Speaker Gilligan called the House to order at 2:10 p.m. on June 24, 2009.

Mr. Speaker Gilligan reassigned HB 248 to the Economic Development/Banking/Insurance/Commerce Committee.

Representative Schwartzkopf introduced HB 273, jointly sponsored by Representative Longhurst & Representative Gilligan & Senator DeLuca & Senator Cook & Senator Blevins.

HB 273 – AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO STANDARD WEIGHTS AND MEASURES. (3/5 bill)

Mr. Speaker Gilligan assigned HB 273 to the Revenue & Finance Committee.

Representative Plant requested that she be marked present for the current Legislative Day.

Representative Schwartzkopf introduced HB 274, jointly sponsored by Representative Longhurst & Representative Gilligan & Senator DeLuca & Senator Cook & Senator Blevins.


Mr. Speaker Gilligan assigned HB 274 to the Revenue & Finance Committee.

Mr. Speaker Gilligan introduced guests. Representative Viola made an announcement.

Representative Schwartzkopf deferred to Representative Walls.
Representative Walls introduced HB 270, jointly sponsored by Senator Venables & Senator McBride.

**HB 270** – AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE REGULATION OF FINFISHING IN TIDAL WATERS.

Mr. Speaker Gilligan assigned HB 270 to the Natural Resources Committee. The Majority Leader moved to adjourn at 2:17 p.m., thereby ending the current Legislative Day. The House reconvened at 2:18 p.m.

**40th LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – First Session**

**June 24, 2009**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative D.P. Williams - 1.

The House observed a moment of silence in memory of Senator Thurman G. Adams, Jr., President pro Tempore at the request of Representative Lavelle. A prayer was offered by Representative Gregory F. Lavelle, Eleventh Representative District.

Mr. Speaker Gilligan invited Jared Atkins & Ethan Hines to join him in leading those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:


**HB 275** - LONGHURST & SENATOR CONNOR; REPRESENTATIVES BARBIERI, J. JOHNSON, MULROONEY; SENATOR HENRY - EDUCATION - An Act Requiring Colonial School District to Return a Teacher Within the District to the Same Teaching Position Held Prior to Such Teacher’s Leave Under the Family and Medical Leave Act.

**HA 1 to HB 155** - LAVELLE - Placed with the Bill.
**HA 1 to HB 184** - Q. JOHNSON - Placed with the Bill.
**HA 2 to HB 199** - SCHOOLEY - Placed with the Bill.
**HA 1 to HB 238** - KOWALKO - Placed with the Bill.
**HA 1 to HB 239** - KOWALKO - Placed with the Bill.
**HA 1 to HB 240** - KOWALKO - Placed with the Bill.
**HA 1 to HB 241** - KOWALKO - Placed with the Bill.
**HA 1 to HB 242** - KOWALKO - Placed with the Bill.
**HA 1 to HB 246** - LONGHURST - Placed with the Bill.
**HA 1 to HB 256** - B. SHORT - Placed with the Bill.
**HA 2 to HB 264** - KOWALKO - Placed with the Bill.
**HA 2 to HB 267** - KOWALKO - Placed with the Bill.
**HA 3 to HB 267** - KOWALKO - Placed with the Bill.
**HA 4 to HB 267** - KOWALKO - Placed with the Bill.
**HA 5 to HB 267** - KOWALKO - Placed with the Bill.
**HA 6 to HB 267** - KOWALKO - Placed with the Bill.

Representative Kowalko requested that he be marked present.

The Chief Clerk read the following committee reports into the record:

**ENERGY:**
**SS 1 FOR SB 49** – 2F, 6M.

**HOUSE ADMINISTRATION:**
**HB 222** - 3M; **HB 236** - 3M; **HB 244** - 3M; **HB 245** - 3M.

**PUBLIC SAFETY & HOMELAND SECURITY:**
**SB 76** - 1F, 5M; **SB 133** - 6M; **SB 138 w/SA 2** – 5M.

**AGRICULTURE:**
**SB 50** - 2F, 5M; **SB 129 w/SA 1** - 1F, 6M.

**EDUCATION:**
**SB 68 w/SA 1** - 8F, 1M; **SB 149** - 9M; **SB 151** - 1F, 8M.


**HB 152** – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.

Representatives B. Short, Oberle, Mulrooney & Hudson made comments.
The roll call on HB 152 was taken and revealed:
YES: 37.
ABSENT: Representatives Atkins, Cathcart, D. Short & D.P. Williams - 4.
Therefore, having received a constitutional majority, HB 152 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Carson.
Representative Carson brought SB 77, jointly sponsored by Senator Ennis & Senator Simpson & cosponsored by Representatives Blakey, Hocker, Q. Johnson, Miro, Outten, Thornburg, Walls, D.E. Williams & Wilson, before the House for consideration.
SB 77 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO RECORDATION OF INSTRUMENTS IN KENT COUNTY.
Representative Carson made comments.
The roll call on SB 77 was taken and revealed:
YES: 37.
ABSENT: Representatives Cathcart, B. Short, D. Short & D.P. Williams - 4.
Therefore, having received a constitutional majority, SB 77 was returned to the Senate.
Representative Carson requested and was granted personal privilege of the floor to make an announcement. Mr. Speaker Gilligan made an announcement.
Representative M. Marshall brought SB 84, jointly sponsored by Senator Blevins, before the House for consideration.
SB 84 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTS.
Representative M. Marshall made comments. Representative Hocker requested and was granted privilege of the floor for Linda Schrack. Representatives J. Johnson, Hudson, Kovach & M. Marshall made comments. Representative M. Marshall requested and was granted privilege of the floor for Tania Culley, Child Advocate. Representative Kovach made comments.
The roll call on SB 84 was taken and revealed:
YES: 34.
NO: Representatives Lee & Wilson - 2.
NOT VOTING: Representatives Booth & Hocker - 2.
ABSENT: Representatives Cathcart, D. Short & D. P. Williams - 3.
Therefore, having received a constitutional majority, SB 84 was returned to the Senate.
Representative M. Marshall made comments. Representative Keeley requested and was granted personal privilege of the floor to make an announcement.
Representative Schwartzkopf moved to suspend the rules which interfere with action on HB 194.
The motion was seconded by Representative J. Johnson.
The roll call on the motion was taken and revealed:
YES: 22.
NOT VOTING: Representatives Bennett, Brady, Carey, Hocker, Oberle, Outten & Thornburg - 7.
ABSENT: Representatives Cathcart, D. Short & D.P. Williams - 3.
Therefore, having received a constitutional majority, the motion was adopted.
Representative Schwartzkopf brought HB 194, jointly sponsored by Senator Venables & Representatives Atkins, Booth, Hudson, Lavelle, Longhurst & B. Short & Senator Sokola, before the House for consideration.
HB 194 - SCHWARTZKOPF & SENATOR VENABLES; REPRESENTATIVES ATKINS, BOOTH, HUDSON, LAVELLE, LONGHURST, B. SHORT; SENATOR SOKOLA – An Act to Amend Titles 3 and 29 of the Delaware Code Relating to the Licensing of Venues Which did not Conduct Harness Racing During 1992 as Video Lottery Agents.
Representative Schwartzkopf made comments.
Representative Schwartzkopf moved to place HB 194 on the Speaker's Table. The motion was seconded by Representative Longhurst and adopted by voice vote.
Representative Schwartzkopf deferred to Representative B. Short.
Representative B. Short brought SB 156, jointly sponsored by Senator Marshall & Senator Venables & Representative Oberle & cosponsored by Senator Cloutier & Representative Jaques, before the House for consideration.
SB 156 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.
Representative B. Short made comments.
The roll call on SB 156 was taken and revealed:
YES: 38.
ABSENT: Representatives Cathcart, D. Short & D.P. Williams - 3.
Therefore, having received a constitutional majority, SB 156 was returned to the Senate.
Representative Schwartzkopf deferred to Representative D.E. Williams.
Representative D.E. Williams brought HB 198, jointly sponsored by Senator Katz & Representative Bennett & cosponsored by Representatives Brady, Q. Johnson, Kowalko & Mitchell, before the House for consideration.

HB 198 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE.
Representatives D.E. Williams, Kovach, M. Marshall, D.E. Williams, Kovach & D.E. Williams made comments. Representative D.E. Williams requested and was granted personal privilege of the floor for Christopher Pearson, representing National Popular Vote. Representative D.E. Williams made comments. Representative Gilligan introduced guests. Representative Lavelle rose on a point of order. Mr. Speaker Gilligan concurred. Representatives Lavelle, Kovach, M. Marshall & D. E. Williams made comments.
The roll call on HB 198 was taken and revealed:
YES: 23.
NOT VOTING: Representatives Hudson, Jaques & Thornburg - 3.
ABSENT: Representatives Cathcart, D. Short & D.P. Williams - 3.
Therefore, having received a constitutional majority, HB 198 was sent to the Senate for concurrence.
Representative Longhurst moved to suspend the rules which interfere with action on HB 275. The motion was seconded by Representative J. Johnson and adopted by voice vote.
Representative Longhurst brought HB 275, jointly sponsored by Senator Connor & Representatives Barbieri, J. Johnson & Mulrooney & Senator Henry, before the House for consideration.

HB 275 - AN ACT REQUIRING COLONIAL SCHOOL DISTRICT TO RETURN A TEACHER WITHIN THE DISTRICT TO THE SAME TEACHING POSITION HELD PRIOR TO SUCH TEACHER’S LEAVE UNDER THE FAMILY AND MEDICAL LEAVE ACT.
Representatives Longhurst, Hudson, Miro, Ramone, Longhurst, Oberle, Q. Johnson, Blakey, Longhurst, Oberle, Ramone & Mulrooney made comments.
The roll call on HB 275 was taken and revealed:
YES: 34.
ABSENT: Representatives Cathcart, D. Short & D.P. Williams - 3.
Therefore, having received a constitutional majority, HB 275 was sent to the Senate for concurrence.
Representative Longhurst made comments regarding HB 275.
Representative Schwartzkopf deferred to Representative Longhurst.
Representative Longhurst requested that HB 157 be stricken.
Representative Schwartzkopf deferred to Representative Atkins.
Representative Atkins brought HB 105, jointly sponsored by Representative Longhurst, before the House for consideration.

HB 105 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE.
Representative Atkins introduced Ha 1 to HB 105. Representative Atkins requested that Ha 1 be stricken. Representative Atkins introduced and brought HA 2 to HB 105, jointly sponsored by Representative Longhurst, before the House for consideration. Representative Atkins made a comment. HA 2 was adopted by voice vote. Representative Atkins & Longhurst made comments.
The roll call on HB 105 w/HA 2 was taken and revealed:
YES: 37.
NOT VOTING: Representative Hocker - 1.
ABSENT: Representatives Cathcart, D. Short & D.P. Williams - 3.
Therefore, having received a constitutional majority, HB 105 w/HA 2 was sent to the Senate for concurrence.
Representative Atkins made comments.
Representative Schwartzkopf deferred to Representative Hudson.
Representative Hudson brought HB 138, jointly sponsored by Senator McBride & cosponsored by Representative Keeley, before the House for consideration.

HB 138 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE DELAWARE LAND AND HISTORIC RESOURCES PROTECTION INCENTIVES ACT. (F/N)
Representative Hudson made comments.
The roll call on HB 138 was taken and revealed:
YES: 38.
ABSENT: Representatives Cathcart, D. Short & D.P. Williams - 3.
Therefore, having received a constitutional majority, HB 138 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative B. Short.
Representative B. Short brought SB 111, jointly sponsored by Senator DeLuca & Senator Katz & Representatives Brady, Hudson, Lavelle & Viola, before the House for consideration.

**SB 111 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO NOTARIES PUBLIC.** (3/5 bill)
Representative B. Short made comments.
The roll call on SB 111 was taken and revealed:
YES: 38.
ABSENT: Representatives Cathcart, Manolakos, D.P. Williams - 3.
Therefore, having received a constitutional majority of at least three-fifths Members of the House, SB 111 was returned to the Senate.
Representative D. Short requested that he be marked present during the roll call.
Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on HS 1 for HB 230. The motion was seconded by Representative J. Johnson and adopted by voice vote.

**HB 230 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO LABOR**
Representative Schwartzkopf moved to place HS 1 for HB 230 on the Speaker's Table. The motion was seconded by Representative Longhurst and adopted by voice vote.
Mr. Speaker Gilligan made an announcement.
Representative Schwartzkopf deferred to Representative Mitchell.

**SB 139 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR THE SALES OF FIREARMS.**
Representatives Mitchell & Oberle made comments.
The roll call on SB 139 was taken and revealed:
YES: 39.
ABSENT: Representatives Cathcart & D.P. Williams - 2.
Therefore, having received a constitutional majority, SB 139 was returned to the Senate.
Representative Kowalko requested that HB 241 & HB 242 be stricken.
Representative Schwartzkopf deferred to Representative Mitchell.
Representative Mitchell brought HB 226, jointly sponsored by Senator Bushweller & Representative Barbieri & Senator Blevins, before the House for consideration.

**HB 226 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE.** (F/N)
Representative Mitchell brought HA 1 to HB 226 before the House for consideration.
Representative Mitchell made comments. HA 1 was adopted by voice vote. Representative Mitchell introduced and brought HA 2 to HB 226 before the House for consideration. Representative Mitchell made comments. HA 2 was adopted by voice vote. Representatives Mitchell & Jaques made comments.
The roll call on HB 226 w/HB 241 & 2 was taken and revealed:
YES: 38.
ABSENT: Representatives Cathcart, Lavelle & D.P. Williams - 3.
Therefore, having received a constitutional majority, HB 226 w/HB 1 & 2 was sent to the Senate for concurrence.
Mr. Speaker Gilligan appointed Representative Keeley as Acting Speaker.
Representative Schwartzkopf deferred to Representative Gilligan.
Representative Gilligan moved to suspend the rules which interfere with action on HB 257. The motion was seconded by Representative J. Johnson and adopted by voice vote.
HB 257 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LOTTERIES.
Representative Gilligan made comments.
The roll call on HB 257 was taken and revealed:
YES: 35.
NOT VOTING: Representatives Bennett, Oberle & Thornburg - 3.
ABSENT: Representatives Catcart, Lavelle & D.P. Williams - 3.
Therefore, having received a constitutional majority, HB 257 was sent to the Senate for concurrence.
Mr. Speaker Gilligan resumed the Chair.
Representative Schwartzkopf brought Consent Agenda E before the House for consideration.

HB 196 – MMARSHALL & SENATOR MCBRIDE; REPRESENTATIVES BARBIERI, BOOTH, CARSON, HOCKER, LAVELLE, MANOLAKOS, MIRO, RAMONE, WILSON; SENATORS BUSHWELLER, CLOUTIER – An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

HB 203 – HOCKER & SENATOR BUNTING; REPRESENTATIVES BENNETT, BRADY, CARSON, Q. JOHNSON, MITCHELL, SCOTT, B. SHORT, WALLS, D. SHORT, CAREY, HUDSON, LEE MANOLAKOS, OUTFEN, RAMONE, THORNBURG, WILSON – An Act to Amend Title 29 of the Delaware Code Relating to Designating the Strawberry as the State Fruit.


SB 72 – MCBRIDE & REPRESENTATIVE MULROONEY; SENATORS BUNTING, VENABLES, CONNOR; REPRESENTATIVES Q. JOHNSON, OUTFEN, THORNBURG, WALLS, CAREY, HOCKER – An Act to Amend Title 26, Chapter 13 of the Delaware Code Relating to Public Utilities, Gas, Water and Oil Corporations.

The roll call on Consent Agenda E was taken and revealed:
YES: 39.
ABSENT: Representatives Cathcart & D.P. Williams – 2.
Therefore, having received a constitutional majority, HB 196 & HB 203 were sent to the Senate for concurrence and SB 61 w/SA 2; SB 72 & SB 102 were returned to the Senate.
Representatives Kovach & D. Short made comments.
Representative Schwartzkopf deferred to Representative B. Short.
Representative B. Short brought HB 185, jointly sponsored by Representative Bennett & Senator Peterson & Senator Sokola & cosponsored by Representatives Jaques, Kowalko, Longhurst, Mitchell & Schwartzkopf, before the House for consideration.

HB 185 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO AUTOMATED CALLS IN THE STATE OF DELAWARE.
Representative B. Short introduced and brought HA 1 to HB 185 before the House for consideration. Representatives B. Short, Scott & Hudson made comments. HA 1 was adopted by voice vote.
Representatives Hudson, B. Short, Lavelle & D. Short made comments. Representative B. Short requested and was granted privilege of the floor for Tim Mullaney, Director, Fraud Division, Attorney General’s Office. Representatives D. Short, B. Short & Lavelle made comments.
The roll call on HB 185 w/HA 1 was taken and revealed:
YES: 37.
NOT VOTING: Representative Catcart - 1.
ABSENT: Representatives Mulrooney, Plant & D.P. Williams - 3.
Therefore, having received a constitutional majority, HB 185 w/HA 1 was sent to the Senate for concurrence.
Representative Catcart requested that he be marked present during the roll call.
Representative Gilligan made an announcement.
Representative Schwartzkopf brought Consent Agenda F, which requires a two-thirds vote, before the House for consideration.


SB 109 – PETERSON; SENATORS ENNIS, BUSHWELLER, BUNTING; REPRESENTATIVES CARSON, RAMONE, D. SHORT & KEELEY – An Act to Amend Title 16 of the Delaware Code Relating to Salvinorin A. (2/3 bill)


SB 142 – SOKOLA & REPRESENTATIVE KOWALKO; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG - An Act to Amend Title 29 of the Delaware Code Relating to the Department of Information and Technology.

SB 150 w/SA 1 – SOKOLA & REPRESENTATIVE KOWALKO; SENATOR BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG - An Act to Amend Title 14, Title 18, and Title 29 of the Delaware Code.

The roll call on Consent Agenda F was taken and revealed:
YES: 39.
ABSENT: Representatives Plant & D. P. Williams - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 249 was sent to the Senate for concurrence and SB 105, SB 109, SB 116, SB 117, SB 142 & SB 150 w/SA 1 were returned to the Senate.

Representative Cathcart made an announcement.

The Majority Leader moved to recess for caucus at 5:06 p.m.

The House reconvened at 7:59 p.m.

The Chief Clerk read the following committee reports into the record:

REVENUE & FINANCE: HB 260 – 6M,1U; HB 261 – 4M,2U; HB 262 – 6M,2U; HB 263 – 7M,1U; HB 264 – 6M; HB 265 – 2F,5M; HB 266 – 4M,2U; HB 267 – 6M; HB 268 – 6F,1M.

HOUSING & COMMUNITY AFFAIRS: SB 161 – 2F, 5M.

ECONOMIC/DEVELOPMENT/BANKING/INSURANCE/COMMERCE: HB 250 – 8F; SB 145 w/SA 1 – 7M.

EDUCATION: HB 254 - 9F.

NATURAL RESOURCES: HB 233 – 8M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 121 and requests the concurrence of the House.

Memorandum
To: The Honorable Robert F. Gilligan
Speaker of the House

From: Representative Dennis P. Williams

Date: June 24, 2009

RE: Absence from Legislative Session

I will be unable to attend legislative session today since I am attending the funeral of my brother-in-law.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Liane Sorenson, do hereby request that my name be removed as co-sponsor of HB 162.

Date: 6/24/09
Signed: Liane Sorenson

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on SB 121. The motion was seconded by Representative J. Johnson and adopted by voice vote.


SB 121 - AN ACT TO AMEND TITLES 6, 9, 18, 19, 25, AND 29 OF THE DELAWARE CODE RELATING TO DISCRIMINATION IN EMPLOYMENT, PUBLIC WORKS CONTRACTING, HOUSING, EQUAL ACCOMMODATIONS AND THE INSURANCE BUSINESS.

Representatives Schwartzkopf, D. Short, Oberle & Schwartzkopf made comments. Representative D. Short introduced and brought HA 1 to SB 121, jointly sponsored by Representative Hocker & Representative Wilson & Representatives Atkins & Carey, before the House for consideration.

Representative D. Short made comments.

The roll call on HA 1 to SB 121 was taken and revealed:
NO: 26.
NOT VOTING: Representative Cathcart - 1.
ABSENT: Representative D.P. Williams - 1.

Therefore, not having received a constitutional majority, HA 1 was declared defeated.
Representative D. Short introduced and brought **HA 2**, jointly sponsored by Representative Hocker & Representative Wilson & Representatives Atkins & Carey, before the House for consideration.

Representative D. Short made comments.

The roll call on **HA 2** was taken and revealed:


NO: 21.

NOT VOTING: Representatives Cathcart, Lavelle & Manolakos - 3.

ABSENT: Representative D.P. Williams - 1.

Therefore, not having received a constitutional majority, **HA 2** was declared defeated.

Representative Hocker introduced and brought **HA 3 to SB 121**, jointly sponsored by Representative D. Short & Representative Wilson & Representatives Atkins & Carey, before the House for consideration.

Representative Hocker made comments.

The roll call on **HA 3 to SB 121** was taken and revealed:


NO: 23.

NOT VOTING: Representatives Cathcart & Manolakos - 2.

ABSENT: Representative D.P. Williams - 1.

Therefore, not having received a constitutional majority, **HA 3** was declared defeated.

Representatives Schwartzkopf, Oberle, Keeley & D. Short made comments. Representative Schwartzkopf introduced guests. Representative Cathcart made an announcement.

Representative D. Short introduced and brought **HA 4 to SB 121**, sponsored by Representative Hocker, before the House for consideration. Representative D. Short deferred to Representative Hocker. Representatives Hocker & Schwartzkopf made comments. Representative Schwartzkopf requested and was granted privilege of the floor for Mike Migliore, House Attorney. Mr. Speaker Gilligan ruled that **HA 4** is out of order. Representatives D. Short & Oberle made comments.

The roll call on **SB 121** was taken and revealed:

YES: 26.


ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority, **SB 121** was returned to the Senate.

Representative Schwartzkopf, Mr. Speaker Gilligan, Representatives Longhurst & Oberle made comments regarding **SB 121**.

Representative Cathcart made an announcement.

The Majority Leader moved to recess to the call of the Chair at 8:40 p.m.

Mr. Speaker Gilligan called the House to order at 2:11 p.m. on June 25, 2009.

The Majority Leader moved to adjourn at 2:12 p.m., thereby ending the current Legislative Day. The House reconvened at 2:13 p.m.

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**41st LEGISLATIVE DAY – 145th GENERAL ASSEMBLY – First Session**

**June 25, 2009**

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Dennis E. Williams, Tenth Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

**HB 276** – HUDSON & SENATOR MCBRIDE; REPRESENTATIVES BARBIERI, BRADY, CARSON, JAQUES, BOOTH, CAREY, HOCKER, LAVELLE, MANOLAKOS, MIRO, RAMONE, THORNBURG; SENATORS SOKOLA, SORENSON - JUDICIARY - An Act to Amend Titles 11, 16, 17 and 21 of the Delaware Code Relating to Criminal Mischief, Graffiti, and Other Injury to a Scenic and Historical Highway or a Scenic Byway. (2/3 bill)


**HA 1 to HS 1 for HB 230** – SCOTT – Placed with the Bill.

**HA 1 to HA 1 to HB 233** - WALLS - Placed with the Bill.

**HA 1 to HB 253** - KOWALKO - Placed with the Bill.

**HA 1 to HA 1 to HB 253** – KOWALKO – Placed with the Bill.

**HA 2 to HB 260** – HUDSON - Placed with the Bill.
HA 2 to HB 261 – HUDSON - Placed with the Bill.
HA 3 to HB 264 – HUDSON - Placed with the Bill.
HA 4 to HB 264 - KOWALKO - Placed with the Bill
HA 2 to HB 265 – HUDSON - Placed with the Bill.
HA 2 to HB 266 – HUDSON - Placed with the Bill.
HA 7 to HB 267 – HUDSON - Placed with the Bill.
HA 1 to SB 115 - Q. JOHNSON - Placed with the Bill.

Representatives Booth, Miro, Cathcart, Atkins & Hocker requested that they be marked present.
Representative D.E. Williams requested and was granted privilege of the floor for himself and
Representative B. Short to present House Tributes to Tom Sabatino, Director of Vocal Music, Concord
High School and President of the Delaware Music Educators Association, who addressed the House and to
Don Rice, President, Board of Directors, New Candlelight Theater and Bob Miller, Executive Director,
New Candlelight Theater.

Representative Gilligan, Representatives Cathcart & Schwartzkopf made announcements. Representative Kowalko
requested that HB 238, HB 239 & HB 240 be stricken. Representative Schwartzkopf deferred to Mr.
Speaker Gilligan. Mr. Speaker Gilligan appointed Representative Keeley as Acting Speaker.

Representative Gilligan moved to lift HS 1 for HB 230 from the Speaker's Table.

HB 230 – AN ACT TO AMEND TITLE 19 OF THE DELAWARE
CODE RELATING TO LABOR.

Representative Scott brought HA 1 to HS 1 for HB 230, jointly sponsored by Representative B. Short, before the House for consideration. Representative Scott made comments.

The roll call on HS 1 for HB 230 w/HA 1 was taken and revealed:
YES: 37.
NO: Representatives Carey, Hocker & Wilson - 3.
NOT VOTING: Representative Booth - 1.

Therefore, having received a constitutional majority, HS 1 for HB 230 w/HA 1 was sent to the
Senate for concurrence.

Representatives Viola & D.P. Williams requested that they be marked present during the roll call.
Mr. Speaker Gilligan resumed the Chair.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought HB 199, jointly sponsored by Representative M. Marshall &
Senator Blevins & Senator Sorenson & Representatives Barbieri, Bennett, Brady, Hudson, Jaques, J.
Johnson, Keeley, Kowalko, Longhurst, Manolakos, Mitchell, Mulrooney, Oberle, Schwartzkopf, Viola, D.P.
Williams & Senators Blevins, Marshall & McBride & cosponsored by Representative Schooley, before the House for consideration.

HB 199 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO
DEVELOPMENTAL SCREENING OF INFANTS AND TODDLERS. (F/N)

Representative Schooley brought HA 1 to HB 199 before the House for consideration.

Representative Schooley requested that HA 1 be stricken. Representative Schooley brought HB 2 to HB
199 before the House for consideration. Representatives Schooley & Lavelle made comments.

The roll call on HB 199 w/HA 2 was taken and revealed:
YES: 40.
ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority, HB 199 w/HA 2 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought HB 184, jointly sponsored by Senator Hall-Long &
Representatives Plant, Schooley & B. Short & Senator Blevins, before the House for consideration.

HB 184 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO
PROFESSIONS AND OCCUPATIONS. (2/3 bill)
Representative Q. Johnson brought HA 1 to HB 184 before the House for consideration. Representative Q. Johnson made comments. HA 1 was adopted by voice vote. Representative Q. Johnson introduced and brought HA 2 to HB 184 before the House for consideration. Representative Q. Johnson made comments. HA 2 was adopted by voice vote. Representatives Q. Johnson, Lavelle & Barbieri made comments. Representative Q. Johnson requested and was granted privilege of the floor for Julie Jenks Zorach, Board Member, Clinical Social Work Society. Representatives Lavelle, Booth, Cathcart & Q. Johnson made comments. Representative Q. Johnson moved to place HB 184 w/HA 1 & HA 2 on the Speaker's Table. The motion was seconded by Representative Wilson and adopted by voice vote. Representative Schwartzkopf deferred to Representative M. Marshall. Representative M. Marshall brought SB 86, jointly sponsored by Senator Henry & Senators Blevins, Cloutier, Connor, Hall-Long, Katz, McDowell, Peterson, Sokola & Sorenson & Representative Keeley, before the House for consideration. SB 86 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY, INFORMED CONSENT AND HIV TESTING. Representative M. Marshall announced that the Committee Report for SB 86 is incorrect. Representative M. Marshall made a comment. The roll call on SB 86 was taken and revealed: YES: 40. ABSENT: Representative Viola - 1. Therefore, having received a constitutional majority, SB 86 was returned to the Senate. Representative Kowalko rose on a point of order. Mr. Speaker Gilligan did not concur. The Majority Leader moved to recess for caucus at 3:29 p.m. The House reconvened at 5:43 p.m. Representative Schwartzkopf made an announcement. Representative Longhurst brought HB 165 w/HA 1 & SA 1, jointly sponsored by Senator Blevins & Representatives Barbieri, Bennett, Carson, Hudson, M. Marshall, Mitchell, Schooley, Schwartzkopf, Scott & D. Short & Senator Hall-Long, before the House for concurrence on SA 1. HB 165 - AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE RELATING TO THE ADULT ABUSE REGISTRY. Representative Longhurst made comments. The roll call on HB 165 w/HA & SA 1 was taken and revealed: YES: 38. ABSENT: Representatives Cathcart, D. Short & Viola - 3. Therefore, having received a constitutional majority, HB 165 w/HA 1 & SA 1 was sent to the Governor. Representative Kowalko brought HB 253, jointly sponsored by & Senator Sokola & Representatives Atkins, Bennett, Lee & Thornburg & Senators Bushweller, Connor & Katz, before the House for consideration. HB 253 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COMPENSATION FOR INNOCENT VICTIMS OF VIOLENT CRIME. Representative Kowalko requested that HA 1 to HB 253 & HA 1 to HA 1 to HB 253 be stricken. Representative D.P. Williams introduced and brought HA 2 to HB 253, jointly sponsored by Representative Kowalko, before the House for consideration. Representatives D.P. Williams & Kowalko made comments. HA 2 was adopted by voice vote. Representative Kowalko introduced and brought HA 3 to HB 253 before the House for consideration. Representatives Kowalko & D.P. Williams made comments. HA 3 was adopted by voice vote. Representatives Hudson & J. Johnson made comments. Representative J. Johnson requested and was granted privilege of the floor for Vera Lynn Gregory, Member of the Violent Crimes Compensation Board. Representatives J. Johnson, Kowalko, Bennett & Thornburg made comments. Representative Manolakos introduced and brought HA 4 to HB 253, jointly sponsored by Representative Lavelle, before the House for consideration. Representatives Manolakos, Keeley, Kowalko, Manolakos, D. P. Williams, Oberle, B. Short, J. Johnson, Lavelle, Hudson & Manolakos made comments. HA 4 was defeated by voice vote. The roll call on HB 253 w/HA 2 & 3 was taken and revealed: YES: 39. ABSENT: Representatives Cathcart & D. Short - 2. Therefore, having received a constitutional majority, HB 253 w/HA 2 & 3 was sent to the Senate for concurrence. Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst moved to suspend the rules which interfere with action on HB 246. The motion was seconded by Representative M. Marshall and adopted by voice vote. Representative Longhurst brought HB 246, jointly sponsored by Senator Bunting, before the House for consideration. HB 246 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE.
Representative Longhurst brought HA 1 to HB 246 before the House for consideration. Representative Longhurst introduced and brought HA 1 to HA 1 to HB 246 before the House for consideration. Representative Longhurst made comments. HA 1 to HA 1 was adopted by voice vote. Representative Longhurst made comments. HA 1 w/HA 1 was adopted by voice vote. Representative Longhurst made comments.

The roll call on HB 246 w/HA 1 & HA 1 to HA 1 was taken and revealed:
YES: 38.
ABSENT: Representatives Cathcart, Miro & D. Short - 3.
Therefore, having received a constitutional majority, HB 246 w/HA 1 & HA 1 to HA 1 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Atkins. Representative Atkins moved to suspend the rules which interfere with action on HB 258. The motion was seconded by Representative Carson and adopted by voice vote. Representative Atkins brought HB 258, jointly sponsored by Senator Ennis & Representatives Carson, Gilligan, Mulrooney, Schwartzkopf & Walls, before the House for consideration.
HB 258 – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LICENSES TO CARRY CONCEALED DEADLY WEAPONS. (3/5 bill)(F/I)
Representative Atkins introduced and brought HA 1 to HB 258 before the House for consideration. Representative Atkins made comments. HA 1 was adopted by voice vote. Representative Atkins introduced and brought HA 2 to HB 258 before the House for consideration. Representative Atkins made a comment.
HA 2 was adopted by voice vote. Representative Atkins made comments.

The roll call on HB 258 w/HA 1 & 2 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 258 w/HA 1 & 2 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley brought SB 149, jointly sponsored by Senator Sokola, before the House for consideration.
SB 149 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LICENSURE AND CERTIFICATION OF NONPUBLIC SCHOOL TEACHERS, SPECIALISTS AND ADMINISTRATORS, AND PUBLIC EDUCATION EMPLOYEES.
Representatives Schooley & Lavelle made comments.
The roll call on SB 149 was taken and revealed:
YES: 40.
ABSENT: Representative M. Marshall - 1.
Therefore, having received a constitutional majority, SB 149 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley brought SB 151, jointly sponsored by Senator Sokola, before the House for consideration.
SB 151 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO AN ACADEMIC ACHIEVEMENT AWARD PROGRAM.
Representative Schooley made comments.
The roll call on SB 151 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, SB 151 was returned to the Senate.
SB 68 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT ASSESSMENT AND ACADEMIC PROMOTION. (F/N)
Representatives Schooley, Kovach & Thornburg made comments.
The roll call on SB 68 w/SA 1 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, SB 68 w/SA 1 was returned to the Senate. Representative Schooley made comments.
Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell brought SB 76, jointly sponsored by Senator Bushweller & Senator Sorenson & Representative Bennett, before the House for consideration.
SB 76 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE SALE OF MOTOR VEHICLES.
Representative Mitchell made comments.
The roll call on SB 76 was taken and revealed:
YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, SB 76 was returned to the Senate.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson moved to lift HB 184 w/ HA 1 & 2 from the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Q. Johnson brought HB 184, jointly sponsored by Senator Hall-Long & Representatives Plant, Schooley & B. Short & Senator Blevins, before the House for consideration.

HB 184 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. (2/3 bill)

Representative Q. Johnson deferred to Representative Cathcart. Representative Cathcart introduced and brought HA 3 to HB 184 before the House for consideration. Representatives Cathcart & Q. Johnson made comments. HA 3 was adopted by voice vote.

The roll call on HB 184 w/HA 1, 2 & 3 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 184 w/HA 1, 2 & 3 was sent to the Senate for concurrence.

Representative Schwartzkopf brought Consent Agenda G, which requires a two-thirds vote, before the House for consideration.

HB 221 – KEELEY & SENATOR MCDOWELL; REPRESENTATIVES CARSON, MANOLAKOS, RAMONE, VIOLA; SENATOR HALL-LONG - An Act to Amend Title 6 of the Delaware Code Relating to Credit Services Organizations.


HB 221 & HB 222 were sent to the Senate for concurrence and SB 110, SB 118, SB 133, SB 138 w/SA 2 & SB 145 w/SA 1 were returned to the Senate.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 221 & HB 222 were sent to the Senate for concurrence and SB 110, SB 118, SB 133, SB 138 w/SA 2 & SB 145 w/SA 1 were returned to the Senate.

Representative Schwartzkopf deferred to Representative Barbieri.


SB 115 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE DELAWARE FALSE CLAIMS AND REPORTING ACT.

Representative Q. Johnson brought HA 1 to SB 115, jointly sponsored by Representative Oberle, before the House for consideration. Representative Barbieri deferred to Representative Q. Johnson.

Representative Q. Johnson made comments. HA 1 was adopted by voice vote. Representative Barbieri made comments.

The roll call on SB 115 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 115 w/HA 1 was returned to the Senate for concurrence on HA 1.

Representative Keeley made an announcement.

The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 62 and requests the concurrence of the House and the Senate has passed HB 165 w/HA 1 & SA 1 and is returning the same to the House. The Senate wishes to inform the House that it has passed SB 106 w/SA 2, SB 173 w/SA 1, SB 165 w/SA 1 & SB 52 w/SA 1 and requests the concurrence of the House and the Senate has passed HB 118 w/HA 1 & SA 1 & HB 154 w/HA 1 and the Senate wishes to inform the House that it has passed HB 167, HB 174 w/HA 1 & HB 98 and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Longhurst.
Representative Longhurst moved to restore HB 210 and that the roll call be rescinded. The motion was seconded by Representative M. Marshall and adopted by voice vote.
Representative Longhurst brought HB 210, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson, before the House for consideration.

HB 210 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO LICENSING FEES. (3/5 bill)
Representative Longhurst moved to place HB 210 on the Speaker's Table. The motion was seconded by Representative M. Marshall and adopted by voice vote.
Representative Longhurst moved to restore HB 211 and that the roll call be rescinded. The motion was seconded by Representative M. Marshall and adopted by voice vote.
Representative Longhurst brought HB 211, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson, before the House for consideration.

HB 211 - AN ACT TO AMEND CHAPTER 53, TITLE 30 OF THE DELAWARE CODE RELATING TO THE LEVY, COLLECTION AND USE OF TOBACCO PRODUCT TAX REVENUE. (3/5 bill)
Representative Longhurst moved to place HB 211 on the Speaker's Table. The motion was seconded by Representative M. Marshall and adopted by voice vote.
Representative Longhurst moved to restore HB 212 w/HA 2 and that the roll call be rescinded. The motion was seconded by Representative M. Marshall and adopted by voice vote.
Representative Longhurst brought HB 212 w/HA 2, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson, before the House for consideration.

HB 212 - AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO TAXES ON ALCOHOLIC BEVERAGES. (3/5 bill)
Representative Longhurst moved to place HB 212 w/HA 2 on the Speaker's Table. The motion was seconded by Representative M. Marshall and adopted by voice vote.
Representatives Schwartzkopf, Walls & Cathcart & Mr. Speaker Gilligan made announcements.
The Majority Leader moved to recess to the call of the Chair at 7:18 p.m.
Mr. Speaker Gilligan called the House to order at 2:06 p.m. on June 29, 2009.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 134 w/SA 1 and requests the concurrence of the House.
Representative Schwartzkopf requested that HB 273 be stricken.
Mr. Speaker Gilligan requested that HB 274 be stricken
The Majority Leader moved to adjourn at 2:07 p.m., thereby ending the current Legislative Day. The House reconvened at 2:08 p.m.

42nd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - First Session
June 29, 2009
The Chief Clerk called the roll.
Members Present: 41
A prayer was offered by Representative John C. Atkins, Forty-first Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following prefilled legislation was introduced:
HA 1 to HB 194 - VIOLA - Placed with the Bill.
HA 1 to HB 197 - BRADY - Placed with the Bill.
HA 1 to HB 252 - LEE - Placed with the Bill.
SB 52 w/SA 1 – BLEVINS & REPRESENTATIVE BARBIERI - JUDICIARY - An Act to Amend Title 31 of the Delaware Code Relating to the Interstate Compact for the Placement of Children.
SB 62 - HENRY; SENATORS PETERSON, HALL-LONG, ENNIS, BUSHWELLER, BUNTING, SORENSON; REPRESENTATIVES BARBIERI, SCHOOLEY, JAQUES - REVENUE & FINANCE - An
Act to Amend Title 30 of the Delaware Code Relating to Delaware Personal Income Tax Checkoff Programs.


**SB 165 w/SA 1** – BUSHWELLER & REPRESENTATIVE BENNETT; SENATOR ENNIS; REPRESENTATIVES SCOTT, CARSON - HOUSE ADMINISTRATION - An Act to Amend the Charter of the City of Dover Being Chapter 175, Volume 75, of the Laws of Delaware, as Amended, Relating to Governance, Elections, Administration and Finance. (2/3 bill)


Representative Lee requested that he be marked present.

The Chief Clerk read the following committee report into the record:

ENERGY:

**SB 106 w/SA 2** - 1F, 10M.

Representatives Hocker & D.P. Williams requested that they be marked present.


Representative B. Short requested that he be marked present.

**hb 290** - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2010; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

Mr. Speaker Gilligan assigned **HB 290** to the Appropriations Committee.

Representative D.P. Williams made comments.

The Majority Leader moved to recess for caucus at 2:16 p.m. The House reconvened at 6:45 p.m.

Representative Keeley requested that she be marked present.

Representative Schwartzkopf deferred to Representative Bennett.

Representative Bennett moved to suspend the rules which interfere with action on **SB 165 w/SA 1**.

The roll call on **SB 165 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Oberle - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 165 w/SA 1** was returned to the Senate.

Representative Plant requested that she be marked present during the roll call.

Representative Schwartzkopf brought Consensus Agenda H before the House for concurrence on Senate Amendments.

**HB 118 w/HA 1 & SA 1** – CARSON; REPRESENTATIVES KEELEY, BENNETT, B. SHORT, D.E. WILLIAMS; SENATORS ENNIS & HALL-LONG - An Act to Amend Title 13 of the Delaware Code Relating to Domestic Violence

**HB 146 w/SA 2** - M. MARSHALL & SENATOR BLEVINS; REPRESENTATIVES BARBIERI, BENNETT, BOOTH, BRADY, CAREY, CARSON, HOCKER, HUDSON, JAQUES, KEELEY, KOVACH, KOWALKO, LEE, LONGHURST, MANOLAKOS, MIRO, MITCHELL, OBERLE, OUTTEN, RAMONE, SCHOOLEY, SCHWARTZKOPF, SCOTT, B. SHORT, D. SHORT, THORNBURG, WALLS, D.E. WILLIAMS, D.P. WILLIAMS, WILSON; SENATOR HALL-LONG - An Act to Amend Title 13 of the Delaware Code Relating to Domestic Violence
HCR 7 w/SA 1 - OBERLE & REPRESENTATIVE MULROONEY & SENATOR VENABLES & SENATOR CLOUTIER; REPRESENTATIVES CARSON, BENNETT, MITCHELL, WALLS, CATHCART, D. SHORT, HOCKER, LAVELLE, WILSON; SENATORS BUNTING, ENNIS, MCDOWELL, PETERSON & SIMPSON - A Resolution Urging the Department of Natural Resources and Environmental Control to Require All Facilities that Operate in Delaware Waters and Utilize Cooling Water Intake Structures to Implement "Closed-Cycle" Cooling Systems, and Urging the Department of Natural Resources and Environmental Control to Declare that "Closed Cycle" Cooling Systems Constitute the Best Technology Available for Water Intake Structures.

The roll call on Consent Agenda H was taken and revealed:

YES: 41.
Therefore, having received a constitutional majority, HB 118 w/HA 1 & SA 1 & HB 146 w/SA 2 were sent to the Governor and HCR 7 w/SA 1 was declared passed.

Representative Oberle requested that he be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Mulrooney.


HJR 5 - REQUESTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, THE DELAWARE SOLID WASTE AUTHORITY, AND OTHER INTERESTED PARTIES, TO WORK TOGETHER TO ACHIEVE THE GOAL OF "ZERO WASTE" IN THE STATE OF DELAWARE.

Mr. Speaker Gilligan assigned HJR 5 to the Natural Resources Committee.

Representative Schwartzkopf deferred to Representative Scott.

Representative Scott moved to suspend the rules which interfere with action on SB 104. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Scott brought SB 104, jointly sponsored by Senator Sokola & Senator Sorenson & Representative Lavelle, before the House for consideration.

SB 104 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT TO PERMIT VIDEO-CONFERENCING IN CERTAIN CIRCUMSTANCES.

Representative Scott made comments.

The roll call on SB 104 was taken and revealed:

YES: 41.
Therefore, having received a constitutional majority, SB 104 was returned to the Senate.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought HB 244, jointly sponsored by Senator Blevins, before the House for consideration.

HB 244 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO NOTICE OF SCHOOL ELECTIONS.

Representative Jaques introduced and brought HA 1 to HB 244 before the House for consideration.

Representative Jaques made comments. HA 1 was adopted by voice vote. Representative Jaques made comments. Representative Hudson requested and was granted privilege of the floor for Elaine Manlove, State Election Commissioner. Representatives Hudson & Kovach made comments.

The roll call on HB 244 w/HA 1 was taken and revealed:

YES: 41.
Therefore, having received a constitutional majority, HB 244 w/HA 1 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought HB 245, jointly sponsored by Senator Bunting & cosponsored by Representative Plant, before the House for consideration.

HB 245 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

Representative Jaques made comments. Representative Jaques introduced and brought HA 1 to HB 245 before the House for consideration. HA 1 was adopted by voice vote. Representative Jaques made comments. Representative Lavelle requested and was granted privilege of the floor for Elaine Manlove, State Election Commissioner. Representatives Lavelle & J. Johnson made comments.

The roll call on HB 245 w/HA 1 was taken and revealed:

YES: 41.
Therefore, having received a constitutional majority, HB 245 w/HA 1 was sent to the Senate for concurrence.

Representative Jaques made comments.

Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri moved to suspend the rules which interfere with action on SB 62. The motion was properly seconded and adopted by voice vote.

Representative Barbieri brought SB 62, jointly sponsored by Senator Henry & Senators Peterson, Hall-Long, Ennis, Bushweller, Bunting & Sorenson & Representatives Schooley & Jaques, before the House for consideration.

SB 62 – AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE PERSONAL INCOME TAX CHECKOFF PROGRAMS.

Representatives Barbieri & Hudson made comments. Representative Hudson requested and was granted privilege of the floor for Thomas Cook, Deputy Secretary, Department of Finance. Representatives Hudson, Lavelle, Keeley, Barbieri & Hudson made comments. Representative Barbieri requested and was granted privilege of the floor for Mary Ball Morton, Board President, 21st Century Fund for Delaware Children. Representative Hudson made a comment.

The roll call on SB 62 was taken and revealed:
YES: 41.

Therefore, having received a constitutional majority, SB 62 was returned to the Senate.

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on HB 289. The motion was seconded by Representative Longhurst and adopted by voice vote.

Representative Schwartzkopf introduced and brought HB 289, jointly sponsored by Representative Longhurst & Representative Gilligan & Senator DeLuca & Senator Cook & Senator Blevins & Senator Sorenson, before the House for consideration.

HB 289 - AN ACT TO AMEND TITLE 7 AND TITLE 30 OF THE DELAWARE CODE AND CHAPTER 282, VOLUME 76 OF THE LAWS OF DELAWARE RELATING TO GROSS RECEIPTS TAXES. (3/5 bill)

Representative Schwartzkopf moved to place HB 289 on the Speaker's Table. The motion was seconded by Representative Longhurst and adopted by voice vote.

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on HS 1 for HB 264. The motion was seconded by Representative Longhurst and adopted by voice vote.

Representative Schwartzkopf introduced and brought HS 1 for HB 264, jointly sponsored by Representative Longhurst & Representative Gilligan & Senator DeLuca & Senator Cook & Senator Blevins, before the House for consideration.

HB 264 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES ON PERSONAL INCOME. (3/5 bill)

Representative Schwartzkopf moved to place HS 1 for HB 264 on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on HB 267. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf introduced & brought HS 1 for HB 267, jointly sponsored by Representative Gilligan & Representative Longhurst & Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson & Senator Sorenson, before the House for consideration.

HB 267 - AN ACT TO AMEND TITLE 6, TITLE 8, TITLE 12, AND TITLE 29 OF THE DELAWARE CODE RELATING TO VARIOUS FEES AND TAXES CHARGED BY THE SECRETARY OF STATE. (2/3 bill)

Representative Schwartzkopf moved to place HS 1 for HB 267 on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on HB 291. The motion was seconded by Representative Carson and adopted by voice vote.

Representative Schwartzkopf introduced and brought HB 291, jointly sponsored by Representative Longhurst & Representative Gilligan & Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson, before the House for consideration.

HB 291 - AN ACT TO AMEND TITLES 3, 12 AND 30 OF THE DELAWARE CODE RELATING TO THE ESTATE TAX. (3/5 bill)

Representative Schwartzkopf moved to place HB 291 on the Speaker's Table. The motion was seconded by Representative D. Short and adopted by voice vote.

Representative Schwartzkopf deferred to Representative Kowalko. Representative Kowalko moved to suspend the rules which interfere with action on SB 106 w/SA 2.

The motion was seconded by Representative J. Johnson and adopted by voice vote.


SB 106 – AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO ENERGY EFFICIENCY RESOURCE STANDARDS AND ENERGY EFFICIENCY PLANNING. (3/5 bill)
Representative Kowalko made comments.
The roll call on SB 106 w/SA 2 was taken and revealed:
YES: 39.
Therefore, having received a constitutional majority of at least three-fifths Members of the House,
SB 106 w/SA 2 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Viola.
Representative Viola moved to suspend the rules which interfere with action on SB 134 w/SA 1.
The motion was seconded by Representative Atkins and adopted by voice vote.
Representative Viola brought SB 134 w/SA 1, jointly sponsored by Senator Ennis & Senator Adams & Senators Hall-Long, Bushweller & Venables & Representatives Barbieri, Bennett, Carson, Hudson, Lavelle, Mitchell, Oberle, Walls, J. Johnson, Q. Johnson & Keeley, before the House for consideration.

SB 134 - AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO NONPROFIT CHARITABLE GAMING.
Representative Viola made comments.
The roll call on SB 134 w/SA 1 was taken and revealed:
YES: 40.
NOT VOTING: Representative Jaques - 1.
Therefore, having received a constitutional majority, SB 134 w/SA 1 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Kowalko.

SB 49 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO SOLAR PHOTOVOLTAIC SYSTEMS AND AMENDMENTS TO DEED RESTRICTIONS.
Representatives Kowalko, Kovach & D. Short made comments. Representative Kowalko requested and was granted privilege of the floor for Collin O’Mara, Secretary, Department of Natural Resources and Environmental Control. Representative D. Short made comments.
The roll call on SS 1 for SB 49 was taken and revealed:
YES: 40.
ABSENT: Representative Miro - 1.
Therefore, having received a constitutional majority, SS 1 for SB 49 was returned to the Senate.
Representative M. Marshall brought HB 233 before the House for consideration.

HB 233 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTIES AND TITLE 7 OF THE DELAWARE CODE RELATING TO DOGS. (3/5 bill)
Representative Walls brought HA 1 to HB 233 before the House for consideration. Representative Walls requested that HA 1 to HB 233 be stricken. Representative Walls requested that HA 1 to HB 233 be stricken. Representative M. Marshall made a comment. Representative M. Marshall introduced and brought HA 2 to HB 233 before the House for consideration. HA 2 was adopted by voice vote.
Representative Walls introduced and brought HA 3 to HB 233 before the House for consideration. HA 3 was adopted by voice vote.
Representative Walls introduced and brought HA 3 to HB 233 before the House for consideration.

The roll call on HB 233 w/HA 2 & 3 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority of at least three-fifths Members of the House,
HB 233 w/HA 2 & 3 was sent to the Senate for concurrence.
Mr. Speaker Gilligan made an announcement.
Representative Schwartzkopf deferred to Representative Bennett.
Representative Bennett brought SB 114, jointly sponsored by Senator Cook & Senators Blevins, DeLuca & Sorenson & Representatives Hudson, M. Marshall, Viola & Kovach, before the House for consideration.

SB 114 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JURISDICTION OF THE FAMILY COURT.
Representative Bennett made comments.
The roll call on SB 114 was taken and revealed:
YES: 39.
ABSENT: Representatives Cathcart & Keeley - 2.
Therefore, having received a constitutional majority, SB 114 was returned to the Senate.
Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on HS 1 for HB 268. The motion was seconded by Representative D. P. Williams and adopted by voice vote.
Representative Schwartzkopf introduced and brought HS 1 for HB 268, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Cathcart & Representative D. Short
& Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson & Senator Sorenson, before the House for consideration.

HB 268 - AN ACT TO AMEND CHAPTER 5, TITLE 30 OF THE DELAWARE CODE RELATING TO PROCEDURE, ADMINISTRATION AND ENFORCEMENT.
Representatives Schwartzkopf & D. Short made comments.
The roll call on HS 1 for HB 268 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, HS 1 for HB 268 was sent to the Senate for concurrence.
Representative Schwartzkopf moved to suspend the rules which interfere with action on HB 210.
The motion was seconded by Representative Brady and adopted by voice vote.
Representative Schwartzkopf moved to lift HB 210 from the Speaker’s Table. The motion was properly seconded and adopted by voice vote.
Representative Schwartzkopf brought HB 210, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson, before the House for consideration.

HB 210 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LICENSING FEES. (3/5 bill)
Representative Schwartzkopf made comments.
The roll call on HB 210 was taken and revealed:
YES: 25.
Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 210 was sent to the Senate for concurrence.
Representative Schwartzkopf moved to suspend the rules which interfere with action on HB 212 w/HA 2. The motion was seconded by Representative Hudson and adopted by voice vote.
Representative Schwartzkopf moved to lift HB 212 from the Speaker’s Table. The motion was properly seconded and adopted by voice vote.
Representative Schwartzkopf brought HB 212 w/HA 2, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson, before the House for consideration.

HB 212 - AN ACT TO AMEND CHAPTER 5, TITLE 4 OF THE DELAWARE CODE RELATING TO TAXES ON ALCOHOLIC BEVERAGES. (3/5 bill)
Representatives Schwartzkopf, Hudson & Hocker made comments.
The roll call on HB 212 w/HA 2 was taken and revealed:
YES: 22.
Therefore, not having received a constitutional majority of at least three-fifths Members of the House, HB 212 w/HA 2 was declared defeated.
Representative Schwartzkopf moved to suspend the rules which interfere with action on HB 211.
The motion was seconded by Representative J. Johnson and adopted by voice vote.
Representative Schwartzkopf brought HB 211, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Simpson & Senator Sorenson, before the House for consideration.

HB 211 - AN ACT TO AMEND CHAPTER 53, TITLE 30 OF THE DELAWARE CODE RELATING TO THE LEVY, COLLECTION AND USE OF TOBACCO PRODUCT TAX REVENUE. (3/5 bill)
Representative Scott announced that he will not be participating in the debate nor voting on HB 211 because of a possible conflict of interest. Representative Schwartzkopf moved to lift HB 211 from the Speaker’s Table. The motion was properly seconded and adopted by voice vote. Representative Schwartzkopf made comments. Representative Cathcart introduced and brought HA 3 to HB 211, jointly sponsored by Representative Hudson & Representative Miro, before the House for consideration.
Representatives Cathcart & Schwartzkopf made comments.
The roll call on HA 3 was taken and revealed:
NO: 23.
NOT VOTING: Representative Mitchell - 1.
ABSENT: Representative Scott - 1.
Therefore, not having received a constitutional majority, HA 3 was declared defeated.
Representative Schwartzkopf made comments.
The roll call on HB 211 was taken and revealed:
YES: 25.
NOT VOTING: Representative Scott - 1.
Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 211 was sent to the Senate for concurrence.
Representative Schwartzkopf moved to suspend the rules which interfere with introduction of action on HS 1 for HB 260. The motion was seconded by Representative D.P. Williams and adopted by voice vote.
Representative Schwartzkopf introduced and brought HS 1 for HB 260, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Cathcart & Representative D. Short & Senator DeLuca & Senator Cook & Senator Blevins & Senator Sorenson, before the House for consideration.
HB 260 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE TAXATION OF LOTTERY WINNINGS. (3/5 bill)
Representatives Schwartzkopf & Lavelle made comments.
The roll call on HS 1 for HB 260 was taken and revealed:
YES: 35.
NO: Representatives Manolakos, Outten, Ramone, Thornburg & Wilson - 5.
NOT VOTING: Representative Oberle - 1.
Therefore, having received a constitutional majority of at least three-fifths Members of the House, HS 1 for HB 260 was sent to the Senate for concurrence.
Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on HB 288. The motion was seconded by Representative D.P. Williams and adopted by voice vote.
Representative Schwartzkopf introduced and brought HB 288, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative D. Short & Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson & Senator Sorenson, before the House for consideration.
HB 288 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITY TAXES. (3/5 bill)
Representative Schwartzkopf made comments.
The roll call on HB 288 was taken and revealed:
YES: 26.
Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 288 was sent to the Senate for concurrence.
Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on HS 1 for HB 262. The motion was seconded by Representative Longhurst and adopted by voice vote.
Representative Schwartzkopf introduced and brought HS 1 for HB 262, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Cathcart & Representative D. Short & Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson & Senator Sorenson, before the House for consideration.
HB 262 - AN ACT TO AMEND TITLE 9 AND TITLE 29 OF THE DELAWARE CODE RELATING TO GOVERNMENT RECORDS MANAGEMENT. (3/5 bill)
Representative Schwartzkopf made comments.
The roll call on HS 1 for HB 262 was taken and revealed:
YES: 27.
Therefore, having received a constitutional majority of at least three-fifths Members of the House, HS 1 for HB 262 was sent to the Senate for concurrence.
Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on HS 1 for HB 263. The motion was seconded by Representative Longhurst & Representative Cathcart & Representative D. Short & Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson & Senator Sorenson, before the House for consideration.
HB 263 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE MARSHAL FEES. (3/5 bill)
Representative Schwartzkopf made comments.
The roll call on HS 1 for HB 263 was taken and revealed:
YES: 30.
Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on HB 286. The motion was seconded by Representative D. P. Williams and adopted by voice vote.

Representative Schwartzkopf introduced and brought HB 286, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Cathcart & Representative D. Short & Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson & Senator Sorenson, before the House for consideration.

HB 286 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FEES FOR VITAL CERTIFICATES. (3/5 bill)

Representative Schwartzkopf made comments.

The roll call on HB 286 was taken and revealed:

YES: 25.


ABSENT: Representative Cathcart - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 286 was sent to the Senate for concurrence.

Representative Schwartzkopf moved to lift HS 1 for HB 264 from the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf brought HS 1 for HB 264, jointly sponsored by Representative Longhurst & Representative Gilligan & Senator DeLuca & Senator Cook & Senator Blevins, before the House for consideration.

HB 264 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES ON PERSONAL INCOME. (3/5 bill)

Representative Cathcart introduced and brought HA 1 to HS 1 for HB 264, jointly sponsored by Representative D. Short & Representative Hudson & Representatives Blakey, Booth, Carey, Hocker, Kovach, Lavelle, Lee, Manolakos, Mir, Outten, Ramone, Thornburg & Wilson, before the House for consideration.

Representative Cathcart moved to place HA 1 on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote. Representative Schwartzkopf introduced and brought HA 2 to HS 1 for HB 264, jointly sponsored by Representative Longhurst & Representative Gilligan & Representative Cathcart & Representative D. Short & Representatives Atkins, Barbieri, Bennett, Blakey, Booth, Brady, Carey, Carson, Hocker, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Kovach, Kowalko, Lavelle, Lee, Manolakos, M. Marshall, Miro, Mitchell, Mulrooney, Outten, Plant, Ramone, Schooley, Scott, B. Short, Thornburg, Viola, Walls, D.E. Williams, D.P. Williams & Wilson, before the House for consideration. Representatives Schwartzkopf, Oberle, Cathcart, Schwartzkopf & Oberle made comments. HA 2 was adopted by voice vote. Representative Hudson introduced and brought HA 3 to HS 1 for HB 264 before the House for consideration. Representatives Hudson, Schwartzkopf & Carson made comments. Representative Hudson moved to place HA 3 on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote. Representative Kowalko introduced and brought HA 4 to HS 1 for HB 264 before the House for consideration. Representative Kowalko made comments. Representative Kowalko moved to place HA 4 on the Speaker's Table. The motion was seconded by Representative Barbieri and adopted by voice vote. Representative Oberle introduced and brought HA 5 to HS 1 for HB 264 before the House for consideration. Representative Oberle made comments. Representative Oberle moved to place HA 5 on the Speaker's Table. The motion was seconded by Representative M. Marshall and adopted by voice vote. Representatives Schwartzkopf, Cathcart, Brady & Lavelle made comments.

The roll call on HS 1 for HB 264 w/HA 2 was taken and revealed:

YES: 25.


NOT VOTING: Representative Blakey - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HS 1 for HB 264 w/HA 2 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Barbieri. Representative Barbieri moved to suspend the rules which interfere with introduction of and action on HB 287. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Barbieri introduced and brought HB 287, jointly sponsored by Representative Gilligan & Representative Schwartzkopf & Representative Longhurst & Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson, before the House for consideration.

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HB 287 - AN ACT TO AMEND TITLES 7 AND 30 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL LICENSES AND FEES. (3/5 bill)
Representative Barbieri made comments.
The roll call on HB 287 was taken and revealed:
YES: 25.
Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 287 was sent to the Senate for concurrence.
Representative Schwartzkopf moved to lift HB 291 from the Speaker's Table. The motion was seconded by Representative M. Marshall and adopted by voice vote.
Representative Schwartzkopf brought HB 291, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson, before the House for consideration.

HB 291 - AN ACT TO AMEND TITLES 3, 12 AND 30 OF THE DELAWARE CODE RELATING TO THE ESTATE TAX. (3/5 bill)
Representative Schwartzkopf introduced and brought HB 291 w/HA 1 & 4 to HB 291 before the House for consideration. Representative Schwartzkopf made comments. HA 1 was adopted by voice vote. Representative Hudson introduced and brought HB 291 w/HA 1 & 4 to HB 291 before the House for consideration. Representative Schwartzkopf made comments. HA 2 was defeated by voice vote. Representative Oberle introduced HA 3 to HB 291. Representative Oberle requested that HB 3 to HB 291 be stricken. Representative Thornburg made comments. Representative Thornburg introduced and brought HA 4 to HB 291 before the House for consideration.

HB 289 - AN ACT TO AMEND TITLE 7 AND TITLE 30 OF THE DELAWARE CODE AND CHAPTER 282, VOLUME 76 OF THE LAWS OF DELAWARE RELATING TO GROSS RECEIPTS TAXES. (3/5 bill)
Representative Cathcart introduced and brought HB 289, jointly sponsored by Representative D. Short & Representative Hudson & Representatives. Blakey, Booth, Carey, Hocker, Kovach, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, D. Short, Thornburg & Wilson before the House for consideration. Representative Cathcart moved to place HB 289 from the Speaker's Table. The motion was seconded by Representative Atkins and adopted by voice vote.
Representative Schwartzkopf brought HB 289, jointly sponsored by Representative Longhurst & Representative Gilligan & Senator DeLuca & Senator Cook & Senator Blevins & Senator Sorenson, before the House for consideration.

HB 289 was taken and revealed:

The roll call on HB 291 w/HA 1 & 4 was taken and revealed:
YES: 40.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 291 w/HA 1 & 4 was sent to the Senate for concurrence.
Representative Schwartzkopf moved to lift HB 289 from the Speaker's Table. The motion was seconded by Representative Atkins and adopted by voice vote.
Representative Schwartzkopf brought HB 289, jointly sponsored by Representative Longhurst & Representative Gilligan & Senator DeLuca & Senator Cook & Senator Blevins & Senator Sorenson, before the House for consideration.

HB 289 was adopted by voice vote. Representative Schwartzkopf made a comment. HB 2 was adopted by voice vote. Representative Oberle introduced HA 3 to HB 289. Representative Oberle requested that HA 3 to HB 289 be stricken. Representative Thornburg made comments. Representative Hudson introduced and brought HA 4 to HB 289 before the House for consideration. Representatives Hudson, Schwartzkopf & Ramone made comments.

The roll call on HA 4 was taken and revealed:
NO: 18.
NOT VOTING: Representatives Bennett, Q. Johnson, Oberle & B. Short - 4.
ABSENT: Representative Viola - 1.
Therefore, not having received a constitutional majority, HA 4 was declared defeated.
Representatives Schwartzkopf, Cathcart & Hocker made comments.
The roll call on HB 289 w/HA 2 was taken and revealed:
YES: 25.
NO: Representatives Blakey, Booth, Carey, Cathcart, Hocker, Hudson, Kovach, Lavelle, Lee,
Manolakos, Miro, Outten, Ramone, D. Short, Thornburg & Wilson - 16.
Therefore, having received a constitutional majority of at least three-fifths Members of the House,
HB 289 w/HA 2 was sent to the Senate for concurrence.
The Chief Clerk read the following committee reports into the record:
LABOR: HB 259 – 8M.
APPROPRIATIONS: HB 290 - 4F, 2M.
NATURAL RESOURCES: HB 270 – 8M.
The Majority Leader moved to recess to the call of the Chair at 10:12 p.m.
Mr. Speaker Gilligan called the House to order at 4:17 p.m. on June 30, 2009.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 164, SB 160, SB 159, SB 172, SB 178, SB 175, SB 176, SB 152, SB 179, SB 14 w/SA 2, SB 168, SB 177, SB 170, SB 174, SB 56 w/SA 1, SB 108 w/SA 4, SB 71, SB 181, SB 167, SB 180, SB 155, SB 169, SB 163 & SB 185 and requests the concurrence of the House. The Senate has passed HS 1 for HB 230 w/HA 1, HB 228 w/HA 1 & 2 & HB 181 and is returning the same to the House.
June 26, 2009
Legislative Advisory #16
Governor Jack A. Markell signed the following legislation on the date indicated: 6/24/09 – SB 156 & HB 107 aab HA 1, 2 & 3 & SA 1; 6/25/09 – SB 65 aab SA 2; 6/26/09 – SB 36, SB 37, SB 47 aab SA 1, SB 82, SB 83, HS 1 for HB 21, HB 93 aab HA 1 & 2, HB 114, HB 116, HB 120 aab HA 1, HB 121, HB 126, HS 1 for HB 127, HB 131, HB 142 & HB 147.
The Majority Leader moved to adjourn at 4:20 p.m., thereby ending the current Legislative Day. The House reconvened at 4:21 p.m.

43rd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Session
June 30, 2009
The Chief Clerk called the roll.
Members Present: 41.
A prayer was offered by Representative William J. Carson, Jr., Twenty-eighth Representative District.
Representative Blakey made comments.
Mr. Speaker Gilligan and Representative Blakey led those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following prefiled legislation was introduced:
HB 294 – BENNETT & REPRESENTATIVE SCOTT & SENATOR BUSHWELLER; REPRESENTATIVES BLAKEY, Q. JOHNSON, OUTTEN, THORNBURG WALLS; SENATOR SIMPSON – HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to the Kent County Comptroller, Kent County Receiver of Taxes and County Treasurer, and Government of Kent County.
HA 2 to HB 194 – BRADY- Placed with the Bill.
HA 2 to HB 197 – BRADY - Placed with the Bill.
HA 1 to HB 250 - KEELEY - Placed with the Bill.
HA 2 to HS 1 for HB 267 – GILLIGAN - Placed with the Bill.
HA 3 to HS 1 for HB 267 - KOWALKO - Placed with the Bill.
HA 1 to HJR 5 - MULROONEY - Placed with the Bill.

SB 56 w/SA 1 – ADAMS & REPRESENTATIVE CARSON; SENATOR PETERSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Heavy Vehicle Registration, and to Create a Task Force to Review the Existing Delaware Heavy Vehicle Weight Law to Determine the Feasibility of Its Implementation.

SB 71 – COOK & REPRESENTATIVE M. MARSHALL; SENATORS DELUCA, SIMPSON; REPRESENTATIVES CARSON, WALLS, D.P. WILLIAMS, LEE, WILSON BENNETT - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Judges of the Superior Court.

SB 108 w/SA 4 – MARSHALL & REPRESENTATIVE B. SHORT - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 5 of the Delaware Code Relating to Title Loans and Short-term Consumer Loans. (3/5 bill)


SB 154 – KATZ & REPRESENTATIVE BENNETT; REPRESENTATIVE JAQUES - HOUSE ADMINISTRATION - An Act Proposing an Amendment to Article V of the Delaware Constitution of 1897, as Amended Relating to Voting. (2/3 bill)


SB 159 – PETERSON & REPRESENTATIVE BENNETT; SENATOR SOKOLA; REPRESENTATIVES KOWALKO & HUDSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Civil Administrative Procedures.


SB 163 – ENNIS; SENATORS BUNTING, SIMPSON, VENABLES; REPRESENTATIVES BENNETT, BOOTH, CARSON, MULROONEY, OBERLE, OUTFEN, WALLS - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Hunting, Trapping, and Fishing Licenses.

SB 164 – PETERSON & REPRESENTATIVE KOWALKO; SENATOR SOKOLA; REPRESENTATIVES BENNETT, HUDSON, CARSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Professions and Occupations.

SB 167 – HENRY & REPRESENTATIVE KEELEY; REPRESENTATIVES BARBIERI, JAQUES, HOCKER, MANOLAKOS - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Exemptions from the Practice of Nursing.

SB 168 – SOKOLA & KEELEY; REPRESENTATIVES SCHOOLEY, HUDSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Bicycle and Motor Vehicle Safety. (2/3 bill)

SB 169 – ENNIS & REPRESENTATIVE KEELEY; SENATORS BLEVINS, BUSHWELLER, HALL-LONG, HENRY, KATZ, MCDOWELL, PETERSON, SOKOLA, CONNOR, SORENSON; REPRESENTATIVES D.P. WILLIAMS, BARBIERI, HUDSON, KOWALKO, M. MARSHALL, MITCHELL, SCHOOLEY, SCHWARTZKOPF, VIOLA, CATHCART - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Obstruction of Ingress and Egress to Health Care Facilities. (2/3 bill)

SB 170 – SOKOLA & REPRESENTATIVE KOWALKO; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Speech/Language Pathology, Audiology and Hearing Aid Dispensers.

SB 172 – MCDOWELL & SENATOR HENRY & REPRESENTATIVE BRADY & REPRESENTATIVE KEELEY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to Exemptions from the Practice of Nursing.


SB 179 – SOKOLA & REPRESENTATIVE KOWALKO; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG, HUDSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 16 of Title 24 of the Delaware Code Relating to Adult Entertainment. (3/5 bill)


SB 185 – BLEVINS & REPRESENTATIVE BENNETT - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Criminal Procedures. (3/5 bill)

Mr. Speaker Gilligan announced the retirement of Joyce Keeler, Legislative Assistant. Mr. Speaker Gilligan granted privilege of the floor to Representative Q. Johnson & Senators Ennis & Hall-Long. Representative Q. Johnson presented a House Tribute & gifts to Joyce Keeler. Mr. Speaker Gilligan made a presentation to Joyce. Senator Ennis made comments. Representative Carson made comments. Senator Hall-Long made comments & presented a gift. Representatives J. Johnson, M. Marshall & Cathcart & Mr. Speaker Gilligan made comments.

Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri requested and was granted privilege of the floor to present a House Tribute to Michael S. Ciabattoni, who addressed the House.

Representative Schwartzkopf brought the following prefilled Consent Calendar #12 before the House for consideration.

HR 29 - M. MARSHALL - Directing the Office of Management and Budget to Study Deferred Retirement Option Plans.

HCR 21 - M. MARSHALL & SENATOR DELUCA - Proclaiming the Week of October 25 - 31, 2009 as “Delaware’s Pro Bono Celebration Week”.

Consent Calendar #12 was adopted by voice vote and HR 29 was declared passed & HCR 21 was sent to the Senate for concurrence.

Representative D.P. Williams requested that he be marked present.
Representative Schwartzkopf moved to suspend the rules which interfere with action on HS 1 for HB 267. The motion was seconded by Representative M. Marshall and adopted by voice vote.

Representative Schwartzkopf moved to lift HS 1 for HB 267 from the Speaker's Table. The motion was seconded by Representative M. Marshall and adopted by voice vote.

Representative Schwartzkopf brought HS 1 for HB 267, jointly sponsored by Representative Gilligan & Representative Longhurst & Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson & Senator Sorenson, before the House for consideration.

HB 267 - AN ACT TO AMEND TITLE 6, TITLE 8, TITLE 12, AND TITLE 29 OF THE DELAWARE CODE RELATING TO VARIOUS FEES AND TAXES CHARGED BY THE SECRETARY OF STATE. (2/3 bill)

Representative Schwartzkopf deferred to Representative Cathcart. Representative Cathcart introduced & brought HA 1 to HS 1 for HB 267, jointly sponsored by Representative D. Short & Representative Hudson & Representatives Blakey, Booth, Carey, Hocker, Kovach, Lavelle, Lee, Manolakos, Miro, Outten, Ramone, Thornburg & Wilson, before the House for consideration.

Representative Cathcart moved to place HA 1 on the Speaker's Table. The motion was seconded by Representative M. Marshall and adopted by voice vote.

Representative Schwartzkopf brought HB 2 to HS 1 for HB 267, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Cathcart & Representative D. Short & Representatives Atkins, Barbieri, Bennett, Blakey, Booth, Brady, Carey, Carson, Hocker, Hudson, Jaques, J. Johnson, Q. Johnson, Keeley, Kovach, Kowalko, Lavelle, Lee, Manolakos, M. Marshall, Miro, Mitchell, Mulrooney, Outten, Plant, Ramone, Schooley, Scott, B. Short, Thornburg, Viola, Walls, D.E. Williams, D.P. Williams & Wilson, before the House for consideration. Representative Schwartzkopf made comments. HA 2 was adopted by voice vote.

Representative Kowalko brought HA 3 to HS 1 for HB 267 before the House for consideration.
Representative Kowalko made comments. Representative Kowalko moved to place HA 3 on the Speaker's Table. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative Oberle introduced HA 4 to HS 1 for HB 267. Representative Oberle requested that HA 4 be stricken. Representative Hudson requested that she be marked present. Representatives Miro & Mitchell requested that they be marked present. Representative Hudson introduced and brought HA 5 to HS 1 for...
HB 267 before the House for consideration. Representatives Hudson, Schwartzkopf & Carson made comments. HA 5 was defeated by voice vote. Representative Kowalko introduced and brought HA 6 to HS 1 for HB 267 before the House for consideration. Representatives Kowalko, Hudson & Schwartzkopf made comments. Representative Cathcart rose on a point of order. Representative Miro requested and was granted personal privilege of the floor to introduce a guest. Representative Cathcart requested privilege of the floor for Mike Migliore, House Attorney. Representatives Cathcart & Kowalko made comments. Mr. Speaker Gilligan concurred in the point of order. Mr. Speaker Gilligan ruled that HA 6 is out of order.

Representative Schwartzkopf moved to place HS 1 for HB 267 w/HA 2 on the Speaker's Table. The motion was seconded by Representative Cathcart and adopted by voice vote.

The Majority Leader moved to recess for caucus at 5:06 p.m.

The House reconvened at 8:41 p.m.

Representative Schwartzkopf moved to lift HS 1 for HB 267 w/HA 2 from the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf brought HS 1 for HB 267, jointly sponsored by Representative Gilligan & Representative Longhurst & Senator DeLuca & Senator Cook & Senator Blevins & Senator Simpson & Senator Sorenson, before the House for consideration.

HB 267 - AN ACT TO AMEND TITLE 6, TITLE 8, TITLE 12, AND TITLE 29 OF THE DELAWARE CODE RELATING TO VARIOUS FEES AND TAXES CHARGED BY THE SECRETARY OF STATE. (2/3 bill)

Representative Schwartzkopf made comments.

The roll call on HS 1 for HB 267 w/HA 2 was taken and revealed:

YES: 41.


Therefore, having received a constitutional majority of at least two-thirds Members of the House, HS 1 for HB 267 w/HA 2 was sent to the Senate for concurrence.

Representative Plant requested that she be marked present during the roll call.

Representative Schwartzkopf deferred to Representative D.P. Williams.

Representative D.P. Williams moved to suspend the rules which interfere with introduction of and action on HJR 6. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.P. Williams introduced and brought HJR 6, jointly sponsored by Senator Cook & Representatives Booth, J. Johnson, M. Marshall, Miro & Mitchell & Senators Cloutier, Connor, Ennis, Henry & McBride, before the House for consideration.

HJR 6 - THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2009.

The roll call on HJR 6 was taken and revealed:

YES: 28.


Therefore, having received a constitutional majority, HJR 6 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative D.P. Williams.

Representative D.P. Williams moved to suspend the rules which interfere with introduction of and action on HJR 7. The motion was seconded by Representative J. Johnson and adopted by voice vote.


HJR 7 - THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2010.

The roll call on HJR 7 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HJR 7 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative D.P. Williams.

Representative D.P. Williams moved to suspend the rules which interfere with action on HB 290. The motion was seconded by Representative J. Johnson and adopted by voice vote.


HB 290 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2010; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

Representatives Booth & Lavelle made comments. Representative Lavelle requested and was granted privilege of the floor for Russ Larson, Controller General. Representatives Lavelle, J. Johnson, Miro & Lavelle made comments. Representative M. Marshall requested and was granted privilege of the floor for Ann Visalli, Director, Office of Management & Budget. Representatives M. Marshall, Lavelle & Atkins made comments. Representative Kovach requested and was granted privilege of the floor for Bill Bush, House Attorney. Mr. Speaker Gilligan made comments. Representatives Kovach & Oberle made comments.
Representatives J. Johnson and was granted privilege of the floor to Russ Larson, Controller General. Representatives J. Johnson, Miro, Kovach & D.P. Williams made comments.

The roll call on HB 290 was taken and revealed:
YES: 26.

Therefore, having received a constitutional majority, HB 290 was sent to the House for concurrence. Representative Schwartzkopf moved to suspend the rules which interfere with action on Consent Agenda I. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf brought Consent Agenda I before the House for consideration. HB 270 - WALLS & SENATOR VENABLES & SENATOR MCBRIDE - An Act to Amend Title 7 of the Delaware Code Relating to the Regulation of Finfishing in Tidal Waters.
SB 161 - MCBRIDE; REPRESENTATIVES BARBIERI, RAMONE - An Act to Amend Title 9 of the Delaware Code Relating to Taxes. (FN)
SB 163 - ENNIS; SENATORS BUNTING, SIMPSON, VENABLES; REPRESENTATIVES BENNETT, BOOTH, CARSON, MULROONEY, OBERLE, OUTTEN, WALLS - An Act to Amend Title 7 of the Delaware Code Relating to Hunting, Trapping, and Fishing Licenses.
SB 173 - AN ACT TO AMEND TITLES 26 AND 29 OF THE DELAWARE CODE RELATING TO THE SUSTAINABLE ENERGY UTILITY AND RENEWABLE ENERGY.

Representative Brady made comments.

The roll call on Consent Agenda I was taken and revealed:
YES: 41.
ABSENT: Representative Keeley - 1.

The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative Brady brought SB 173 w/SA 1, jointly sponsored by Senator McDowell & Representative Thornburg & Senators Henry, Bunting, Katz, Bushweller, Ennis & Simpson & Representative Kowalko, before the House for consideration.

SB 173 - AN ACT TO AMEND TITLES 26 AND 29 OF THE DELAWARE CODE RELATING TO THE SUSTAINABLE ENERGY UTILITY AND RENEWABLE ENERGY.

The roll call on Consent Agenda I was taken and revealed:
YES: 40.
ABSENT: Representative Keeley - 1.

Therefore, having received a constitutional majority, HB 270 was sent to the Senate for concurrence. Representative Schwartzkopf deferred to Representative Brady. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative Brady moved to suspend the rules which interfere with action on SB 173 w/SA 1. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative Brady brought SB 173 w/SA 1, jointly sponsored by Senator McDowell & Representative Thornburg & Senators Henry, Bunting, Katz, Bushweller, Ennis & Simpson & Representative Kowalko, before the House for consideration.

SB 173 - AN ACT TO AMEND TITLES 26 AND 29 OF THE DELAWARE CODE RELATING TO THE SUSTAINABLE ENERGY UTILITY AND RENEWABLE ENERGY.

Representative Brady made comments.

The roll call on SB 173 w/SA 1 was taken and revealed:
YES: 40.
ABSENT: Senator Ennis - 1.

Therefore, having received a constitutional majority, SB 173 w/SA 1 was returned to the Senate. Representative Schwartzkopf deferred to Representative Cathcart.

Representative Cathcart moved to suspend the rules which interfere with introduction of and action on HB 282. The motion was seconded by Representative D. Short and adopted by voice vote.

Representative Cathcart introduced and brought HB 282, jointly sponsored by Representative Mulrooney & Senator Ennis & cosponsored by Representative Longhurst, before the House for consideration.

HB 282 - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER BY THE COLONIAL SCHOOL DISTRICT TO THE DELAWARE CITY FIRE COMPANY OF CERTAIN REAL PROPERTY INCLUDING THE BUILDING LOCATED ON SOUTH DUPONT PARKWAY KNOWN AS THE COMMODORE MACDONOUGH PROPERTY. (3/4 bill)

The motion was seconded by Representative D. Short and adopted by voice vote.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, HB 282 was sent to the Senate for concurrence.

Mr. Speaker Gilligan made an announcement. Representative Oberle requested and was granted personal privilege of the floor to introduce guests. Mr. Speaker Gilligan & Representative Booth introduced guests. Representative D. Short made a comment. Representatives Keeley & Kowalko requested and were granted personal privilege of the floor to introduce guests. Representative Kowalko requested and was granted personal privilege of the floor to introduce a guest. Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell requested and was granted personal privilege of the floor for himself and Representative Keeley to present a House Tribute to staff member John Hammerer, who
addressed the House. Representative Walls made comments. Representative Cathcart requested and was granted personal privilege of the floor to introduce a guest.

The Majority Leader moved to recess for caucus at 9:47 p.m.

The House reconvened at 11:01 p.m.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short moved to suspend the rules which interfere with action on SB 108 w/SA 4.

The motion was seconded by Representative Schwartzkopf and adopted by voice vote.

Representative B. Short brought SB 108 w/SA 4, jointly sponsored by Senator Marshall, before the House for consideration.

**SB 108 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO TITLE LOANS AND SHORT-TERM CONSUMER LOANS.** (3/5 bill) (F/I)

Representative B. Short made comments.

The roll call on **SB 108 w/SA 4** was taken and revealed:

YES: 40.

ABSENT: Representative Oberle - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 108 w/SA 4** was returned to the Senate.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short moved to suspend the rules which interfere with action on SB 155. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative B. Short brought SB 155, jointly sponsored by Senator DeLuca, before the House for consideration.

**SB 155 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO TRUSTS.**

Representative B. Short made comments.

The roll call on **SB 155** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 155** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson moved to suspend the rules which interfere with action on **SB 129 w/SA 1**.

The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Carson brought SB 129 w/SA 1, jointly sponsored by Senator Bunting & Senators Adams, Hall-Long & Ennis & Representatives Thornburg, Longhurst & Atkins, before the House for consideration.

**SB 129 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO DELAWARE AGRICULTURAL LANDS PROTECTION.**

Representatives Carson, Thornburg & Atkins made comments.

Representative Walls announced that he will not be voting on **SB 129 w/SA 1** because of a possible conflict of interest.

Representative Thornburg made comments.

The roll call on **SB 129 w/SA 1** was taken and revealed:

YES: 40.

NOT VOTING: Representative Walls - 1.

Therefore, having received a constitutional majority, **SB 129 w/SA 1** was returned to the Senate.

Representative Schwartzkopf made an announcement.

Representative Schwartzkopf deferred to Representative Viola.

Representative Viola brought HB 201, jointly sponsored by Representative Miro & Senator Henry & Representatives Mitchell, Schooley, D.P. Williams & Wilson & Senators Bonini & Simpson, before the House for consideration.

**HB 201 - AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE RELATING TO BEVERAGE CONTAINERS.**

Representatives Viola, D. Short, Manolakos, Viola, Hocker, B. Short, D. E. Williams & Oberle made comments.

The roll call on **HB 201** was taken and revealed:

YES: 35.

NO: Representatives Manolakos, Oberle & Gilligan - 3.

NOT VOTING: Representative Schooley - 1.

ABSENT: Representatives Carey & D.P. Williams - 2.

Therefore, having received a constitutional majority, **HB 201** was sent to the Senate for concurrence.

Representative Schwartzkopf made an announcement.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell moved to suspend the rules which interfere with action on **SB 160**. The motion was seconded by Representative Schwartzkopf and adopted by voice vote.


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SB 160 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE ADOPTION AND ENFORCEMENT OF A UNIFIED PLUMBING CODE.
Representative Mitchell made comments.
The roll call on SB 160 was taken and revealed:
YES: 34.
ABSENT: Representatives Carey, Keeley, Mulrooney, Oberle, Schooley, Viola & D.P. Williams - 7.
Therefore, having received a constitutional majority, SB 160 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri moved to suspend the rules which interfere with action on SB 52 w/SA 1.
The motion was seconded by Representative Mitchell and adopted by voice vote.
Representative Barbieri brought SB 52, jointly sponsored by Senator Blevins, before the House for consideration.

SB 52 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE INTERSTATE COMPACT FOR THE PLACEMENT OF CHILDREN.
Representative Barbieri made comments.
The roll call on SB 52 w/SA 1 was taken and revealed:
YES: 35.
ABSENT: Representatives Carey, Keeley, Mulrooney, Oberle, Schooley & Viola - 6.
Therefore, having received a constitutional majority, SB 52 w/SA 1 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Brady.
Representative Brady moved to suspend the rules which interfere with action on SB 143 w/SA 1.
The motion was seconded by Representative D.P. Williams and adopted by voice vote.
Representative Brady brought SB 143 w/SA 1, jointly sponsored by Senator McDowell & Senator Henry & Representative Keeley, before the House for consideration.

SB 143 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM LOCAL TAXES.
Representatives Brady & Lavelle made comments.
The roll call on SB 143 w/SA 1 was taken and revealed:
YES: 35.
ABSENT: Representatives Carey, Keeley, Mulrooney, Oberle, Schooley & Viola - 6.
Therefore, having received a constitutional majority, SB 143 w/SA 1 was returned to the Senate.
Representative Barbieri requested and was granted personal privilege of the floor to introduce a guest.
Representative Schwartzkopf deferred to Representative Carson.
Representative Carson moved to suspend the rules which interfere with action on HJR 5. The motion was seconded by Representative J. Johnson and adopted by voice vote.

HJR 5 - REQUESTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, THE DELAWARE SOLID WASTE AUTHORITY, AND OTHER INTERESTED PARTIES, TO WORK TOGETHER TO ACHIEVE THE GOAL OF “ZERO WASTE” IN THE STATE OF DELAWARE.
Representative Kovach made comments. Representative Kovach brought HA 1 to HJR 5, jointly sponsored by Representative Mulrooney, before the House for consideration. HA 1 was adopted by voice vote. Representatives Carson & Lavelle made comments. Representative Carson requested and was granted privilege of the floor for Collin O’Mara, Secretary, Department of Natural Resources and Environmental Control. Representative Lavelle made comments.
The roll call on HJR 5 w/HA 1 was taken and revealed:
YES: 33.
Therefore, having received a constitutional majority, HJR 5 w/HA 1 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Kowalko.
Representative Kowalko moved to suspend the rules which interfere with introduction of and action on SB 153 w/SA 1 & 2. The motion was seconded by Representative Scott and adopted by voice vote.
Representative Kowalko introduced & brought SB 153 w/SA 1 & 2, jointly sponsored by Senator Simpson & Senator McDowell & Representative Hocker & cosponsored by Senators Sokola & Sorenson, before the House for consideration.

SB 153 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO CUSTOMER SITED ENERGY RESOURCES. (2/3 bill)
Representatives Kowalko & Booth made comments.
The roll call on **SB 153 w/SA 1 & 2** was taken and revealed:
YES: 33.
NOT VOTING: Representative Cathcart - 1.
ABSENT: Representatives Carey, Keeley, Mulrooney, Oberle, Schooley, Viola & D.P. Williams - 7.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 153 w/SA 1 & 2** was returned to the Senate.

The Majority Leader moved to adjourn the First Session of the 145th General Assembly at 12:00 a.m.

Mr. Speaker Gilligan called the House to order at 12:01 a.m. on July 1, 2009.

The Reading Clerk read the following communication into the record:

**TO:** The Members of the 145th General Assembly

**FROM:** Matthew Denn, Lieutenant Governor of the State of Delaware
Robert F. Gilligan, Speaker of the House of Representatives

**SUBJECT:** Special Session

**DATE:** July 01, 2009

Pursuant to the provisions of Article II, Section 4 of the Constitution of the State of Delaware of 1897, as amended, we hereby declare the 145th General Assembly of the State of Delaware in Special Session.

Matthew Denn, Lieutenant Governor
and President of the Senate
Robert F. Gilligan
Speaker of the House of Representatives

1st LEGISLATIVE DAY - 145th GENERAL ASSEMBLY – First Special Session
July 1, 2009

The Chief Clerk called the roll.
Members Present: 41.

A prayer was offered by Representative Clifford G. Lee, Fortieth Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.

Mr. Speaker Gilligan announced that the minutes of the previous legislative day are available in the Office of the Chief Clerk.

Representative Schwartzkopf deferred to Representative Q. Johnson.


**HB 254** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION AND EXCEPTIONAL PERSONS

Representative J. Johnson made comments.

The roll call on **HB 254** was taken and revealed:
YES: 39.
ABSENT: Representatives Keeley & Mulrooney - 2.

Therefore, having received a constitutional majority, **HB 254** was sent to the Senate for concurrence.

Representative Carey requested that he be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley introduced and brought **SCR 24**, jointly sponsored by Senator Sokola & Senators Blevins, Hall-Long, McDowell & Sorenson & Representatives Booth, Jaques, Keeley, Kowalko, Mulrooney & Scott, before the House for consideration.

**SCR 24** - SUPPORTING DELAWARE'S APPLICATION FOR A FEDERAL RACE TO THE TOP GRANT.

Representative Schooley made comments.

**SCR 24** was adopted by voice vote and was returned to the Senate.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **Consent Agenda J**.

The motion was adopted by **Consent Agenda J**, which requires a two-thirds vote, before the House for consideration.

**HB 269** – MITCHELL & SENATOR HENRY; REPRESENTATIVES BENNETT, BOOTH, BRADY, CAREY, CATHCART, HOCKER, HUDSON, LAVELLE, LEE, MANOLAKOS, M. MARSHALL, OUTTEN, RAMONE, SCHOOLLEY, D. SHORT, THORNBURG, WALLS - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses and Sale and Distribution of Tobacco Products. (2/3 bill)

**SB 50** – SORENSON & SENATOR PETERSON; SENATORS BONINI, CONNOR, ENNIS, SIMPSON - An Act to Amend Title 3 of the Delaware Code Relating to the Delaware Society for the Prevention of Cruelty to Animals. (2/3 bill)


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SB 179 – SOKOLA & REPRESENTATIVE KOWALKO; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG, HUDSON - An Act to Amend Chapter 16 of Title 24 of the Delaware Code Relating to Adult Entertainment. (3/5 bill)


The roll call on Consent Agenda J was taken and revealed:

YES: 40.

ABSENT: Representative Viola - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 269 was sent to the Senate for concurrence and SB 50, SB 152, SB 174, SB 176, SB 177, SB 181, SB 185, SB 179 & SB 180 were returned to the Senate.

Representatives Keeley & Mulrooney requested that they be marked present during the roll call. Representative Schwartzkopf moved to suspend the rules which interfere with action on Consent Agenda K. The motion was seconded by Representative Brady and adopted by voice vote.

Representative Schwartzkopf brought Consent Agenda K before the House for consideration.


SB 56 w/SA 1 – ADAMS & REPRESENTATIVE CARSON & SENATOR PETERSON - An Act to Amend Title 21 of the Delaware Code Relating to Heavy Vehicle Registration, and to Create a Task Force to Review the Existing Delaware Heavy Vehicle Weight Law to Determine the Feasibility of Its Implementation.


The roll call on Consent Agenda K was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 218 was sent to the Senate for concurrence and SB 56 w/SA 1 & SB 175 were returned to the Senate.

Representative Schwartzkopf deferred to Representative Brady. Representative Brady brought HB 197, jointly sponsored by Senator Ennis & Representative Mitchell, before the House for consideration.

HB 197 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLE SPEED MONITORING SYSTEMS.

Representative Brady brought HA 1 to HB 197 before the House for consideration. Representative Brady made a comment. HA 1 was adopted by voice vote. Representative Brady brought HA 2 to HB 197 before the House for consideration. Representatives Brady & Booth made comments. HA 2 was adopted by voice vote. Representatives Brady, Keeley, Oberle, Brady, D.P. Williams, B. Short, Mitchell & Brady made comments.

The roll call on HB 197 w/HA 1 & 2 was taken and revealed:

YES: 22.

NO: Representatives Atkins, Hocker, Hudson, Keeley, Lee, Manolakos, Miro, Oberle, Outten, D. Short, Thornburg & Walls - 12.

NOT VOTING: Representatives Blakey, Cathcart, Jaques, Kovach & Ramone - 5.

ABSENT: Representatives Lavelle & Plant - 2.

Therefore, having received a constitutional majority, HB 197 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Bennett. Representative Bennett moved to suspend the rules which interfere with action on SB 159. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

Representative Bennett brought SB 159, jointly sponsored by Senator Peterson & Senator Sokola & Representatives Kowalko & Hudson, before the House for consideration.
SB 159 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CIVIL ADMINISTRATIVE PROCEDURES.

Representative Bennett made comments.
The roll call on SB 159 was taken and revealed:
YES: 39.
ABSENT: Representatives Lavelle & Plant - 2.
Therefore, having received a constitutional majority, SB 159 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Bennett.
Representative Bennett moved to suspend the rules which interfere with action on SB 164. The motion was seconded by Representative Scott and adopted by voice vote.
Representative Bennett brought SB 164, jointly sponsored by Senator Peterson & Representative Kowalko & Senator Sokola & Representatives Hudson & Carson, before the House for consideration.

SB 164 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS.

Representative Bennett made comments.
The roll call on SB 164 was taken and revealed:
YES: 32.
NOT VOTING: Representatives Cathcart, D. Short & Wilson - 3.
ABSENT: Representatives Brady, Lavelle, Manolakos, Miro, Oberle & Plant - 6.
Therefore, having received a constitutional majority, SB 164 was returned to the Senate.
The Majority Leader moved to recess for caucus at 12:45 a.m. The House reconvened at 3:09 a.m.
Representative Schwartzkopf deferred to Representative Jaques.
Representative Jaques brought HB 73 w/SA 1, jointly sponsored by Representative Brady & Senator Cook & Representatives Bennett, Hudson, Kowalko, M. Marshall, Mitchell & Ramone & Senators Connor, Hall-Long & McDowell, before the House for concurrence on SA 1.

HB 73 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FINANCIAL ASSISTANCE FOR HIGHER EDUCATION FOR THOSE SERVING IN THE DELAWARE NATIONAL GUARD. (F/N)

Representative Jaques made comments.
The roll call on HB 73 w/SA 1 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, HB 73 w/SA 1 was sent to the Governor.
Representative Schwartzkopf deferred to Representative Ramone.
Representative Ramone moved to suspend the rules which interfere with introduction of and action on SB 135. The motion was seconded by Representative J. Johnson and adopted by voice vote.
Representative Ramone introduced and brought SB 135, jointly sponsored by Senator Henry & Senators Bunting, Bushweller & Venables & Representatives Bennett, Carson, Hocker & Jaques, before the House for consideration.

SB 135 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PENSIONS FOR STATE POLICE OFFICERS.

Representative Ramone made a comment.
The roll call on SB 135 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, SB 135 was returned to the Senate.
Representative Ramone announced an amendment.
Representative Schwartzkopf deferred to Representative D.P. Williams.
Representative D.P. Williams moved to suspend the rules which interfere with introduction of and action on HB 295. The motion was seconded by Representative J. Johnson and adopted by voice vote.

HB 295 - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2010; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING THE FISCAL YEAR 2010 APPROPRIATIONS ACT; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (3/4 bill)

Representative D.P. Williams made comments.
The roll call on HB 295 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority of at least three-fourths Members of the House, HB 295 was sent to the Senate for concurrence.
The Majority Leader moved to recess at 3:24 a.m. The House reconvened at 3:44 a.m.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 190 & SB 135 and requests the concurrence of the House and the Senate has passed HB 201, HB 269, HB 38, HB 36, HB 39 & HB 225 and is returning the same to the House. The Senate wishes to inform the House that it has passed HS 1 for HB 268, HB 286, HS 1 for HB 267 w/HA 2, HB 179, HB 205 w/HA 1, HB 187, HB 288, HS 1 for HB 262, HB 139 w/HA 1, HS 1 for HB 119 w/HA 1 and is returning the same to the House. The Senate wishes to inform the House that it has passed HB 260, HB 150, HB 161, HB 207, HB 113, HB 191, HB 149, HB 148, HB 133, HB 170, HB 152, HB 46, HB 192, HB 156 w/HA 1 & 2, HB 290, HB 72, HJR 6 & HJR 7 and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with introduction of and action on SB 190. The motion was seconded by Representative Jaques and adopted by voice vote.

Representative Keeley introduced & brought SB 190, jointly sponsored by Senator Venables & Senators Blevins, Cook, McDowell, Cloutier, Connor, Simpson & Sorenson & Representatives Mulrooney, Schooley, Viola, Carey & Oberle, before the House for consideration.

SB 190 - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; DEAUTORIZING AND REAUTHORIZING CERTAIN FUNDS OF THE TRANSPORTATION TRUST FUND; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; DEAUTHORIZING AND REAUTHORIZING CERTAIN FUNDS OF THE TRANSPORTATION TRUST FUND; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; DIRECTING THE DEPOSIT OF CERTAIN FUNDS TO THE GENERAL FUND; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. (3/4 bill)

The Reading Clerk read the following into the record:

DEBT LIMIT STATEMENT FOR FISCAL YEAR 2010
This Debt Limit Statement is to be attached to the Fiscal Year 2010 Bond and Capital Improvement Act as required by §7422, Title 29, Delaware Code.

(1) Estimated Net General Fund revenue for the Fiscal year ending June 30, 2010 as per the joint resolution of the House and Senate which will be signed by the Governor in connection with the adoption of the annual Budget Appropriation Bill for that fiscal year. $ 3,190.7 million

(2) Multiply by 5%. X________.05

(3) Maximum aggregate principal amount of tax-supported obligations which may be authorized by the State in the fiscal year ending June 30, 2010. $ 159.5 million

(4) Less: Aggregate principal amount of previously authorized tax-supported obligations subject to debt limit. $ 0 million

(5) AVAILABLE DEBT LIMIT prior to appended legislation (Line 3 minus Line 4). $ 159.5 million

(6) Less: Aggregate principal amount of new tax-supported obligations subject to debt limit to be authorized pursuant to appended legislation. $ 0 million

(7) REMAINING DEBT LIMIT (Line 5 minus Line 6). $ 159.5 million

Gary M Pfeiffer
June 30, 2009

Representatives Keeley & Oberle made comments.
The roll call on SB 190 was taken and revealed:
YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, SB 190 was returned to the Senate.

Representatives Keeley, Cathcart & Oberle made comments.
Mr. Speaker Gilligan made comments.
Representatives Cathcart, D.P. Williams & Schwartzkopf made comments.
The Majority Leader moved to recess to the call of the Chair at 3:57 a.m.
Mr. Speaker Gilligan called the House to order at 2:01 p.m. on January 12, 2010.
The Majority Leader moved to adjourn at 2:02 p.m., thereby ending the current legislative day. The House reconvened at 2:03 p.m.
The Chief Clerk called the roll:
Members Present: 37.
Members Absent: Representatives Atkins, Plant & Thornburg - 3.
Vacancy: 1.
A prayer was offered by Pastor Danny Tice, Senior Pastor, Bay Shore Community Church.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The following out-of-session prefilled legislation was introduced:

December 10, 2009


HB 301 – BENNETT & SENATOR BUSHWELLER; REPRESENTATIVES CARSON, JAQUES, Q. JOHNSON, MITCHELL, WALLS; SENATORS BONINI, BUNTING, ENNIS, VENABLES - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 12 of the Delaware Code Relating to Debts of and Claims Against Estate.

January 7, 2010

HB 297 - M. MARSHALL & SENATOR BLEVINS - JUDICIARY - An Act to Amend Title 8 of the Delaware Code Relating to the Delaware General Corporation Law.


HB 303 – KEELEY & REPRESENTATIVE SCHOOLEY & SENATOR HENRY; REPRESENTATIVES B. SHORT, LAVELLE, OBERLE, KOWALKO; SENATORS PETERSON, MCDOWELL - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 5 of the Delaware Code Relating to Predatory Refund Anticipation Lending.

HA 1 to HB 229 - MIRO - Placed with the Bill.
The following prefilled legislation was introduced:


The Reading Clerk read the following communications into the record:

MEMORANDUM
TO: Speaker Robert F. Gilligan
FROM: Representative Pamela J. Thornburg
DATE: December 29, 2009
SUBJECT: Absence from session
Please be advised I will be absent from Session January 12th, 13th, and 14th due to personal business.
Thank you.
Memorandum
To: The Honorable Robert F. Gilligan
Speaker of the House
From: Representative Hazel D. Plant
Date: January 12, 2010
RE: Absence from Legislative Session
I will not attend Legislative Session during our three weeks in January 2010, as I am recovering from surgery. I look forward to returning when we reconvene in March from our six week recess.
Thank you.

MEMORANDUM

TO: Rep. Robert F. Gilligan
Speaker of the House

CC: Rich Puffer

FROM: Rep. John C. Atkins

DATE: January 12, 2010

RE: Absence from session
I will be unable to attend session today, Tuesday, January 12, 2010, due to illness.

Representatives Cathcart & Lavelle requested that they be marked present.
The Chief Clerk read the following communication at the request of Mr. Speaker Gilligan.
The Chief Clerk announced a corrected attendance roll call:
Members Present: 37.
Members Absent: Representatives Atkins, Plant & Thornburg - 3.
Vacancy: 1.
The Chief Clerk read the following into the record:

August 31, 2009
The Honorable Robert F. Gilligan
Speaker of the House
2628 Sherwood Drive
Wilmington, DE 19808
Dear Speaker Gilligan,
I am writing to officially submit my resignation as State Representative for the 37th District in the Delaware General Assembly.
Upon being elected to the office of State Senator on August 3, 2009, I hereby officially resign my duties as State Representative.
It has been an honor to serve in the House of Representatives and I look forward to working with you as a new member of the Delaware State Senate.
Sincerely,
Joseph W. Booth
State Senator
19th District

Representative Schwartzkopf moved that the Chief Clerk read the Writ of Election and the Certificate of Election. The motion was seconded by Representative Longhurst and adopted by voice vote.
The Chief Clerk read the Writ & Certificate of Election as follows:

WRIT OF ELECTION

TO: THE DEPARTMENT OF ELECTIONS, SUSSEX COUNTY
199 NORTH RACE STREET
GEORGETOWN, DELAWARE 19947

GREETINGS:

WHEREAS, a vacancy exists in the House of Representatives of the 145th General Assembly of the State of Delaware by reason of the election of JOSEPH W. BOOTH in the 19th Senatorial District and the resignation of JOSEPH W. BOOTH, of the 37th Representative District of Sussex County, Delaware on August 3, 2009.

WHEREAS, such a vacancy has occurred and exists while said General Assembly is in session;

NOW, THEREFORE, I, ROBERT F. GILLIGAN, Speaker of the House of Representatives of the State of Delaware, Presiding Officer of the Delaware House of Representatives, in accordance with the Constitution and the laws of the State of Delaware in such cases made and provided, do hereby issue this Writ of Election and declare that you shall cause a special election to be held in the 37th Representative District of Sussex County, State of Delaware, by the qualified electors thereof on a day to be assigned by you, such day not to be more than eleven nor less than ten days next after receipt of this Writ, exclusive of the day, for the purpose of filling the aforesaid vacancy, the person thereupon chosen to hold office for the residue of the term of the said JOSEPH W. BOOTH.

IN WITNESS, THEREOF, I, ROBERT F. GILLIGAN, Speaker of the House of Representatives of the 145th General Assembly have hereunto set my hand and seal this 1st day of September in the year Two Thousand and Nine.

Deborah A. Porter
ROBERT F. GILLIGAN, SPEAKER
Notary
HOUSE OF REPRESENTATIVES
STATE OF DELAWARE
The State of Delaware
Sussex County, ss.
Be It Remembered, That at the Special Election held on Saturday, the 12th day of September, in the year of our Lord Two Thousand and Nine for Sussex County, according to the Constitution and Laws of the State of Delaware,

Ruth Briggs King
was duly elected
Representative - 37th District

which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

In Testimony Whereof, we, T. HENLEY GRAVES and RICHARD F. STOKES, constituting the Superior Court for Sussex County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court be hereunto affixed at the Court House in said County, on this 14th day of September, A.D. 2009.

T. Henley Graves, Judge
Richard F. Stokes, Judge

Representative Schwartzkopf moved that the Oath of Office be administered to Representative-Elect Ruth Briggs King by The Honorable Peter B. Jones, Associate Judge, Family Court of Delaware. The motion was seconded by Representative Longhurst and adopted by voice vote.

Judge Peter B. Jones administered the oath of Representative to Representative-Elect Briggs King as follows:

I, Ruth Briggs King, do proudly swear to carry out the responsibilities of the office of Representative to the best of my ability, freely acknowledging that the powers of this office flow from the people I am privileged to represent. I further swear always to place the public interest above any special or personal interests and to respect the right of future generations to share the rich historic and natural heritage of Delaware. In doing so I will always uphold and defend the constitutions of my Country and my State, so help me God.

Ruth Briggs King
State Representative
Sworn and subscribed before me this 12th day of January A.D. 2010
Peter B. Jones
Associate Judge, Family Court of Delaware

Mr. Speaker Gilligan made comments. Representative Briggs King made comments and introduced guests. Representatives Cathcart & Schwartzkopf & Mr. Speaker Gilligan made comments. Senator Joseph W. Booth made comments.

Representative Schwartzkopf moved that the Chief Clerk call the roll of the Members of the House of Representatives of the 145th General Assembly. The motion was seconded by Representative Longhurst and adopted by voice vote.

The Chief Clerk called the roll.

Representative Schwartzkopf moved to adopt the roll as just called by the Chief Clerk as the permanent roll of the House of Representatives of the 145th General Assembly. The motion was seconded by Representative Longhurst and adopted by voice vote.

The Majority Leader moved to recess for caucus at 2:21 p.m.
The House reconvened at 3:49 p.m.
The minutes of the previous two legislative days were approved as posted.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SCR 24 and requests the concurrence of the House. The Senate wishes to inform the House that it has passed SB 153 w/SA 1 & 2 and requests the concurrence of the House and has passed HB 15 w/HA 1 and is returning the same to the House. The Senate wishes to inform the House that it has passed HB 136, HB 206, HB 176 & HB 204 w/HA 1 and is returning the same to the House. The Senate wishes to inform the House that it has passed HB 132, HB 122 w/HA 1 & 2, HB 177, HB 232 & HB 151 w/HA 1 and is returning the same to the House. The Senate wishes to inform the House that it has passed HB 111 w/HA 1, HB 211, HB 289 w/HA 2, HB 291 w/HA 1 & 4, HB 210, HS 1 for HB 263, HS 1 w/HA 2 for HB 264 & HB 287 and is returning the same to the House. The Senate wishes to inform the House that it has passed HB 295 and is returning the same to the House and has passed HB 253 w/HA 2 & 3 and is returning the same to the House.

July 2, 2009

Legislative Advisory #17
Governor Jack A. Markell signed the following legislation on the date indicated: 7/1/09 - HB 170, HB 210, HB 211, HS 1 for HB 260, HS 1 for HB 262, HS for HB 263, HS 1 for HB 264, HS 1 for HB 267 aab HA 2, HS 1 for HB 268, HB 286, HB 287, HB 288, HB 289 aab HA 2, HB 290, HB 291 aab HA 1 & 4, HB 295, HJR 6, HJR 7 & SB 190.

Legislative Advisory #18
Governor Jack A. Markell signed the following legislation on the date indicated: 6/30/09 - SB 101, HB 165 aab HA 1 & SA 1; 7/2/09 - SB 121, HB 156 aab HA 1 & HA 2, HB 183 aab HA 1 & HA 2;
7/6/09 - SS 1 for SB 35 aab SA 1, SB 38, SB 48, SB 73, SB 84, SB 88, SB 102, SB 105, SB 116, SB 117, SB 139, SB 142 & SB 150 aab SA 1.

July 7, 2009

Legislative Advisory # 19

Governor Jack A. Markell signed the following legislation on the date indicated: 7/6/09 - SB 72, SB 76, SB 86, SB 109, SB 118, SB 134 aab SA 1, SB 138 aab SA 2, SB 149, HB 98, HB 118 aab HA 1 & SA1 & HB 167.

July 9, 2009

Legislative Advisory #20

Governor Jack A. Markell signed the following legislation on the date indicated: 7/8/09 - SB 50, SB 61 aab SA 2, SB 77, SB 110, SB 114, SB 129 aab SA 1, SB 133, SB 143 aab SA 1, SB 145 aab SA 1, SB 159, SB 161, SB 163, SB 165 aab SA 1, SB 173 aab SA 1, SB 181, HB 113, HB 132, HB 138, HB 146 aab SA 2, HB 148, HB 149, HB 150, HB 154 aab HA 1, HB 161, HB 174 aab HA 1 & HB 181.

July 10, 2009

Legislative Advisory #21

Governor Jack A. Markell signed the following legislation on the date indicated: 7/9/09 - SS 1 for SB 49, SB 62, SB 85 aab SA 1, HS 1 for HB 70 aab HA 2, 7/10/09 - SB 185, HB 136 & HB 206.

July 20, 2009

Legislative Advisory #22

Governor Jack A. Markell signed the following legislation on the date indicated: 7/10/09 - SB 45 aab SA 3 & HA 1, SB 152, SB 155, SB 170, SB 174, HB 46, HB 177; 7/13/09 - SB 175, SB 176, SB 177, SB 178 & HB 152.

July 22, 2009

Legislative Advisory #23

Governor Jack A. Markell signed the following legislation on the date indicated: 7/16/09 - SB 52 aab SA 1, SB 108 aab SA 4, SB 111, SB 115 aab HA 1, SB 135, SB 179, SB 180; 7/21/09 - HB 275; 7/22/09 - HB 151 aab HA 1, HB 160 aab HA 1 & HA 2, HB 179, HB 192, HB 205 aab HA 1, HB 207, HB 220, HB 225, HB 233 aab HA 2 & HA 3, HB 269 & HB 176.

Governor Jack A. Markell vetoed the following legislation on the date indicated: 7/21/09 - HB 201.

Office of the Governor July 21, 2009

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES
OF THE 145TH GENERAL ASSEMBLY

House Bill 201 repeals Delaware’s “Bottle Bill,” which can be found in Subchapter III, Chapter 60, Title 7 of the Delaware Code. I have considered this legislation in detail and I have met and discussed the issues related to this legislation with retailers, distributors, environmentalists, legislators, members of my cabinet and my staff. Pursuant to Article III, Section 18 of the Delaware Constitution and only after careful consideration, I am returning House Bill 201 to the Delaware House of Representatives without my signature.

By way of background, Delaware’s Bottle Bill was enacted in 1978 and places a five cent refund value on beverage bottles returned. The purpose was to reduce littering by encouraging the return, reuse and recycling of beverage bottles, and to reduce utilization of our landfills. It can be fairly said that Delaware’s Bottle Bill has contributed to a reduction in litter alongside our roadways and parks, as well as reduced landfill usage. Indeed, some estimate that one-third of glass bottles are returned to retailers for recycling. House Bill 201 eliminates this initiative in its entirety, without any proposed alternative.

While the Bottle Bill does help reduce litter and promote recycling, the problems with this thirty-one year old initiative are notable. The use of plastic bottles in lieu of glass has grown significantly, but very few plastic bottles are returned. Cans are no longer included within the law’s scope and the program is otherwise cumbersome and costly to administer for retailers. There is also very little accountability in this program, so its effectiveness is difficult to measure. If one assumes a 30% return rate for glass bottles, this equates to 70% of the deposits being collected not being returned to consumers. In the end, consumers are paying for a recycling initiative that is not very effective.

Importantly, there is nothing in House Bill 201 that prohibits distributors from continuing to charge five additional cents, or increasing their prices to offset any loss of bottle deposits they have become accustomed to keeping. Indeed, the legislation does not even provide a mechanism for consumers to recover their deposits on bottle purchases prior to the effective date of the repeal. While paying for an ineffective recycling initiative is bad, continuing to pay, after the program is abolished, is even worse.

There is widespread recognition that Delaware’s recycling rate is too low and there have been various recycling initiatives proposed over the years. While proponents of House Bill 201, under the leadership of Representative John J. Viola, deserve significant credit for calling attention to the inadequacies of our current Bottle Bill, I believe we need to review this issue in a larger context that takes into consideration the environment, the industry and Delaware taxpayers. Although I am sympathetic to those who argue that the
current Bottle Bill system is broken, I am committed to doing what I can to ensure that we replace it with something better.
To that end, I have directed Secretary Collin O’Mara of the Department of Natural Resources and Environmental Control and Alan Levin, the Director of the Delaware Economic Development Office, to work with Representative Viola, other members of the General Assembly, beverage distributors and retailers, and the environmental community to comprehensively examine how beverage bottles are distributed, sold, returned and recycled. My hope is that we can propose a workable solution when the General Assembly returns in January, 2010.
This hope is bolstered by my recent meetings with beverage distributors, retailers and environmentalists, as I have heard good faith commitments to improve our current recycling efforts, based on best practices around the country and around the world. We should capitalize on this shared commitment to develop alternatives to the current Bottle Bill that will further promote waste diversion and recycling efforts in Delaware, while being fair to Delaware taxpayers.
In closing, Delaware is quickly earning a reputation as a leader in environmental issues like alternative energy and climate prosperity, in part, because we recognize the connection between the health of our economy and the health of our environment. This bill as written, without additional consumer protections or a plan to improve our recycling rate, does not move us forward. I am hopeful that by working cooperatively with many interested participants, we can, in fact, move forward.
For these reasons, I must veto House Bill 201 and return it to the House of Representatives without my signature.
Sincerely,
Jack A. Markell
Governor

The House observed a moment of silence in memory of “Jean” Finnegan Biden, mother of our Vice-President; Donna Maglio, mother of Representative Longhurst; Anita VanSant, wife of former Representative John VanSant; and Shawn Breslin at the request of Mr. Speaker Gilligan & Chad Spicer at the request of Representative Schwartzkopf.
Mr. Speaker Gilligan made an announcement.
Representative Schwartzkopf introduced Amanda Lamar, House Communications Coordinator & Pam Price, Minority Chief of Staff, who introduced the 2010 Legislative Fellows from the University of Delaware. The Fellows announced their majors and committee assignments for the record.
Representatives Schwartzkopf & Cathcart made comments.
Mr. Speaker Gilligan made comments.
Representative D.P. Williams made comments.
Representative Schwartzkopf deferred to Representative Bennett.
Representative Bennett introduced and brought HR 30, jointly sponsored by Representative Scott & Representative Carson, before the House for consideration.

HR 30 - COMMENDING THE KIWANIS CLUB OF DOVER FOR SEVENTY-FIVE YEARS OF SERVICE TO THE COMMUNITY.
WHEREAS, Kiwanis was founded in Detroit, Michigan on January 21, 1915, primarily as a networking and business club; and
WHEREAS, by 1919 the organization changed its focus from business to service to the community; and
WHEREAS, the Kiwanis Club of Dover, sponsored by the Wilmington Kiwanis Club, was organized on January 16, 1935, and received its charter from Capital District Governor Walter Cole of Towson, Maryland on March 6, 1935, completing the goal of establishing a Kiwanis Club in every Capital of the 48 states; and
WHEREAS, throughout the years the Kiwanis Club of Dover has displayed their commitment to service by organizing community activities, providing educational opportunities, and caring for the needy, whereby adhering to the current Kiwanis International Defining Statement that “Kiwanis is a global organization dedicated to changing the world one child and one community at a time”; and
WHEREAS, in demonstrating this core value, the club supports numerous youth organizations by holding fundraising events in the Dover area; and
WHEREAS, the Kiwanis Club of Dover, sponsors a variety of service leadership programs including Delaware State University’s Circle K International, as well as numerous high school Key Clubs and Aktion Clubs in both Kent and New Castle Counties; and
WHEREAS, the Kiwanis Club of Dover has been an integral part of the Dover community for seventy-five years.
NOW THEREFORE:
BE IT RESOLVED that the House of Representatives of the 145th General Assembly of the State of Delaware commends the Kiwanis Club of Dover for the tremendous service they provide to our state and their positive impact on the youth in our communities; and
BE IT FURTHER RESOLVED that the House of Representatives of the 145th General Assembly of the State of Delaware does hereby congratulate the Kiwanis Club of Dover on its Seventy-Fifth Anniversary.

BE IT FURTHER RESOLVED that, upon passage, a suitably prepared and duly authenticated copy of this resolution be presented to the Kiwanis Club of Dover.

Representative Bennett made comments.

HR 30 was adopted by voice vote.
Representative M. Marshall made an announcement.
Representative Schwartzkopf deferred to Representative Mitchell.
Representative Mitchell made an announcement.
The Majority Leader moved to recess to the call of the Chair at 4:16 p.m.
Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 13, 2010.
The Reading Clerk read the following communication into the record:

July 29, 2009

Legislative Advisory # 24
Governor Jack A. Markell signed the following legislation on the date indicated: 7/24/2009 - HB 72, HB 111 aab HA 1, HB 122 aab HA 1 & HA 2, HB 164 aab HA 1 & HB 257.
The Majority Leader moved to adjourn at 2:01 p.m., thereby ending the current legislative day. The House reconvened at 2:02 p.m.

2nd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
January 13, 2010

The Chief Clerk called the roll.
Members Present: 34.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The revised minutes of the previous legislative day were approved as posted.
The Reading Clerk read the following communications into the record:

MEMORANDUM
TO: Rep. Robert F. Gilligan
Speaker of the House
CC: Rich Puffer
FROM: Rep. John C. Atkins
DATE: January 13, 2010
RE: Absence from session
I will be unable to attend session today, Wednesday, January 13, 2010, due to illness.
Representatives Mitchell & Miro requested that they be marked present.
Representative J. Johnson made an announcement.
Representative Keeley requested that she be marked present & made a comment.
The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:07 p.m.
Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following members were marked present by the Chief Clerk after the House recessed at 2:07 p.m.: Representatives D.P. Williams & Lee.
Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 14, 2010.
Representatives Oberle, Lavelle & D.E. Williams requested that they be marked present for the current Legislative Day.
The Chief Clerk read the following committee reports into the record:
CORRECTIONS: HB 284 - 3F, 2M.
JUDICIARY: HB 276 - 3F, 5M; HB 297 - 3F, 5M; SB 14 w/SA 2 - 6M; SB 71 - 1F, 6M.
HOUSING & COMMUNITY AFFAIRS: HB 294 - 7F, 1M; HB 301 - 8F; SB 167 - 7F, 1M.
Representative Atkins requested that he be marked present for the current Legislative Day.
Representative Lavelle made a comment.
The Majority Leader moved to adjourn at 2:03 p.m., thereby ending the current legislative day. The House reconvened at 2:04 p.m.

3rd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
January 14, 2010

The Chief Clerk called the roll.
Members Present: 37.
Members Absent: Representatives Carey, Plant, Thornburg & Walls - 4.
A prayer was offered by Representative Gregory F. Lavelle, Eleventh Representative District. Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag. The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

**HB 305 - BARBIERI & REPRESENTATIVE VIOLA & SENATOR HENRY; REPRESENTATIVES BRADY, JAQUES, Q. JOHNSON, KOVACH, KOWALKO, LONGHURST, MANOLOKOS, SCHOOLEY, WALLS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to Transportation of State Employees.**

**HB 306 - LAVELLE & REPRESENTATIVE SCHWARTZKOPF & SENATOR HENRY & SENATOR SORENSON; REPRESENTATIVES BENNETT, BRADY, CARSON, KEELEY, KOWALKO, CATHCART, D. SHORT, BRIGGS KING, HOCKER, HUDSON, KOVACH, MIRO, RAMONE, THORNBURG, WILSON; SENATORS BUNTING, MARSHALL - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Reporting Possible Sexual Abuse of a Child.**

**HB 307 - OBERLE & SENATOR BLEVINS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Titles 12 and 16 of the Delaware Code Relating to Escheats.**

Representatives D. Short & Oberle made comments.

The House observed a moment of silence in memory of William G. McCafferty at the request of Representative D. Short.

Representatives Hudson, Kovach, Outten & Lee requested that they be marked present.

The Reading Clerk read the following communications into the record:

January 12, 2010

TO: The Honorable Robert F. Gilligan
Speaker of the House

FROM: Representative V. George Carey

SUBJECT: Absence from Session

I will be [sic] absent from session on Thursday, January 14, 2010, as I will be attending an out of state meeting of the State Agricultural Rural Leaders Association.

V. George Carey

MEMORANDUM

TO: Rep. Robert F. Gilligan
Speaker of the House

CC: Rich Puffer

FROM: Rep. Robert E. Walls

DATE: January 12, 2010

RE: Absence from session

I will be unable to attend session Thursday, January 14, 2010, as I am attending an Agriculture summit.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Valerie J. Longhurst, do hereby request that my name be removed as co-sponsor of HB 277.

Date: 1/14/10

Signed: Valerie J. Longhurst

WITHDRAWAL OF SPONSORSHIP REQUEST

I, George H. Bunting, Jr., do hereby request that my name be removed as co-sponsor of HB 194.

Date: 1/14/10

Signed: George H. Bunting, Jr.

Representative Longhurst requested and was granted personal privilege of the floor to make an announcement. Representative Briggs King made a comment. Representative Longhurst led the House in singing “Happy Birthday” to Representative Schwartzkopf. Representative Lavelle made a comment. Representative Mulrooney requested that he be marked present & made a comment. Representatives Schwartzkopf & D. Short made announcements. The Majority Leader moved to recess for caucus at 2:14 p.m. The House reconvened at 4:02 p.m. Representative Cathcart requested that he be marked present. Representative Schwartzkopf deferred to Representative M. Marshall. Representative M. Marshall brought HB 297, jointly sponsored by Senator. Blevins, before the House for consideration.

**HB 297 - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE DELAWARE GENERAL CORPORATION LAW. (2/3 bill)**

Representatives M. Marshall & Kovach made comments. Representative M. Marshall requested and was granted privilege of the floor for Rick Geisenberger, Director, Division of Corporations, Department of State. Representatives Kovach & Ramone made comments. Representative M. Marshall introduced and brought HA 1 to HB 297 before the House for consideration. Representative M. Marshall made a comment. Representative M. Marshall made a comment. The roll call on HB 297 w/HA 1 was taken and revealed:

YES: 37.

ABSENT: Representatives Carey, Plant, Thornburg & Walls - 4.
Therefore, having received a constitutional majority, HB 297 w/HA 1 was sent to the Senate for concurrence.
Representative D.P. Williams requested that he be marked present during the roll call.
Representative Schwartzkopf deferred to Representative Bennett.
Representative Bennett brought HB 294, jointly sponsored by Representative Scott & Senator Bushweller & Representatives Blakey, Q. Johnson, Outten, Thornburg & Walls & Senator Simpson, before the House for consideration.

HB 294 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE KENT COUNTY COMPTROLLER, KENT COUNTY RECEIVER OF TAXES AND COUNTY TREASURER, AND GOVERNMENT OF KENT COUNTY.
Representatives Bennett & Blakey made comments.
The roll call on HB 294 was taken and revealed:
YES: 37.
ABSENT: Representatives Carey, Plant, Thornburg & Walls - 4.
Therefore, having received a constitutional majority, HB 294 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Bennett.
Representative Bennett brought HB 301, jointly sponsored by Senator Bushweller & Representatives Carson, Jaques, Q. Johnson, Mitchell & Walls & Senators Bonini, Bunting, Ennis & Venables, before the House for consideration.

HB 301 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO DEBTS OF AND CLAIMS AGAINST ESTATE.
Representative Bennett made comments.
The roll call on HB 301 was taken and revealed:
YES: 37.
ABSENT: Representatives Carey, Plant, Thornburg & Walls - 4.
Therefore, having received a constitutional majority, HB 301 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Hudson.
Representative Hudson brought HB 276, jointly sponsored by Senator McBride & Representatives Barbieri, Brady, Carson, Jaques, Booth, Carey, Hocker, Lavelle, Manolakos, Miro, Ramone & Thornburg & Senators Sokola & Sorenson & cosponsored by Representative Kovach & Senator Katz, before the House for consideration.

HB 276 - AN ACT TO AMEND TITLES 11, 16, 17 AND 21 OF THE DELAWARE CODE RELATING TO CRIMINAL MISCHIEF, GRAFFITI, AND OTHER INJURY TO A SCENIC AND HISTORICAL HIGHWAY OR A SCENIC BYWAY.
Representative Hudson introduced and brought HA 1 to HB 276 before the House for consideration. Representative Hudson made a comment. HA 1 was adopted by voice vote. Representative Hudson made comments.
The roll call on HB 276 w/HA 1 was taken and revealed:
YES: 37.
ABSENT: Representatives Carey, Plant, Thornburg & Walls - 4.
Therefore, having received a constitutional majority, HB 276 w/HA 1 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Jaques.
Representative Jaques brought HB 30, jointly sponsored by Senator Ennis & Representative Longhurst & Senator Hall-Long & Representatives Cathcart & Q. Johnson & cosponsored by Senator Connor, before the House for consideration.

HB 30 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE POWERS, DUTIES AND FUNCTIONS OF THE SECRETARY OF EDUCATION. (F/I)
Representative Jaques brought HA 1 to HB 30 before the House for consideration. Representative Jaques brought HA 1 to HA 1 to HB 30 before the House for consideration. Representative Jaques made a comment. HA 1 to HA 1 was adopted by voice vote. Representative Jaques made a comment. HA 1 w/HA 1 was adopted by voice vote. Representatives Jaques & Manolakos made comments. Representative Jaques requested and was granted privilege of the floor for Dr. Tony Marchio, Superintendent, Appoquinimink School District. Representatives Manolakos, Miro, Cathcart, Ramone, Jaques, Cathcart, Q. Johnson, B. Short, Ramone, Kovach, Cathcart, Kovach, Jaques, D. Short, Manolakos, B. Short, Jaques & Cathcart made comments. Representative Ramone requested and was granted privilege of the floor for Jennifer Casey, Executive Director, Homebuilders Association of Delaware. Representatives B. Short, Jaques, Lavelle, Hocker & Briggs King made comments.
The roll call on HB 30 w/HA 1 w/HA 1 was taken and revealed:
YES: 24.
ABSENT: Representatives Carey, Plant, Thornburg & Walls - 4.

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Therefore, having received a constitutional majority, HB 30 w/HA 1 w/HA 1 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative J. Johnson.
Representative J. Johnson brought HB 284, jointly sponsored by Senator Ennis, before the House for consideration.
**HB 284** - **AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEXUAL RELATIONS IN A DETENTION FACILITY.**
Representatives J. Johnson & Kovach made comments.
The roll call on HB 284 was taken and revealed:
YES: 36.
ABSENT: Representatives Carey, Oberle, Plant, Thornburg & Walls - 5.
Therefore, having received a constitutional majority, HB 284 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Brady.
Representative Brady requested that **HCR 1** be stricken.
Representative Cathcart made an announcement.
Mr. Speaker Gilligan reassigned **HB 277** to the Transportation, Land Use and Infrastructure Committee.
Representative Schwartzkopf made an announcement.
Representative Schwartzkopf deferred to Representative Lavelle.
Representatives Lavelle & Longhurst made comments.
Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri introduced and brought **HR 31** before the House for consideration.
**HR 31** - **EXTENDING THE REPORTING DATE OF THE SCHOOL DISCIPLINE TASK FORCE**
Representative Barbieri made comments.
**HR 31** was adopted by voice vote.
Representative Keeley, Mr. Speaker Gilligan & Representative Kowalko made announcements.
The Majority Leader moved to recess to the call of the Chair at 5:41 p.m.
Mr. Speaker Gilligan called the House to order at 2:01 p.m. on January 19, 2010.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed **HB 202** and is returning the same to the House.

August 6, 2009

LEGISLATIVE ADVISORY # 25
Governor Jack A. Markell signed the following legislation on the date indicated:
7/29/09 - SB 59 aab SA 3 & SB 106 aab SA 2; 7/30/09 - SB 56 aab SA 1 & HB 99; 7/31/09 - HB 204 aab HA 1, HS 1 for HB 230 aab HA 1 & HB 253 aab HA 2 & HA 3.

MEMORANDUM
To: The Honorable Robert F. Gilligan, Speaker of the House
From: Representative Joseph E. Miro
RE: Absence from Session
Date: January 14, 2010
Please be advised that I will be absent from Session next Tuesday, January 19, 2010 due to a family medical situation.
Thank you for understanding.
Representative Walls requested that he be marked present for the current Legislative Day.
Representative Keeley introduced **HS 1 for HB 255** jointly sponsored by Senator Blevins.
**HB 255** - **AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE.**
Mr. Speaker Gilligan assigned **HS 1 for HB 255** to the Economic Development/Banking/Insurance/Commerce Committee.
Representative Keeley made comments.
The Majority Whip moved to adjourn at 2:07 p.m., thereby ending the current legislative day. The House reconvened at 2:08 p.m.

4th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
January 19, 2010
The Chief Clerk called the roll.
Members Present: 39.
A prayer was offered by Representative Bryon H. Short, Seventh Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following out-of-session prefilled legislation was introduced:
1/15/2010
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HB 310 - SCHWARTZKOPF & REPRESENTATIVE VIOLA & SENATOR DELUCA; REPRESENTATIVES GILLIGAN, Q. JOHNSON, MULROONEY, CARSON, J. JOHNSON, BARBIERI, KOWALKO, SCOTT, LONGHURST, BRADY, MITCHELL, CATHCART, D. SHORT, KOVACH, HUDSON, RAMONE, D.P. WILLIAMS; SENATORS BLEVINS, HENRY, COOK, BUSHWELLER, HALL-LONG, ENNIS - GAMING & PARIMUTUELS - An Act to Amend Titles 3, 11 and 29 of the Delaware Code Relating to the Operation of Table Games by the Delaware Lottery, the Creation of a Division of Gaming Enforcement within the Department of Safety and Homeland Security, Licensing of Video Lottery Agent Personnel and Lottery and Agent Vendors, Prohibition on Gaming by Certain Persons, the Creation of a Lottery Commission, and the Number of Harness Racing Days. (3/5 bill)

The following prefiled legislation was introduced:


The Reading Clerk read the following communication into the record:
August 18, 2009

LEGISLATIVE ADVISORY # 26
Governor Jack A. Markell signed the following legislation on the date indicated:
8/13/09 - SB 68 aab SA 1, SB 90 aab SA 2, SB 151 & HS 1 for HB 119 aab HA 1; 8/17/09 - HB 15 aab HA 1.

Representatives D. Short, Blakey, Wilson, Kovach & Oberle requested that they be marked present.
Representative B. Short requested that HB 78 be stricken.
Mr. Speaker Gilligan & Representative Brady made announcements.

The Majority Whip moved to recess for caucus at 2:14 p.m.
The House reconvened at 4:02 p.m.
Representatives Manolakos, Mulrooney, Lee & Thornburg requested that they be marked present.

The Reading Clerk read the following communication into the record:
The Senate wishes to inform the House that it has passed SCR 25 and requests the concurrence of the House;
Representative Longhurst deferred to Representative Carson.

SCR 25 - WELCOMING DR. HARRY LEE WILLIAMS, 10TH PRESIDENT OF DELAWARE STATE UNIVERSITY, TO LEGISLATIVE HALL AND EXTENDING TO HIM BEST WISHES FOR SUCCESS IN HIS NEW OFFICE.

WHEREAS, Dr. Harry Lee Williams, assumed the duties of President of Delaware State University at Dover on the 10th Day of January, 2010; and
WHEREAS, Dr. Williams is the tenth person to hold the office of President of Delaware State University; and
WHEREAS, prior to his appointment as university president, Dr. Williams formerly served as DSU’s Provost and Vice-President of Academic Affairs for 18 months; and
WHEREAS, during his tenure in those offices, DSU established a new General Education Program, a Distance Education Strategic Plan and a Middle States Monitoring Report Plan, and carried out under his leadership searches that led to the hiring of a number of high-ranking officials at the University; and
WHEREAS, before coming to DSU, Dr. Williams served as Interim Associate Vice-President for Academic Affairs at the University of North Carolina General Administration, later being elevated to the office of Interim Senior Associate Vice President for Academic and Student Affairs, in which he focused on access and outreach for the 17 campuses of the UNC system; and
WHEREAS, before joining UNC General Administration, Dr. Williams had served in administrative positions at Appalachian State University from 1988 to 2000 and from 2004 to 2007, serving as Interim Director of Admissions for North Carolina A & T University from 2000 to 2004; and
WHEREAS, Dr. Williams has worked over the years as a national marketing and recruitment associate consultant with a leading national consulting firm, during which he has provided consultation services to 14 different colleges and universities, including DSU; and
WHEREAS, Dr. Williams earned a Bachelor of Science degree in Communication Broadcasting and Master of Arts in Educational Media, both from Appalachian State University, and an Ed.D. in Educational Leadership and Policy Analysis from East Tennessee State University; and
WHEREAS, Dr. Williams was also a successful athlete during his undergraduate years, competing in track and cross country at Appalachian State University; and continues to stay in shape by running four miles each morning; and
WHEREAS, Dr. Williams is married to Dr. Robin S. Williams and is the father of two children, Austin, age 13, and Gavin, age eight;

NOW, THEREFORE:

BE IT RESOLVED by the Senate of the 145th General Assembly of the State of Delaware, the House of Representatives concurring therein, that the members of the Senate and House do hereby congratulate Dr. Harry Lee Williams upon his appointment as the 10th President of Delaware State University.

BE IT FURTHER RESOLVED that the members extend to Dr. Williams a warm welcome to Legislative Hall on this 19th Day of January, 2010, together with heartfelt best wishes for a long and successful tenure as DSU president.

BE IT FURTHER RESOLVED that a suitable copy of this resolution be presented to Dr. Williams upon its passage.

Representative Carson made comments.

SCR 25 was adopted by voice vote and was returned to the Senate.

Representatives D.P. Williams & Cathcart made comments.

Representative Carson introduced guests.

Representative Carson requested and was granted privilege of the floor as Dr. Harry L. Williams, President, Delaware State University.

Mr. Speaker Gilligan & Representatives Carson, J. Johnson, Cathcart, Schooley, Blakey & Bennett & Mr. Speaker Gilligan & Representative Thornburg made comments.

Representative D.P. Williams requested that he be marked present.

Representative Longhurst deferred to Representative Hudson.

Representative Hudson brought HB 3, jointly sponsored by Senator Connor & Senator Cloutier, before the House for consideration.

HB 3 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY.

Representative Hudson brought HA 1 to HB 3 before the House for consideration. Representative Hudson made comments. HA 1 was adopted by voice vote. Representatives Hudson, Jaques & Longhurst made comments.

The roll call on HB 3 w/HA 1 was taken and revealed:

YES: 36
NO: Representative Jaques - 1.
ABSENT: Representatives Carson, Miro, Oberle & Plant - 4.

Therefore, having received a constitutional majority, HB 3 w/HA 1 was sent to the Senate for concurrence.

Representative Viola requested that he be marked present during the roll call.

Representative Longhurst deferred to Representative J. Johnson.

Representative J. Johnson introduced HR 32, jointly sponsored by Representative Brady & Representative Keeley & Representative D. Short & Representative D.P. Williams & Representatives Briggs King, Carey, Hocker, Lee & Longhurst.

HR 32 - SUPPORTING THE DELAWARE RIVER MAIN CHANNEL DEEPENING PROJECT.

Mr. Speaker Gilligan assigned HR 32 to the Natural Resources Committee.

Representative Longhurst deferred to Representative Kovach.

Representative Kovach introduced HA 1 to HB 310, jointly sponsored by Representative Lavelle.

HA 1 was placed with the bill.

Representative Kovach introduced HA 2 to HB 310. HA 2 was placed with the bill.


The Majority Whip moved to recess to the call of the Chair at 4:34 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 20, 2010.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Helene M. Keeley, do hereby request that my name be removed as co-sponsor of HB 310.

Date: 1/19/10
Signed: Helene M. Keeley
August 28, 2009

LEGISLATIVE ADVISORY #27

Governor Jack A. Markell signed the following legislation on the date indicated: 8/18/09 - SB 164; 8/21/09 - SB 160; 8/24/09 - HB 36, HB 38, HB 39 & HB 133; 8/26/09 - HB 135 aab HA 1 & SA 1; 8/27/09 - HB 139 aab HA 1 & HB 199 aab HA 2.

Representative Miro requested that he be marked present for the current Legislative Day.

The Majority Leader moved to adjourn at 2:03 p.m., thereby ending the current legislative day. The House reconvened at 2:04 p.m.
The Chief Clerk called the roll.

Members Present: 35.


A prayer was offered by Representative Joseph E. Miro, Twenty-Second Representative District. Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

- **HA 2 to HB 128** - J. JOHNSON - Placed with the Bill.
- **HA 3 to HB 310** - HUDSON - Placed with the Bill.
- **HA 4 to HB 310** - HUDSON - Placed with the Bill.
- **HA 5 to HB 310** - HUDSON - Placed with the Bill.

The Reading Clerk read the following communication into the record:

MEMORANDUM

To: The Honorable Robert F. Gilligan
Speaker of the House

From: Representative Gregory F. Lavelle

RE: Absent from Session

Date: January 20, 2010

Please be advised that I will not be in attendance for Session today, January 20, 2010, due to a personal and professional conflict.

Thank you for understanding.

Representative Schwartzkopf introduced & brought HCR 22, jointly sponsored by Senator DeLuca & Representatives Gilligan, Longhurst, Cathcart & D. Short & Senators Blevins, Henry, Simpson & Sorenson, before the House for consideration.


Representative Schwartzkopf made a comment. HCR 22 was adopted by voice vote and was sent to the Senate for concurrence.

Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf deferred to Representative B. Short. Representative B. Short requested and was granted privilege of the floor to present a House Tribute to participants of the Jiangsu Province Advanced Public and Business Leadership Development Program. Representative Cathcart made comments. Through an interpreter, Lian Yuegin addressed the House. Mr. Speaker Gilligan made comments. Representatives Lee, Wilson, Kovach, Mitchell, M. Marshall, D.P. Williams, Carson, J. Johnson, Q. Johnson & Bennett requested that they be marked present. Representative Hudson requested & was granted personal privilege of the floor to make an announcement.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:20 p.m.

Mr. Speaker Gilligan called the House to order at 1:34 p.m. on January 21, 2010. The Chief Clerk read the following committee reports into the record:

**JUDICIARY:** HB 280 - 7M.

**HOUSING & COMMUNITY AFFAIRS:** HB 308 - 7F.

**HOUSE ADMINISTRATION:** SB 154 - 1F, 4M; HB 300 - 1F, 4M.

**HEALTH & HUMAN DEVELOPMENT:** HB 305 - 9F.

**GAMING & PARIMUTUELS:** HB 310 - 1F, 7M, 2U.

**ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE:** HS 1 for HB 255 - 5M, 1U.

The Reading Clerk read the following communications into the record:

- **September 2, 2009**
  - LEGISLATIVE ADVISORY # 28
  - Governor Jack A. Markell signed the following legislation on the date indicated: 9/1/09 - HB 73 aab SA 1 & HB 228 aab HA 1 & HA 2.

- **September 22, 2009**
  - LEGISLATIVE ADVISORY # 29
  - Governor Jack A. Markell signed the following legislation on the date indicated:

- **October 6, 2009**
  - LEGISLATIVE ADVISORY # 30
  - Governor Jack A. Markell signed the following legislation on the date indicated:
Representatives Viola, D.E. Williams & Atkins requested that they be marked present for the current Legislative Day.

The Majority Leader moved to adjourn at 1:37 p.m., thereby ending the current legislative day. The House reconvened at 1:38 p.m.

6th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
January 21, 2010

The Chief Clerk called the roll.

Members Present: 39.


A prayer was offered by Representative Teresa L. Schooley, Twenty-third Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

HA 6 to HB 310 - MITCHELL & REPRESENTATIVE M. MARSHALL - Placed with the Bill.

HA 7 to HB 310 - VIOLA - Placed with the Bill.


Representative Lavelle requested to be marked present.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 188 w/SA 1 and requests the concurrence of the House and the Senate has passed HB 140 w/SA 1 & HCR 22 and is returning the same to the House.

MEMORANDUM

To: The Honorable Robert F. Gilligan
Speaker of the House

From: Representative Nick Manolakos

Re: Absence from Session

Date: January 21, 2010

Please be advised that I will be absent from Session today, January 21, 2010 due to personal reasons.

Thank you for understanding.

Mr. Speaker Gilligan called the House to order at 1:56 p.m.

JOINT SESSION - HOUSE CHAMBER

The Members of the Senate were admitted, welcomed and seated. Lieutenant Governor Matthew P. Denn and Senator Anthony J. DeLuca, President pro Tempore, joined Mr. Speaker Gilligan on the podium.

The Sergeant-at-Arms announced the arrival of the members of the Judiciary who were admitted, welcomed and seated.

The Sergeant-at-Arms announced the arrival of the Statewide elected officials along with the Presidents of the University of Delaware, Delaware State University and Delaware Technical and Community College who were admitted, welcomed and seated.

The Sergeant-at-Arms announced the arrival of the members of the Governor’s cabinet. They were admitted, welcomed and seated.

Representative Schwartzkopf moved that the House and the Senate meet in Joint Session at 2:03 p.m. for the purpose of hearing an address by the Honorable Jack A. Markell, Governor of the State of Delaware. There was no objection.

Representative Schwartzkopf moved that Mr. Speaker Gilligan preside over the Joint Session. There was no objection.

Representative Schwartzkopf moved that the Chief Clerk of the House and the Secretary of the Senate act as Secretaries to the Joint Session. There was no objection.

Representative Schwartzkopf moved that Mr. Speaker Gilligan appoint a committee of four to escort the Governor to the Joint Session. There was no objection. Mr. Speaker Gilligan appointed Representative Michael P. Mulrooney (Spokesperson), Representative George V. Carey, Senator Margaret Rose Henry and Senator Catherine L. Cloutier to form the escort committee.

Mr. Speaker Gilligan introduced guests.

Mr. Speaker Gilligan declared a temporary recess at 2:05 p.m. to await the arrival of the Governor. The Joint Session reconvened at 2:06 p.m.

Representative Mulrooney introduced Governor Jack A. Markell to the Joint Session.
Mr. Speaker Gilligan welcomed the Governor to the Joint Session. The Governor addressed the members of the General Assembly as follows:

Lt. Governor Denn, President Pro Tem DeLuca, Speaker Gilligan, members of the 145th General Assembly, other statewide elected officials, members of the Judiciary, members of the Cabinet, our State employees, my wife Carla and the people of Delaware:

When I last reported to you on the state of our State, we found ourselves in the depths of Delaware’s most serious economic downturn since the Great Depression: An unemployment rate that had climbed dramatically. An $800 million budget shortfall – the worst in our State's history. Key industries closing their doors and families struggling to make ends meet.

We live in a time of anxiety, of tempest. “These are the times” -- Thomas Paine wrote during America’s struggle for independence -- “that try men’s souls.” While Delaware has weathered more difficult challenges, this was and still is a time to try our souls. It is at these times when we must be at our best. America’s independence was forged by our own Caesar Rodney’s famous ride on a stormy night. And perhaps it is the storm that brings out the best in us as we work to restore Delaware’s promise.

Navigating through any storm requires unwavering focus, clear purpose and bold action. During this storm, our focus is on creating more and better jobs and building a stronger economy for us all. To do that, Delaware must be the best state to start or grow a business. We will create an environment for new prosperity. We will encourage economic growth, demand a leaner, more efficient government and provide our children a world-class education so that they can work in first class jobs.

Businesses want to operate in states that prudently manage their fiscal affairs, in good times and bad. And last year, while several states faced similar challenges and missed their deadlines for balancing their budgets, Delaware delivered. And we did so by doing what we do best: working together with common purpose. And in balancing the budget, we preserved core government services, such as classroom teaching and health care for our most vulnerable citizens. We acted with responsibility and prudence, fully funding our pension obligations to state employees and appropriating only 98% of our revenues, while resisting the temptation to tap our rainy day fund to balance our budget.

While we maintained core services, we made cuts that came with pain and sacrifice. Non-profit organizations and local governments received less support. We called upon the corporate community and some of our fellow citizens to pay more. We demanded a fairer share of our revenues from racinos, and we required vendors, like Walgreens, to accept less for doing business with the State. And finally, all of our hard-working state employees endured a pay cut -- but they never stopped delivering critical services.

And over the last year, I visited thousands of our state employees at dozens of facilities. I spent time with dedicated operators who plow the snow in the middle of cold, dark nights. I met with unemployment specialists who stand for hours at a time, patiently serving neighbors in need. I talked with nurses who care with such dignity for our most vulnerable. I stood with teachers who reach into their own pockets to buy everything from socks to crackers for students who are without. These are just a few. The list goes on. And there is no greater testament to the call of duty and the ideal of public service than these workers. And I ask you to join me in extending our appreciation and thanks to the cafeteria workers, the social workers, the public safety officers, the teachers, the program analysts and call center operators, the office staff and field employees who make State government work in these trying times. To each of you - thank you.

In the end, we were rewarded for our handling of this financial crisis when three independent agencies awarded a AAA rating to our bonds. At a time when other states are being downgraded, this was no small achievement. Our prudent fiscal management saves taxpayers money through lower interest rates and makes us more competitive when we compete for jobs against states that do not manage their finances well.

For this, and so much more, I want to thank every member of the General Assembly, in particular the leadership of both chambers.

Last year we lost a true Delaware icon, Senator Thurman Adams, who for many years was a strong voice for fiscal responsibility. While we still miss him today, I want to make special mention of Senator Tony DeLuca who, with a heavy heart, ably stepped into the large shoes of Senator Adams and has shown great leadership in tough times.

Our work to make State government leaner and more accountable is not done. We must realize further efficiencies while preserving core functions.

We slashed our vehicle fleet since I took office, saving us over $400,000 a year.

We are eliminating, without layoffs, more than 1,000 of the 15,000 positions in State government. To ensure effective operations with fewer State workers, I will propose the consolidation of a number of divisions, boards and commissions.

We are modernizing vendor payments to reduce by 100,000 the number of checks we print, and we are eliminating printing of other documents, including the budget books.

We are reducing the total amount of square footage used by government, and we are renegotiating real estate leases.

We successfully implemented a tax amnesty program that more than doubled our expectations.
And my budget will lay out dozens of other efficiency proposals, such as better leveraging our information technology operations, which will save millions over the next few years. These proposals will cut costs but still protect the most essential government functions.

And while next year’s budget requires our immediate attention, we must not govern only for the short term. We are here to make our State better for generations to come. And many of the most important budget savings – the type that last – require action this year but will not produce significant savings for the next budget. To reduce the size of government in a thoughtful way, we will look past the next fiscal year.

For example, health care is one of our biggest financial commitments. Its rising cost creates a ticking time bomb in some unexpected ways. It is driving up our State prison health care costs, which were over $42 million last year. Many inmates sentenced under the minimum mandatory provisions adopted in the 1980s are approaching their older years. The cost of their care is soaring. And if we do not act, we soon will need to operate nursing homes within our prisons. We must examine who we’re holding in our prisons and whether we can provide a less expensive but safe alternative.

Our growing elderly population is also driving up our long-term care costs under Medicaid. We will promote the community-based care that most seniors prefer to nursing homes. And not only will this increase the satisfaction of the older Delawareans it affects, it will decrease taxpayer costs over the long term. Secretary Landgraf is moving forward to do just that.

The health care and pension benefits we provide our State employees and retirees also represent increasingly daunting financial commitments. Given last year’s pay cut, I don’t want current employees to have to pay more out of pocket for health care this year. But we must act now to reduce health care and pension costs by instituting a different set of benefits for future employees. Again, this will only apply to future hires, but it will save $75 million over the next 5 years and it needs to be done.

We must also look at ways to reduce local government costs. And one way we can is by consolidating the county row offices of Register of Wills and Recorder of Deeds into State government. We have good people serving in these offices, but these separate offices are a reflection of a different era that we can no longer afford. These changes will require a constitutional amendment, so we may not be able to realize these savings this year. But we need to move forward now so that these savings can eventually be captured.

Finally, the rapid free-fall of revenues that we experienced last year suggests a level of volatility that we need to address. Accordingly, I am proposing a bi-partisan panel to make recommendations that I expect to be revenue neutral but which will provide a more stable foundation for our fiscal future and which will position our State for job growth.

In the end, we want our State government to provide core services and enhance our quality of life in a way that’s affordable. That’s what we are doing. By making government leaner and more efficient, we make our State a better place to create new and better jobs.

To restore Delaware’s promise and prosperity, we will reshape the way we, as a State, do business, in order to make Delaware a state where it is fundamentally better for business. We want every business to feel the way the founder of a new company that recently located in Seaford felt when he said: “After doing business with Delaware, I don’t see why anybody would do business anywhere else.” That’s why Director Alan Levin, other members of my cabinet, and I have visited scores of local businesses and each time we ask the simple question: “What can we do better?”

The lessons learned and the results of those visits are embedded in the actions we have taken and will take. In the end, Delaware will be known as more responsive, more nimble, and more focused on jobs than any other state.

That starts with fighting for every job that’s already here. For example, AIG Insurance was recently sold to a company with no Delaware connection – Farmers Insurance. Farmers had plenty of places it could have moved the 800 jobs involved in processing auto claims, and we were worried. But we went to work, and when the company had to decide where to cut jobs and where to invest, it not only kept those Delawareans working: Farmers held a job fair here to hire more. The Chairman of Farmers told me that our responsiveness played an important role in that decision.

We in Delaware have a number of built-in advantages. We offer a fantastic location, an excellent workforce, great schools, a low cost of doing business, and a high quality of life. To keep it so, we must grow responsibly while preserving our great quality of life for future generations. That means thinking differently. And to that end, with the leadership of Representative Michael Mul Rooney and Senator David McBride, we should adopt and implement a universal recycling program that will improve our environment and create jobs, while lessening the burden on retail businesses, as suggested last year by Representatives John Viola and Joe Miro, as well as Senator Margaret Rose Henry.

To restore our promise and prosperity, the State will lead by example when it comes to creating efficiencies, supporting jobs and being good stewards of our environment. Earlier this month, Senator Harr is McDowell and I announced an initiative that will utilize the financing mechanisms created by the Sustainable Energy Utility. We will make State buildings more energy efficient for decades to come and create hundreds of good jobs in the process. The SEU will be our partner, covering the upfront costs. Delaware Tech has already begun training workers for these kinds of jobs. And we’ll pay for this out of the savings we achieve from reducing our energy consumption.
The State must also lead by investing in our communities so that potential employers know their employees and their families will have safe and affordable places to live. To that end, I am recommending we provide bond bill funding for the Housing Development Fund, which will maximize federal dollars from Washington and create construction jobs here at home.

We certainly cannot rest on these Delaware advantages. To maximize job development, we’ll take a fresh look at how we support and incentivize economic development. The LIFT Program that we created and funded last year has helped 37 small businesses that employ more than 400 people borrow more affordably and invest in jobs. Together, we also re-capitalized the Strategic Fund, so that we could quickly respond to opportunities to help businesses grow and attract new ones to our State.

This year, I am asking you to do so again and join me in creating the Jobs Incentive Fund, which will allow us to better direct our limited economic development resources to activities that will yield the best return for Delaware. And I want to recognize Senator Bob Marshall, who first created the Blue Collar Jobs tax credit program, and thank him for working with us to modernize these incentives.

We also recognize that existing Delaware businesses can be some of our best partners in luring new businesses and jobs to our State. That’s why we plan to create a business “finder's fee” to incentivize existing local businesses to attract their suppliers, partners and customers to set up shop and create jobs in Delaware.

To restore Delaware’s promise and prosperity, it isn’t enough to provide greater incentives to create jobs. We will also remove impediments to job growth. We’re cutting red tape and eliminating redundant and archaic regulatory hurdles because people cannot grow their businesses and create jobs when they are waiting in line. Last week, we announced a permitting reform initiative requiring DelDOT and DNREC to respond to permit applications within 60 days. Put simply, our responsibility is to facilitate the success of our businesses. These reforms will do just that, while still protecting our great quality of life. And I want to thank Representatives Bryon Short and Dan Short for their leadership in this area.

All of these efforts are critically important. But to get people back to work, I firmly believe that Delaware needs to start making things again. It was this belief that inspired our response to the closing of the Chrysler and General Motors plants.

Thanks to all of you and our hard-working congressional delegation, Delaware is one of the few states whose former auto sites have found new futures. In fact, Boxwood Road will likely become the first shuttered GM plant ever to reopen and create jobs to make new cars. Fisker Automotive chose to move here despite intense efforts by much larger states. And when asked why, Fisker’s CEO explained that we were able to bring together critical decision-makers across the State faster than he could get his family of four together for dinner. He also pointed to our first-class workforce. And I want to recognize Joe Riccio and Dave Myers for their incredible leadership on the part of the United Auto Workers. And let me say this, Dave and Joe -- we did not give up on you and your colleagues, and we will not give up on the workers at Valero either.

Fisker’s decision to locate in Delaware will only be a success when the cars produced here get sold in showrooms across the world. Fisker has announced an extensive dealer network and their business plan calls for them to export half the cars produced here. One of the most attractive aspects of Delaware was our easy access to, and high-quality workforce at, the Port of Wilmington. Businesses like Fisker need to efficiently get products to the market. That’s why I am recommending $10 million in bond bill funding for the Port of Wilmington and that we move forward with the Northeast Corridor Rail project and the Route 301 bypass project – all important infrastructure projects that will make Delaware more competitive.

Now, to restore Delaware’s promise and prosperity, we should not only build, assemble and distribute the next generation of cars in Delaware. We should invent and manufacture the technology for the cars – as well as the technology for other industries of tomorrow. We have a proud legacy of technology innovation that we will build on. Together, we will create a Delaware where entrepreneurs and inventors imagine the new products and services that make life better, more productive and more enjoyable for millions, and workers make good livings delivering these wonders to the world.

That’s why I am supporting in this year’s bond bill plans to provide a center for high-tech laboratories, health sciences, alternative energy research and development, and other emerging industries at the old Chrysler site. Businesses want to locate where the best and brightest of our youth come to learn. Whether it be the alternative energy inventions of tomorrow that will spring from the University of Delaware, the optics research being advanced at Delaware State University, or the thousands of future workers who will garner their skills at Delaware Tech, we must entice businesses and jobs today with the promise of a better tomorrow.

That promise will be hollow, however, if our children cannot access a world-class education to compete for these higher education opportunities and jobs of the future. Let’s be clear: Providing a world-class education is not only our moral obligation -- our State’s economic future depends on it. Every state is competing for the businesses that seek the best and the brightest of our youth. So we must build on the foundations of success our hard-working teachers and administrators have already established.

To guarantee every child in Delaware access to a world-class education, my Secretary of Education, Lillian Lowery, and I launched an exhaustive quest for the best ideas and recommendations. We have visited dozens of schools and talked with thousands of students. We met with hundreds of teachers, union
representatives, administrators, school board members, parents and business leaders. We asked everyone to abide by one guiding principle: Let’s make this about the children, not the adults. For my part, I speak on this issue not only as a governor, but as a father. When it comes to decisions about education, our kids deserve our total focus and commitment. That is exactly what they are getting.

The result: A new framework for education reform that is both bold in its quest for improvement and deep in its support throughout our State. Our engaged business community seeks improved student readiness. And with these reforms, their objectives will be achieved. The teachers of our State seek the tools and support necessary to get the job done. We have submitted a federal Race to the Top application this week that could help to do just that. The application has the support of all of our stakeholders, including 100% of our local education associations. I would like to ask Diane Donohue, President of the Delaware State Education Association, to stand and accept our appreciation, on behalf of all of your colleagues, for your commitment to our children and for your courageous leadership, Diane.

The foundation for the future of education goes well beyond the hope of federal assistance embodied in our Race to the Top application. It is built upon four cornerstones that stand on their own:

- Improving student readiness by holding them to high standards.
- Effectively using student data to drive classroom results.
- Ensuring teacher quality.
- And turning around persistently low-performing schools.

When I graduated from Newark High School, my classmates and I competed for college entrance or jobs with our peers in Delaware and surrounding states. Today, our graduates are competing with students from Pennsylvania to Pretoria and from Maryland to Mumbai. To better compete in today’s global economy, we must adopt high standards that stack up against the rest of the world. Restoring Delaware’s promise depends on it.

But it’s not enough to set high standards. Our students have to meet them. And to do so, Delaware will use its rich data system and new assessment to support decision-making in the classroom. Good use of the data will make teachers and schools more effective. Parents and students will be able to use this information to demand that schools deliver.

However, great data and great standards mean little without great teachers. They are the foundation of student success. We have so many terrific teachers and other school personnel here in Delaware, but we must improve the way we support and prepare them. And to that end, we will work with our institutions of higher education to establish teacher residency programs. We will develop a pipeline for strong principals by establishing leadership preparation programs. And we must better compensate teachers who produce results in our most challenging schools.

With these new investments, and an evaluation system that uses hard data to link teacher evaluations to student growth, come new expectations and new accountability. We’re requiring that new teachers show appropriate levels of student growth before receiving tenure. And in addition, we have adopted a robust evaluation system under which teachers whose students do not show satisfactory levels of growth cannot be rated “effective.” And teachers whose students do show satisfactory levels of growth cannot be rated “ineffective.” We will also improve teacher preparation programs by linking teacher performance to the schools from which they graduated.

And finally, we need these great teachers, robust data and high standards to help schools that have not measured up to their potential. Too many students are in schools that are not making acceptable educational progress over a period of years. We do these kids a disservice and we’ve got to fix it. And when we allow schools to drop the ball -- it means we are letting kids drop out of the American dream. We will support schools that are struggling. And we will intervene when they continue to fail.

We have tremendous strengths to build on. Governors and legislators of both parties have demonstrated their commitment to our students’ success and Secretary Lowery has the determination and aptitude to build on that legacy. She’s got a teacher’s heart, so she will not let her focus stray from the interests of our children.

But having world class schools does not alone ensure that our children will get a world-class education. For that, we need an increase in parent's engagement with their children’s education. And we need children to take full advantage of the opportunities presented.

Just as we need parents to help educate their children, businesses can partner with us to train workers and create new jobs. And as State government streamlines its operations, others will need to carry some of the load. Government cannot be all things to all people. Our commitment to protect those who cannot protect themselves is unwavering. Our commitment to educating our children is unshakable. And our commitment to creating jobs is unmistakable. But, to be clear, government alone cannot change the world – only people can.

That’s why we envision a Delaware where every one of us, to the best of our abilities, contributes to bettering the lives of those around us. Two of the people who live that spirit of service are with us today. Senior Airman Benjamin Fileti, who recently returned from Afghanistan, and Sergeant First Class Christopher Lazar, who served in Iraq, are here to represent the more than 2,500 men and women of the Delaware National Guard. Airman, Sergeant - you and your colleagues embody the best of Delaware and we salute you.

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This spirit of service, particularly volunteering on a local level, is a passion for our State’s First Lady, my wife Carla. Therefore – as any of you who are married will understand – it is a particular interest of mine.

Last spring, our Department of Services for Children, Youth and their Families decided to create a small school for the youth in their care, on their campus. While we had a building that could be used for that purpose, the building did not have a library. And Carla, with members of my cabinet, worked with a construction company that agreed to donate all of the materials and the labor to build the library. And she worked with parents and students at Tower Hill School to organize a book drive to begin a collection. Those kids in the care of the State will be exposed to a wider world of literacy thanks to the selfless dedication of this combination of Delaware business and citizens. And that kind of selflessness gets repeated across this State every day, Carla this morning announced the launch of a new, interactive website called “We Connect Delaware,” which will link those in need to some of the opportunities and supports that our State and our generous citizens have to offer. And for that generosity, Carla and I could not be more grateful.

And that brings me back to what is really important, the common obligation and commitment that bring all of us in this chamber together. It is this common obligation that brought Representative Bill Oberle here 34 years ago, and brought George Carey and Pam Thornburg here years later. We thank each of them for their commitment to our State, and we wish them well in all they do next.

This common obligation is what inspires Speaker Bob Gilligan to be a leader in his 38th year of service. It is what keeps us all forging forward. But making real our vision to restore Delaware’s promise and prosperity depends upon the willingness and ability of all Delawareans to work together for a brighter future.

We got through a difficult year together. Because we will keep our commitments to our State and to each other, then someday, when we are long past these turbulent times, future generations will look back at the first years of this decade with wonder. They will say that despite enormous struggles against a record-setting recession and unprecedented budget deficits, we joined together to set the State on a better course. They will know that we restored our State’s prosperity and renewed our promise of more accountable government, of world-class industries, of responsible economic growth, of a sustainable quality of life, of a well-educated citizenry, and of a society of opportunity for all. We will meet these challenges together, because we will seize this chance today and do what is best for our children’s tomorrows. And those future generations will look back and say, this was the beginning of Delaware’s finest hour.

Mr. Speaker Gilligan thanked the Governor and requested that the duly appointed committee reassemble to escort him back to his Executive Office.

Representative Schwartzkopf moved that the Chief Clerk of the House and the Secretary of the Senate compare their respective Journals to see if they agree.

The Chief Clerk of the House, Richard L. Puffer, reported that he and the Secretary had compared their respective Journals and found them to agree.

Representative Schwartzkopf moved that the Joint Session be adjourned at 2:46 p.m. and that the two Houses separate to reconvene in their respective Chambers. There was no objection.

The Majority Leader moved to recess for caucus at 2:46 p.m.

The House reconvened at 4:45 p.m.

Representative Scott requested that he be marked present. Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri brought HB 305, jointly sponsored Representative Viola & Senator Henry & Representatives Brady, Jaques, Q. Johnson, Kovach, Kowalko, Longhurst, Manolakos, Schooley & Walls, before the House for consideration.

HB 305 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO TRANSPORTATION OF STATE EMPLOYEES.

Representative Barbieri made comments.

The roll call on HB 305 was taken and revealed:

YES: 39.


Therefore, having received a constitutional majority, HB 305 was sent to the Senate for concurrence.

Representatives Keeley & D.P. Williams requested that they be marked present during the roll call.


Representatives Oberle, Bennett, Outten, Wilson & Thornburg announced that they will not be participating in the debate nor voting on HB 310 because of a possible conflict of interest.

Representative Kovach brought HA 1 to HB 310, jointly sponsored by Representative Lavelle, before the House for consideration. Representative Kovach introduced and brought HA 1 to HA 1 to HB 310 before the House for consideration. Representative Kovach made comments. HA 1 to HA 1 was adopted by voice vote. Representatives Kovach & Keeley made comments. Representative Keeley requested and was granted privilege of the floor for Michael Barlow, Governor’s Counsel. Representatives Keeley, Schwartzkopf, Carson, J. Johnson, Kovach, Keeley, Kovach, J. Johnson, B. Short, Schwartzkopf, Kowalko, Kovach & Blakey made comments.

The roll call on HA 1 w/HA 1 to HA 1 to HB 310 was taken and revealed:
NO: 23.
NOT VOTING: Representatives Bennett, Blakey, Carey, Miro, Oberle, Outten, Thornburg & Wilson - 8.
Therefore, not having received a constitutional majority, HA 1 w/HA 1 to HA 1 to HB 310 was declared defeated. Representative Schwartzkopf made comments.

Representative Kovach brought HA 2 to HB 310 before the House for consideration. Representatives Kovach & Schwartzkopf made comments. HA 2 was adopted by voice vote. Representative Hudson brought HA 3 to HB 310 before the House for consideration. Representative Hudson requested that HA 3 to HB 310 be stricken.

Representative Hudson brought HA 4 to HB 310 before the House for consideration. Representatives Hudson, Cathcart, Schwartzkopf, Hudson, Miro, D.P. Williams & B. Short made comments.

The roll call on HA 4 to HB 310 was taken and revealed:
YES: Representatives Briggs King, Hocker, Hudson, Kovach & Lavelle - 5.
NO: 29.
NOT VOTING: Representatives Bennett, Oberle, Outten, Thornburg & Wilson - 5.
Therefore, not having received a constitutional majority, HA 4 to HB 310 was declared defeated. Representative Hudson brought HA 5 to HB 310 before the House for consideration. Representatives Hudson & Schwartzkopf made comments. HA 5 was adopted by voice vote. Representative Mitchell brought HA 6 to HB 310, jointly sponsored by Representative M. Marshall, before the House for consideration. Representative Mitchell made comments. HA 6 was adopted by voice vote. Representative Viola brought HA 7 to HB 310 before the House for consideration. Representative Viola made comments. HA 7 was adopted by voice vote. Representative Kovach introduced and brought HA 8 to HB 310 before the House for consideration. Representatives Kovach, Keeley, Schwartzkopf, J. Johnson, Carson & B. Short made comments.

HA 8 was adopted by voice vote.
Representative Lavelle introduced and brought HA 9 to HB 310 before the House for consideration. Representatives Lavelle & Schwartzkopf made comments.

The roll call on HA 9 to HB 310 was taken and revealed:
YES: Representatives Hudson, Kovach, Lavelle & D. Short - 4.
NO: 29.
NOT VOTING: Representatives Bennett, Cathcart, Oberle, Outten, Thornburg & Wilson - 6.
Therefore, not having received a constitutional majority, HA 9 to HB 310 was declared defeated. Representative Lavelle introduced and brought HA 10 to HB 310 before the House for consideration. Representatives Lavelle & Schwartzkopf made comments. HA 10 was adopted by voice vote. Representative Schwartzkopf introduced and brought HA 11 to HB 310 before the House for consideration. Representatives Schwartzkopf & Lavelle made comments. HA 11 was adopted by voice vote. Representative Schwartzkopf made comments. Representative Briggs King requested and was granted privilege of the floor for Michael Barlow, Governor’s Counsel. Representatives Briggs King & Hudson made comments. Representative Hudson requested and was granted privilege of the floor for Thomas J. Cook, Acting Secretary of Finance. Representatives Hudson & Kovach made comments.

The roll call on HB 310 w/HA 2, 5, 6, 7, 8, 10 & 11 was taken and revealed:
YES: 27.
NO: Representatives Atkins, Briggs King, Hocker, Lavelle & Lee - 5.
NOT VOTING: Representatives Bennett, Jaques, Oberle, Outten, Thornburg & Wilson - 6.
ABSENT: Representatives Carey, Manolakos & Plant - 3.
Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 310 w/HA 2, 5, 6, 7, 8, 10 & 11 was sent to the Senate for concurrence. Representative Schwartzkopf deferred to Representative Longhurst.
Representative Longhurst introduced HB 311, jointly sponsored by Senator Ennis & Representatives Atkins, Carson, Q. Johnson, Kowalko, Schwartzkopf & Walls & Senator Bunting.

HB 311 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES.

Mr. Speaker Gilligan assigned HB 311 to the Manufactured Housing Committee.

Representative Longhurst introduced HB 312, jointly sponsored by Senator Ennis & Representatives Atkins, Carson, Q. Johnson, Kowalko, Schwartzkopf & Walls & Senator Bunting.

HB 312 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES.

Mr. Speaker Gilligan assigned HB 312 to the Manufactured Housing Committee.

Representative Longhurst introduced HB 313, jointly sponsored by Senator Ennis & Representatives Atkins, Carson, Q. Johnson, Kowalko, Schwartzkopf & Walls & Senator Bunting.

HB 313 - AN ACT TO AMEND TITLES 25 AND 29 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES AND CONSUMER PROTECTION ADVISORY COUNCILS.

Mr. Speaker Gilligan assigned HB 313 to the Manufactured Housing Committee.

Representative Carson introduced HJR 8, jointly sponsored by Representative Bennett & Senator Ennis & Representatives Cathcart, Hudson, Q. Johnson, Mitchell, Scott, Viola & Walls & Senator Simpson.

HJR 8 - CREATING A TASK FORCE TO IMPLEMENT AND REVIEW A PILOT PROGRAM ALLOWING VEHICLE INSPECTIONS TO BE PERFORMED BY DELAWARE NEW FRANCHISE AUTOMOBILE AND TRUCK DEALERSHIPS.

Mr. Speaker Gilligan assigned HJR 8 to the Transportation/Land Use and Infrastructure Committee.

Representative M. Marshall requested that HB 292 be stricken.

The Majority Leader moved to recess to the call of the Chair at 6:20 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 26, 2010.

The Reading Clerk read the following communications into the record:

MEMORANDUM
TO: Speaker Robert Gilligan
FROM: Representative Richard C. Cathcart
DATE: January 26, 2010
SUBJECT: Absence from Session

Please be advised I will be absent from session on Tuesday, January 26, 2010 due to illness. Representative Longhurst requested that HB 261, HB 265 & HB 266 be stricken. Representative Schwartzkopf deferred to Representative Longhurst.
Representative Longhurst requested and was granted privilege of the floor for herself and Representative Jaques. Representative Longhurst introduced the Caravel Academy Boys State Soccer Championship team. Representative Longhurst presented House Certificates to five All-State Soccer Team members. Representative Jaques presented a House Tribute to Coach Thomas Wiley and the team. Coach Wiley addressed the House. Representative Longhurst made comments.

Representative Ramone & Mr. Speaker Gilligan made comments. The team members announced their names for the record. Representative Longhurst made a comment. Coach Wiley introduced their bus driver. Mr. Speaker Gilligan made a comment.

Representative Barbieri requested that HB 234 be stricken.

Representative Schwartzkopf deferred to Representative Ramone.

Representative Ramone requested and was granted privilege of the floor for himself and Representative Kowalko to introduce members of the Rumi Forum chapter at the University of Delaware. Emre Celik, President, addressed the House. Representative Ramone made comments. Members of the University of Delaware Chapter announced their names for the record.

Representatives Kowalko & Manolakos made comments.

Representatives Miro, Atkins & Q. Johnson requested that they be marked present.

Representative B Short introduced HB 314, jointly sponsored by Senator Blevins & Representative Bennett & Senators Henry & Sokola & cosponsored by Senators Cloutier & Ennis.

HB 314 - AN ACT TO AMEND TITLE 18 RELATING TO CAPTIVE INSURANCE COMPANIES.

Mr. Speaker Gilligan assigned HB 314 to the Economic Development, Banking, Insurance & Commerce Committee.

Representative B. Short & Mr. Speaker Gilligan made announcements.

The Majority Leader moved to recess for caucus at 2:31 p.m.

The House reconvened at 4:21 p.m.

Representatives Viola & Carey requested that they be marked present.

Representative Schwartzkopf deferred to Representative Bennett.


HB 300 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT.

Representative Bennett made comments.

Representative Lavelle requested that he be marked present. Representatives Lavelle & Bennett made comments.

The roll call on HB 300 was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Plant - 2.

Therefore, having received a constitutional majority, HB 300 was sent to the Senate for concurrence.

Representatives Keeley, Mulrooney, Oberle, Schooley & D.P. Williams requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought HB 308, jointly sponsored by Senator Hall-Long & cosponsored by Representatives Ramone & B. Short, before the House for consideration.

HB 308 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CODE ENFORCEMENT CONSTABLES.

Representative Brady made comments.

The roll call on HB 308 was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Plant - 2.

Therefore, having received a constitutional majority, HB 308 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short made comments.

Representative B. Short brought HB 140 w/SA 1, jointly sponsored by Representative D. Short & Senator Sokola & Representatives Hudson, Kowalko, M. Marshall, Mitchell & Oberle & Senators Blevins, Ennis & Venables, before the House for concurrence on SA 1.

HB 140 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE CANCELLATION OR NONRENEWAL OF AN AUTOMOBILE INSURANCE POLICY.

Representative B. Short made comments.

The roll call on HB 140 w/SA 1 was taken and revealed:

YES: 39.
ABSENT: Representatives Cathcart & Plant - 2.
Therefore, having received a constitutional majority, HB 140 w/SA 1 was sent to the Governor.
Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri introduced and brought HR 33 before the House for consideration.
HR 33 - REQUESTING THE DEPARTMENT OF EDUCATION BEGIN DEVELOPMENT OF STANDARDIZED STUDENT CODE OF CONDUCT POLICIES FOR ALL OF DELAWARE'S PUBLIC SCHOOL DISTRICTS.
Representatives Barbieri, Manolakos, Miro, Barbieri, D.P. Williams, Scott, Manolakos & Kovach made comments.
HR 33 was adopted by voice vote.
Representative Schwartzkopf deferred to Representative Keeley.
The House observed a moment of silence in memory of John Hyde at the request of Representative Keeley.
Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri introduced and brought HCR 23, jointly sponsored by Representative Hudson on behalf of all Representatives & Senator Blevins & Senator Sorenson on behalf of all Senators, before the House for consideration.
HCR 23 - DESIGNATING THE MONTH OF FEBRUARY, 2010, AS "DELAWARE'S TEEN DATING VIOLENCE AWARENESS AND PREVENTION MONTH".
Representatives Barbieri, Hudson & Oberle made comments.
HCR 23 was adopted by voice vote and was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Brady.
Representative Brady introduced HA 3 to HB 194, jointly sponsored by Representative D.P. Williams & Representatives Hudson, J. Johnson, Kovach, Miro, Plant & B. Short.
HA 3 was placed with the Bill.
Representative Lee made comments.
Representative Lee introduced HA 1 to HA 2 to HB 194.
HA 1 to HA 2 was placed with the amendment.
Representatives M. Marshall, Kowalko & Walls & Mr. Speaker Gilligan made announcements.
Representative Carson made an announcement.
The Majority Leader moved to recess to the call of the Chair at 5:02 p.m.
Mr. Speaker Gilligan called the House to order at 2:00 p.m. on January 27, 2010.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 81 w/SA 5 and requests the concurrence of the House and the Senate has passed HB 249, HB 227, HB 282 & HB 244 w/HA 1 and is returning the same to the House.
WITHDRAWAL OF SPONSORSHIP REQUEST
I, Gregory F. Lavelle, do hereby request that my name be removed as co-sponsor of HA 3 to HB 194.
Date: 1/26/2010 Signed: Gregory F. Lavelle
The Majority Leader moved to adjourn at 2:02 p.m., thereby ending the current legislative day. The House reconvened at 2:03 p.m.

8th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
January 27, 2010

The Chief Clerk called the roll.
Members Present: 37.
Members Absent: Representatives Atkins, Cathcart, Oberle & Plant - 4.
A prayer was offered by Representative Dennis E. Williams, Tenth Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following prefiled legislation was introduced:
HB 296 - B. SHORT & SENATOR HENRY; REPRESENTATIVE WILSON; SENATORS CLOUTIER, ENNIS, BUSHWELLER - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE - An Act to Amend Title 12 of the Delaware Code Relating to Decedents' Estates.
HB 315 - KEELEY & REPRESENTATIVE JAQUES & SENATOR ENNIS; REPRESENTATIVES SCHOLEY, MITCHELL; SENATORS PETERSON, SOKOLA - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Driving a Vehicle While Under the Influence.
SB 81 w/SA 5 - SOKOLA & REPRESENTATIVE KOWALKO; SENATORS HALL-LONG, HENRY; REPRESENTATIVES HUDSON, LONGHURST, SCHOLEY - ECONOMIC DEVELOPMENT/BANKING/INSURANCE/
MEMORANDUM

TO: Speaker Robert Gilligan  
FROM: Representative Richard C. Cathcart  
DATE: January 27, 2010  
SUBJECT: Absence from Session

Please be advised I will be absent from session on Wednesday, January 27, 2010 due to illness.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative B. Short requested that he be marked present.

Representative Barbieri requested and was granted privilege of the floor to present a House Tribute to Janet Leban, Executive Director, Delaware Center for Justice, who addressed the House.

Representative Schwartzkopf deferred to Representative Lee.

Representative Lee introduced and brought HR 36, jointly sponsored by Representative Gilligan & Representative Cathcart & Representative Longhurst & Representative Schwartzkopf & Representative D. Short on behalf of all Representatives, before the House for consideration.

HR 36 - HONORING JUDGE EDWARD G. DAVIS OF THE JUSTICE OF THE PEACE COURT OF THE STATE OF DELAWARE AS HE RETIRES AFTER THIRTY-SIX YEARS OF DISTINGUISHED SERVICE.

WHEREAS, Edward G. Davis was named Justice of the Peace for Sussex County by Governor Sherman W. Tribbitt in 1974 at the age of 35; and

WHEREAS, he was reappointed for seven additional terms by five governors, both Democratic and Republican, and served 36 years accomplishing decades of distinguished service; and

WHEREAS, he pursued court efficiency, incremental improvement of the judicial system, enhanced delivery of justice to the citizens of the State of Delaware and fairness to all; and

WHEREAS, he foresaw the need to work cooperatively with the General Assembly to create opportunities for improvement in the understanding between the Judicial and Legislative branches of government; and

WHEREAS, he was appointed by the Chief Justice of the Supreme Court to serve as legislative liaison between the Judiciary and the Legislature; and

WHEREAS, that cooperation has grown and produced great rewards for the citizenry of the state; and

WHEREAS, those rewards include changes in the Justice of the Peace Civil Rules and Criminal Rules; and

WHEREAS, his ideas for improvement of Chapters 93 and 95 of Title 10 and Chapter 59 of Title 11 have greatly improved the operation of the Justice of the Peace Court; and

WHEREAS, his thoughtful discourse helped shape the Landlord Tenant Code to set forth the rights, responsibilities and remedies of all parties; and

WHEREAS, he was instrumental in the creation of such court efficiencies as Probation Before Judgment and uniformity in the motor vehicle and criminal codes; and

WHEREAS, he has always served the best interests of the people of the State of Delaware through the improvement of our laws;

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware that the members do hereby honor Edward G. Davis for his extraordinary contributions toward fairness of the judicial system and the streamlining of procedures to make the courts more accessible to the citizens of the State of Delaware.

BE IT FURTHER RESOLVED that the members do hereby extend to Judge Davis the thanks of all Delawareans for his contributions, his dedication and his distinguished service to the State of Delaware.

BE IT FURTHER RESOLVED that the members do extend to Judge Davis heartfelt wishes for a happy and fulfilling retirement and direct that an appropriate copy of this resolution be presented to him.

HR 36 was adopted by voice vote.


The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:23 p.m.

Mr. Speaker Gilligan called the House to order at 2:02 p.m. on January 28, 2010.

The Chief Clerk read the following committee reports into the record:

JUDICIARY: HB 304 - 4F, 4M.
TRANSPORTATION/LAND USE & INFRASTRUCTURE: HJR 8 - 3F, 1M.
HEALTH & HUMAN DEVELOPMENT: SB 172 - 7F, 1M.  
GAMING & PARIMUTUELS: SB 188 W/SA 1 - 4F, 4M.  
PUBLIC SAFETY & HOMELAND SECURITY: HB 281 - 1F, 6M; HB 299 - 2F, 5M.  
ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE: HB 314 - 6F, 1M.  
ENERGY: SB 189 - 9F.  

The Reading Clerk read the following communications into the record:  
The Senate wishes to inform the House that it has passed SB 182 and requests the concurrence of the House and the Senate has passed HB 305 and an returning the same to the House. The Senate wishes to inform the House that it has passed SS 1 for SB 202 and requests the concurrence of the House. The Senate has passed SCR 26 and requests the concurrence of the House and the Senate has passed HCR 23 and is returning the same to the House.  

WITHDRAWAL OF SPONSORSHIP REQUEST  
I, Melanie Marshall, do hereby request that my name be removed as co-sponsor of HB 285.  
Date: 1/27/2010  
Signed: Melanie Marshall  
Representatives Oberle & Atkins requested that they be marked present for the current Legislative Day.  
The Majority Leader moved to adjourn at 2:04 p.m., thereby ending the current legislative day. The House reconvened at 2:05 p.m.  

9th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session  
January 28, 2010  
The Chief Clerk called the roll.  
Members Present: 40.  
Member Absent: Representative Plant - 1.  

A prayer was offered by Representative William J. Carson, Jr., Twenty-eighth Representative District.  
Brigadier General Scott Chambers and officers and senior enlisted men of the 261st Signal Brigade of the Delaware National Guard led those present in the pledge of allegiance to the American Flag.  
The House observed a moment of silence in memory of Donald E. White, Jr. at the request of Representative D. Short.  
The following prefiled legislation was introduced:  
HB 317 - B. SHORT & SENATOR KATZ; REPRESENTATIVES BRADY, CAREY, CARSON, Q. JOHNSON, KOWALKO, LAVELLE, MIRO, MITCHELL, OBERLE, SCHOOLEY, VIOLA - ECONOMIC DEVELOPMENT/BANKING/ INSURANCE/COMMERCE - An Act to Amend Title 6 of the Delaware Code Relating to Home Solicitation and Door to Door Sales.  
SB 182 - HALL-LONG & REPRESENTATIVE JAQUES; SENATORS BUSHWELLER, CLOUTIER; REPRESENTATIVE WALLS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to Nursing.  
Representatives Mulrooney, D.E. Williams & D.P. Williams requested that they be marked present. Representative D. Short requested and was granted personal privilege of the floor to introduce guests. Representative Lee requested and was granted personal privilege of the floor to introduce guests. Representative Walls, Hudson, Miro, Keeley & Outten requested that they be marked present. Representative Keeley introduced HB 325, jointly sponsored by Representative Gilligan & Senator DeLuca & Representative Schwartzkopf & Representative Longhurst & Senator Blevins & Senator Henry & Senator Venables.  
HB 325 - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2011; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; AUTHORIZING THE
ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; DIRECTING THE DEPOSIT OF CERTAIN FUNDS TO THE GENERAL FUND; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. (3/4 bill)

Mr. Speaker Gilligan assigned HB 325 to the Capital Infrastructure Committee.
Representative Schwartzkopf deferred to Representative Carson.
Representative Carson requested privilege of the floor for himself and Representative Cathcart to present a House Tribute to Brigadier General Scott Chambers of the 261st Signal Brigade who addressed the House. Representative Brady, Mr. Speaker Gilligan & Representative Jaques made comments.
Representative Schwartzkopf deferred to Representative Scott.
Representative Scott requested privilege of the floor to present a House Tribute to Kelly Duffy, Coach of the Delaware Technical & Community College Terry Campus Lady Hawks Volleyball Team, Regional Champions. Representatives Schwartzkopf & Cathcart made comments. Coach Duffy addressed the House and announced the names of her players, home states and positions for the record.
Representative Schwartzkopf deferred to Representative Kowalko.
Representative Kowalko introduced and brought SCR 26, jointly sponsored by Senator McBride & Representative Gilligan, before the House for consideration.

SCR 26 - COMMENDING THE DELAWARE STATE DENTAL SOCIETY ON THE ACHIEVEMENTS OF ITS SIXTH ANNUAL GIVE KIDS A SMILE PROGRAM, AND RECOGNIZE ITS CONTINUING EFFORTS.
WHEREAS, on February 5, 2010 the Delaware State Dental Society (DSDS) will hold its seventy [sic] annual Give Kids a Smile Program; and
WHEREAS, this Give Kids a Smile Program was considered a rousing success by its organizers, having served over 103 children in Delaware and involving over 144 volunteers and 9 organizations in 2009; and
WHEREAS, 40 Dentists, 37 hygienists, 19 technicians, and 48 auxiliary staff volunteered in 2009; and
WHEREAS, through the Give Kids a Smile Program, the DSDS was able to provide $35,090.00 in free dentistry services to Delaware’s kids in 2009; and
WHEREAS, Patterson Dental has donated $9,800 in equipment and supplies; and
WHEREAS, the DSDS has plans to build on last year’s success by adding more sites in the future, modifying its volunteer schedule, and hosting an after event for the Program’s participants; and
WHEREAS, it is the purpose and intent of the Senate in adopting this resolution to support the DSDS in its effort to help Delaware’s children;
NOW THEREFORE:
BE IT RESOLVED by the Senate of the 145th General Assembly of the State of Delaware, the House of Representatives concurring therein, that the Delaware State Dental Society is commended for the achievements of its Sixth Annual Give Kids a Smile Program and the Senate and House of Representatives wish them continuing success in their Seventh Annual Program scheduled for February 5, 2010.
BE IT FURTHER RESOLVED that a suitable copy of this Resolution be prepared and presented to the Delaware State Dental Society upon its passage.
Representative Kowalko made comments.
SCR 26 was adopted by voice vote and was returned to the Senate.
Representative Schwartzkopf deferred to Representative Hudson.
Representative Hudson introduced and brought HR 34, sponsored on behalf of all Representatives, before the House for consideration.

HR 34 - CONGRATULATING THE GIRL SCOUTS OF THE CHESAPEAKE BAY COUNCIL’S SCIENCE AND TECHNOLOGY LODGE ON RECEIVING THE FIRST LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN PLATINUM CERTIFICATION IN DELAWARE.
Representative Hudson made comments.
HR 34 was adopted by voice vote.
Representative Schwartzkopf introduced HB 319, jointly sponsored by Senator Cook.

HB 319 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LOTTERIES.
Mr. Speaker Gilligan assigned HB 319 to the Gaming & Parimutuels Committee. Representative Schwartzkopf made comments.
The Majority Leader moved to recess for caucus at 2:38 p.m.
The House reconvened at 5:25 p.m.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed HB 245 w/HA 1 & SA 1 and is returning the same to the House. The Senate wishes to inform the House that it has passed HB 310 w/HA 2, 5, 6, 7, 8, 10 & 11 and is returning the same to the House.
The Senate wishes to inform the House that it has passed SB 192 & SB 195 and requests the concurrence of the House and the Senate has passed HB 184 w/HA 1, 2 & 3; HB 301 & HB 251 and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Carson.

Representative Carson brought HJR 8, jointly sponsored by Representative Bennett & Senator Ennis & Representatives Cathcart, Hudson, Q. Johnson, Mitchell, Scott, Viola & Walls & Senator Simpson, before the House for consideration.

HJR 8 - CREATING A TASK FORCE TO IMPLEMENT AND REVIEW A PILOT PROGRAM ALLOWING VEHICLE INSPECTIONS TO BE PERFORMED BY DELAWARE NEW FRANCHISE AUTOMOBILE AND TRUCK DEALERSHIPS.

Representative Carson made comments. Representative Hocker requested that he be marked present.

Representative D.P. Williams made an announcement. Representative Lavelle requested that he be marked present.

The roll call on HJR 8 was taken and revealed:
YES: 39.
ABSENT: Representatives Carson, Plant - 2.

Therefore, having received a constitutional majority, HJR 8 was returned to the Senate.

Representative Oberle requested that he be marked present during the roll call.

Representative Carson introduced guests.

Mr. Speaker Gilligan made an announcement.

Representative Jaques introduced a guest.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought SB 172, jointly sponsored by Senator McDowell & Senator Henry & Representative Keeley, before the House for consideration.

SB 172 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM THE PRACTICE OF NURSING.

Representative Brady made comments.

The roll call on SB 172 was taken and revealed:
YES: 39.
ABSENT: Representatives Carson, Plant - 2.

Therefore, having received a constitutional majority, SB 172 was returned to the Senate.

Representative Schooley introduced guests.

Representative Schwartzkopf deferred to Representative Kovach.

Representative Schwock brought SB 189, jointly sponsored by Senator McDowell & Representative Longhurst & Representative Thomburg & Senator Katz & Representative Brady & cosponsored by Representatives Kovach, B. Short, D.E. Williams, Q. Johnson, Barbieri & Carson, before the House for consideration.

SB 189 - AN ACT TO AMEND CHAPTERS 69 AND 80 TITLE 29 OF THE DELAWARE CODE RELATING TO THE ENERGY PERFORMANCE CONTRACTING ACT AND THE DELAWARE ENERGY ACT, RESPECTIVELY.

Representatives Kowalko & Kovach made comments.

The roll call on SB 189 was taken and revealed:
YES: 39.

Therefore, having received a constitutional majority, SB 189 was returned to the Senate.

Representative Schwartzkopf deferred to Representative Atkins.


HB 322 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Mr. Speaker Gilligan assigned HB 322 to the Judiciary Committee.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought HB 245 w/HA 1 & SA 1, jointly sponsored by Senator Bunting & cosponsored by Representatives J. Johnson & Plant, before the House for concurrence on SA 1.

HB 245 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

Representative Jaques made comments.

The roll call on HB 245 w/HA 1 & SA 1 was taken and revealed:
YES: 40.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, HB 245 w/HA 1 & SA 1 was sent to the Governor.
Representative Schwartzkopf moved to suspend the rules which interfere with action on HB 319. The motion was seconded by Representative J. Johnson and adopted by voice vote.
Representative Schwartzkopf brought HB 319, jointly sponsored by Senator Cook, before the House for consideration.
HB 319 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LOTTERIES.
Representative Schwartzkopf made comments.
Representatives Oberle & Bennett announced that they will not be voting on HB 319 because of a possible conflict of interest. Representative Cathcart made comments. Representatives Wilson & Outten announced that they will not be voting on HB 319 because of a possible conflict of interest.
The roll call on HB 319 was taken and revealed:
YES: 34.
NOT VOTING: Representatives Bennett, Jaques, Oberle, Outten & Wilson - 5.
ABSENT: Representatives Lavelle & Plant - 2.
Therefore, having received a constitutional majority, HB 319 was sent to the Senate for concurrence.
Representative Schwartzkopf brought SB 188 w/SA 1, jointly sponsored by Senator DeLuca & Senators Blevins, Henry, Cook, Sorenson, Bushweller, Ennis & Katz & Representatives Gilligan, Longhurst, Cathcart & D. Short, before the House for consideration.
SB 188 - AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE AND UNDERAGE LOTTERY GAMING. (2/3 bill)
Representative Schwartzkopf made comments.
Representatives Oberle, Outten, Bennett & Wilson announced that they will not be voting on SB 188 w/SA 1 because of a possible conflict of interest.
The roll call on SB 188 w/SA 1 was taken and revealed:
YES: 35.
NOT VOTING: Representatives Bennett, Jaques, Oberle, Outten & Wilson - 5.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 188 w/SA 1 was returned to the Senate.

The roll call on HR 35 was taken and revealed:
YES: 34.
NOT VOTING: Representatives Cathcart, Jaques & Keeley made comments.
HR 35 was adopted by voice vote.
Representative Schwartzkopf deferred to Representative Keeley.
Representative Keeley introduced and brought HR 35, jointly sponsored by Representative Cathcart, before the House for consideration.
HR 35 - A RESOLUTION RELATING TO THE ROUTE 301 PROJECT.
Representatives Cathcart, Jaques & Keeley made comments.
HR 35 was adopted by voice vote.
Representative Schwartzkopf deferred to Representative Keeley.
Representative Keeley moved to suspend the rules which interfere with introduction of and action on SS 1 for SB 202. The motion was seconded by Representative M. Marshall and adopted by voice vote.
Representative Keeley introduced and brought SS 1 for SB 202, jointly sponsored by Senator Venables & Senator Cook & Senator McDowell & Senator Sokola & Senator Simpson & Senator Sorenson & Representative Mulrooney & Representative Schooley & Representative Viola & Representative Carey, before the House for consideration.

SS 1 for SB 202 - AN ACT TO AMEND THE FISCAL YEAR 2010 BOND AND CAPITAL IMPROVEMENTS ACT; AMENDING TITLE 29 OF THE DELAWARE CODE RELATING TO DRAINAGE; AND AMENDING THE LAWS OF DELAWARE. (3/4 bill)
Representatives Keeley, Oberle, Cathcart, Hudson, Keeley, Lavelle & Cathcart made comments. Representative Keeley requested and was granted privilege of the floor for Mike Barlow, Governor’s Counsel. Representatives Cathcart, Keeley, Oberle, Kovach & Keeley made comments.
The roll call on SS 1 for SB 202 was taken and revealed:
YES: 36.
NO: Representatives Hocker, Lee & Oberle - 3.
NOT VOTING: Representative Cathcart - 1.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority of at least three-fourths Members of the House, SS 1 for SB 202 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Kowalko. Representative Kowalko made an announcement. Representative Lavelle made comments regarding SS 1 for SB 202. Representative D.P Williams made an announcement.
The Majority Leader moved to recess to the call of the Chair at 7:04 p.m.
Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 16, 2010. The Chief Clerk read the following committee report into the record:
LABOR: HB 259 - 8M.
The Chief Clerk read the following corrected committee report into the record:
JUDICIARY: HB 304 - 4F, 4M.
The Majority Leader moved to adjourn at 2:01 p.m., thereby ending the current legislative day. The House reconvened at 2:02 p.m.

10th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
March 16, 2010
The Chief Clerk called the roll.
Members Present: 40.
Member Absent: Representative Manolakos - 1.
A prayer was offered by Representative John C. Atkins, Forty-first Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The minutes of the previous two legislative days were approved as posted.
The following out-of-session prefiled legislation was introduced:
February 18, 2010
HB 323 - BRADY & REPRESENTATIVE BENNETT & REPRESENTATIVE JAQUES & SENATOR ENNIS; REPRESENTATIVES BARBIERI, CARSON, HUDSON, KOWALKO, MIRO, MULROONEY, RAMONE, SCOTT, B. SHORT, WALLS, J. JOHNSON, KOVACH, LEE, OUTTEN, WILSON; SENATORS KATZ, MARSHALL, MCDOWELL, VENABLES - VETERANS AFFAIRS - An Act to Amend Title 12 of the Delaware Code Relating to the Disposition of a Person's Last Remains.
HB 324 - J. JOHNSON & SENATOR MCDOWELL; REPRESENTATIVE BRADY; SENATOR BLEVINS - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Constable Sales.
HB 327 - VIOLA & SENATOR HALL-LONG; REPRESENTATIVES MITCHELL, MULROONEY - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Realty Transfer Tax.
HB 329 - KEELEY & SENATOR MARSHALL; REPRESENTATIVES MITCHELL, JAQUES, VIOLA, SCOOLEY, BENNETT, CATHCART, HUDSON, BARBIERI, BRADY, Q. JOHNSON, KOWALKO; SENATORS MCDOWELL, HALL-LONG, SOKOLA, ENNIS - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the State Employee Benefits Committee.
HB 357 - ATKINS & SENATOR BOOTH; REPRESENTATIVES BENNETT, BRIGGS KING, CAREY, CARSON, CATHCART, HOCKER, KOVACH, LAVELLE, LEE, MANOŁAKOS, OUTTEN, RAMONE, D. SHORT, THORNBURG, WALLS, WILSON; SENATORS ENNIS, SIMPSON, BONINI, COOK, BUNTING, MCBRIDE, VENABLES - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Limiting the Authority of Public Bodies to Regulate Arms.
HA 4 to HB 194 - HUDSON - Placed with the Bill.
HA 1 to HB 316 - KOWALKO - Placed with the Bill.
SB 192 - BUNTING & REPRESENTATIVE HOCKER - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Fenwick Relating to Town Council Vacancies and Forfeitures. (2/3 bill)
SB 195 - VENABLES & REPRESENTATIVE D. SHORT - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Blades Relating to Elections. (2/3 bill)

HA 1 to SB 14 - D.P. WILLIAMS - Placed with the Bill. 
March 11, 2010

HS 1 for HB 247 - KEELEY & SENATOR MCBRIDE; REPRESENTATIVES BRADY, HUDSON, MITCHELL, CARSON, SCOOLEY, MULROONEY, J. JOHNSON; SENATORS HENRY, SOKOLA - JUDICIARY - An Act to Amend Title 6, Title 25 and Title 29 of the Delaware Code Relating to Consumer Protection.

HB 331 - M. MARSHALL & SENATOR BLEVINS; REPRESENTATIVES SCOOLEY, HUDSON, JAQUES, J. JOHNSON, KOVACH; SENATORS HALL-LONG, HENRY, MCDOWELL - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 31 of the Delaware Code Relating to Child Care Quality and the Establishment of Tiered Reimbursements Based on Quality of Care.


HA 1 to HB 323 - BRADY - Placed with the bill.

HCR 24 - BRADY & REPRESENTATIVE BENNETT & SENATOR MCDOWELL; REPRESENTATIVES BARBIERI, KOWALKO, MITCHELL, SCOOLEY; SENATORS ENNIS, KATZ, MARSHALL, VENABLES - HOUSING & COMMUNITY AFFAIRS - Requesting the United States Congress Include Funding for the National Housing Trust Fund in the Jobs for Main Street Act (HR 2847) Pending Before the United States Senate.

HCR 25 - JAQUES & SENATOR BUNTING; REPRESENTATIVES KEELEY, M. MARSHALL, MULROONEY, D. SHORT, ATKINS, CARSON - VETERANS AFFAIRS - Urging Congress to Require the United States Department of Defense to Designate “Prisoner of War” and “Missing in Action” into the Casualty Status and Category Classification for Military Personnel.

The following prefiled legislation was introduced:

HB 333 - D. SHORT & REPRESENTATIVE SCHWARTZKOPF & SENATOR BUNTING; REPRESENTATIVES CAREY, HOCKER, LEE, OUTTEN, WILSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to the Enforcement of an Order to Connect to a Sanitary Sewer.

The Reading Clerk read the following communications into the record:

January 29, 2010

LEGISLATIVE ADVISORY # 31

Governor Jack A. Markell signed the following legislation on the date indicated: 1/26/10 - HB 202, HB 297 aab HA 1; 1/27/10 - HB 140 aab SA 1; 1/28/10 - HB 305 & HB 310 aab HA 2, 5, 6, 7, 8, 10 & 11.

WITHDRAWAL OF SPONSORSHIP REQUEST
I, E. Bradford Bennett, do hereby request that my name be removed as co-sponsor of HB 316.
DATE: 2/4/10 SIGNED: E. Bradford Bennett February 9, 2010

LEGISLATIVE ADVISORY # 32

Governor Jack A. Markell signed the following legislation on the date indicated: 2/1/10 - SB 172, SB 188 aab SA 1, SB 189, SS 1/SB 202, HB 184 aab HA 1, 2 & 3, HB 227, HB 244 aab HA 1, HB 245 aab HA 1 & SA 1, HB 249 & HB 301.

Office of the Governor
February 9, 2010

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES
OF THE 145TH GENERAL ASSEMBLY:

Pursuant to Article III, Section 18 of the Delaware Constitution, and after careful consideration, I am vetoing House Bill No. 251 by returning it with my objections to the House of Representatives without my signature.

Section 1 of House Bill No. 251 provides as follows:
Any person otherwise eligible to be a member of Council shall not have a family member holding an elected office for the Town of Felton nor have a family member nominated for and/or appointed to an elected office in the Town of Felton. For purposes of this section ‘family member’ shall mean spouse, parent, child, sibling, half-sibling, grandparent or grandchild.
As described in the synopsis of the bill, Section 1 “amends the Town Charter of the Town of Felton to prohibit family members from serving on or running for the Town Council concurrently.” When a legislative body establishes restrictions on elected office, it ultimately limits the choices available to voters and restricts the ability of otherwise qualified persons to serve their community. Therefore, such restrictions should be targeted and reasonably related to the specialized demands of the particular office. Whether family members can suitably serve concurrently as members of the Town Council of Felton should not be predetermined by the General Assembly through additional restrictions on membership; it should be left to the eligible voters in Felton.

Furthermore, the language in Section 1 of House Bill No. 251 is overly broad in significant respects. For example, Section 1 also prohibits family members from serving successively on Town Council, as the language is not limited to prohibiting family members from serving concurrently. Thus, as written, the law would prohibit an otherwise qualified candidate from serving on Council if his or her family member currently serves on the Council, even if the currently serving Council member is not seeking re-election. In addition, House Bill No. 251 would have the effect of disqualifying a person for service on Town Council merely through the nomination of a family member to that body. A person seeking office would therefore need to receive more than just the most votes, he or she would also need to secure the commitment of their family members not to disqualify them by simultaneously seeking Town office. Allowing family members to use the nomination process to limit the electoral options of their fellow citizens would not be consistent with our State’s democratic ideals. These examples reinforce the principle that the eligible voters of Felton are the best persons to determine who represents them on Town Council. Accordingly, I have concluded that vetoing the legislation is the only appropriate action.

Sincerely,
Jack A. Markell
Governor

February 16, 2010

LEGISLATIVE ADVISORY # 33
Governor Jack A. Markell signed the following legislation on the date indicated: 2/3/10 - HB 258 aab HA 1 & 2; 2/4/10 - HB 282.
Governor Jack A. Markell vetoed the following legislation on the date indicated: 2/9/10 - HB 251.
February 24, 2010

LEGISLATIVE ADVISORY # 34
Governor Jack A. Markell signed the following legislation on the date indicated: 2/23/10 - HB 218.

MEMORANDUM

TO: Richard L. Puffer
Chief Clerk of the House
FROM: Rep. William J. Carson
28th District
DATE: March 9, 2010
RE: Request to return HJR 8 to the House of Representatives
Thank you for your consideration of this request.

MEMORANDUM

TO: Bernard J. Brady
Secretary of the Senate
FROM: Richard L. Puffer
Chief Clerk
DATE: March 9, 2010
RE: Return of HJR 8 to the House of Representatives
I respectfully request the return of House Joint Resolution 8 to the House of Representatives. Thank you for your attention to this request.

MEMORANDUM

TO: Richard L. Puffer
Chief Clerk of the House
FROM: Bernard J. Brady
Secretary of the Senate
DATE: March 11, 2010
RE: HJR 8
Attached please find House Joint Resolution No. 8, being returned to the House pursuant to your request by memorandum dated March 9, 2010.
If this office can be of further assistance, please advise.
Thank you.

March 16, 2010

The Honorable Robert F. Gilligan
Speaker of the House
Legislative Hall
Dear Speaker Gilligan:

Please excuse my absence from Legislative Session today, Tuesday March 16th. I was out of state on business and have been unavoidably delayed due to a flight cancelation yesterday. My flight today will not get back in time for me to attend.

Thank you for your understanding.

Sincerely,
Nicholas T. Manolakos
State Representative
20th District

Representatives Cathcart, Kovach, Kowalko, Longhurst, Oberle, Plant, D. Short, Barbieri, D.E. Williams & Mitchell requested that they be marked present.
The Majority Leader moved to recess for caucus at 2:13 p.m.
The House reconvened at 3:31 p.m.
Representative Viola requested that he be marked present.
Representative Schwartzkopf deferred to Representative Carson.
Representative Carson moved to restore HJR 8 and rescind the roll call. The motion was seconded by Representative J. Johnson. The motion was adopted by voice vote.

Representative Carson brought HJR 8, jointly sponsored by Representative Bennett & Senator Ennis & Representatives Cathcart, Hudson, Q. Johnson, Mitchell, Scott, Viola, Walls & Senator Simpson, before the House for consideration. 

HJR 8 - CREATING A TASK FORCE TO IMPLEMENT AND REVIEW A PILOT PROGRAM ALLOWING VEHICLE INSPECTIONS TO BE PERFORMED BY DELAWARE NEW FRANCHISE AUTOMOBILE AND TRUCK DEALERSHIPS.

Representatives Lavelle, Mulrooney, Keeley & Lee requested that they be marked present.
Representative Carson requested that HJR 8 be stricken.
Representative Schwartzkopf deferred to Representative B. Short.
Representative B. Short brought HB 314, jointly sponsored by Senator Blevins & Representative Bennett & Senators Henry & Sokola & cosponsored by Senators Cloutier & Ennis, before the House for consideration.

HB 314 - AN ACT TO AMEND TITLE 18 RELATING TO CAPTIVE INSURANCE COMPANIES.

Representative B. Short made comments.
The roll call on HB 314 was taken and revealed:
YES: 40.
ABSENT: Representative Manolakos - 1.
Therefore, having received a constitutional majority, HB 314 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Walls.
Representative Walls introduced a guest.

Representative Schwartzkopf deferred to Representative Bennett.

HB 299 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Representative Bennett made comments.
The roll call on HB 299 was taken and revealed:
YES: 40.
ABSENT: Representative Manolakos - 1.
Therefore, having received a constitutional majority, HB 299 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Bennett.


HB 304 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (F/N)

Representative Bennett brought HA 1 to HB 304 before the House for consideration.

Representatives Bennett & Kovach made comments. HA 1 was adopted by voice vote. Representative Bennett made comments.
The roll call on HB 304 w/HA 1 was taken and revealed:
YES: 40.
Therefore, having received a constitutional majority, HB 304 w/HA 1 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.
Representatives Kowalko, Keeley & Schwartzkopf made comments.
The Majority Leader moved to recess to the call of the Chair at 3:49 p.m.
Mr. Speaker Gilligan called the House to order at 2:02 p.m. on March 17, 2010.
The Reading Clerk read the following communications into the record:

145th DELAWARE GENERAL ASSEMBLY
WITHDRAWAL OF SPONSORSHIP REQUEST
I. Senator Peterson, do hereby request that my name be removed as co-sponsor of House Bill # 327.
Date: 3-16-2010
Signed: Karen E. Peterson

WITHDRAWAL OF SPONSORSHIP REQUEST
I. Senator Bonini, do hereby request that my name be removed as co-sponsor of House Bill # 329.
Date: 3-16-2010
Signed: Colin Bonini

The Majority Leader moved to adjourn at 2:03 p.m., thereby ending the current legislative day. The House reconvened at 2:04 p.m.

11th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
March 17, 2010

The Chief Clerk called the roll.
Members Present: 40.
Member Absent: Representative Carey - 1.
A prayer was offered by Mr. Speaker Gilligan, Nineteenth Representative District.
Mr. Speaker Gilligan invited students from the Milford Early Learning Center to join him in leading those present in the pledge of allegiance to the American Flag. The students sang “America.”

The following prefilled legislation was introduced:

HA 1 to HB 137 - D. SHORT - Placed with the Bill.
HA 1 to HS 1 for HB 229 - HUDSON - Placed with the Bill.
HA 1 to HB 315 - KEELEY & REPRESENTATIVE JAQUES - Placed with the Bill.
Representatives Lavelle & Walls made comments.
Representatives B. Short, Plant, Outten & Barbieri requested that they be marked present.
The minutes of the previous legislative day were approved as posted.
Representative Schwartzkopf deferred to Representative Q. Johnson.
Representative Q. Johnson introduced and brought HCR 26, sponsored on behalf of all Representatives & jointly sponsored by Senator Hall-Long on behalf of all Senators, before the House for consideration.

HCR 26 - PROCLAIMING MARCH 17, 2010, "EARLY CHILD CARE AND EDUCATION PROFESSIONALS APPRECIATION DAY".

WHEREAS, one of Delaware’s most precious resources is its young children, ages five and under; and
WHEREAS, various national studies have shown that quality early child care and education leads to higher school achievement levels, lower drop-out rates, decreased referrals for special education, fewer behavioral problems and cost savings to states and school districts; and
WHEREAS, welfare reform has necessitated the need for quality early child care and education; and
WHEREAS, the National Business Roundtable has published a report urging the federal government and states to make early childhood education a high priority as it tends to increase skilled employment and earnings; and
WHEREAS, early childhood educators and child care professionals often work long hours at pay rates lower than many service industries; and
WHEREAS, early childhood educators and child care professionals are dedicated, tireless workers whose careers enable parents to work and attend school; and
WHEREAS, early childhood educators and child care professionals strengthen communities and support families throughout the State of Delaware.
NOW THEREFORE:
BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware, the Senate concuring therein, that March 17, 2010 be designated “Early Child Care and Education Professionals Appreciation Day” and it is requested that citizens throughout the State join in recognizing the work, effort and contribution that these individuals make to improving the quality of life for families in Delaware.
Representative Q. Johnson made comments.
HCR 26 was adopted by voice vote and was sent to the Senate for concurrence. Representative Cathcart requested that he be marked present. Representative Kovach made comments regarding HCR 26. Representative Schwartzkopf deferred to Representative Carson. Representative Carson requested and was granted personal privilege of the floor to introduce a teacher and students from Smyrna High School as well as a cancer survivor who are volunteers for the American Cancer Society.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:18 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on March 18, 2010. Representative Carey requested that he be marked present for the current Legislative Day. The Chief Clerk read the following committee reports into the record:

**JUDICIARY:**
- **HS 1 for HB 247** - 1F, 7M; **HB 322** - 3F, 5M; **HB 324** - 2F, 6M.
- **PUBLIC SAFETY & HOMELAND SECURITY:** **HS 1 for HB 229** - 1F, 7M, 1U; **HB 330** - 1F, 8M.

**HOUSE ADMINISTRATION:** **HB 309** - 5F; **SB 192** - 4F; **SB 195** - 5F.

**HEALTH & HUMAN DEVELOPMENT:** **SB 182** - 5F.

**REVENUE & FINANCE:** **HB 335** - 7F.

**HOUSING & COMMUNITY AFFAIRS:** **HCR 24** - 3F, 5M.

**ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE:** **HB 237** - 7F, 2M; **HB 317** - 1F, 6M, 1U; **HB 326** - 2F, 6M.

The Reading Clerk read the following communication into the record:
The Senate wishes to inform the House that it has passed HCR 26 and is returning the same to the House.

The Majority Whip moved to adjourn at 2:02 p.m., thereby ending the current legislative day. The House reconvened at 2:03 p.m.

12th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session March 18, 2010

The Chief Clerk called the roll.

**Members Present: 40.**

**Member Absent: Representative D.P. Williams - 1.**

A prayer was offered by Representative Deborah D. Hudson, Twelfth Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American flag.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

**HB 336 - BARBIERI & REPRESENTATIVE HUDSON & SENATOR BLEVINS & SENATOR SORENSON; REPRESENTATIVES JAQUES, BENNETT, CARSON, J. JOHNSON, KOVACH, MITCHELL, WILSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Protection from Abuse Proceedings.**

**HA 1 to HS 1 for HB 247 - KEELEY - Placed with the Bill.**

Mr. Speaker Gilligan introduced Lieutenant General William H. Duncan (Ret) M.D., Chairman Emeritus of the Delaware Military Heritage and Education Foundation, who addressed the House and introduced guests. Lieutenant General Duncan introduced Stephanie Przybylek, Executive Director, Delaware Military Heritage & Education Foundation, who addressed the House.

Representatives Cathcart & Jaques & Mr. Speaker Gilligan made comments. Representative Longhurst deferred to Representative Jaques. Representative Jaques requested and was granted privilege of the floor for himself and Representatives Blakey, Bennett & M. Marshall to present a House Tribute to Joan Cote, Executive Director, USO Delaware, who addressed the House. Representative Blakey sang a rendition of "Thanks for the Memories."

Representative Carson introduced a guest. Representatives Keeley, Barbieri, Atkins, Manolakos & Schooley requested that they be marked present.

Representative Longhurst deferred to Representative Jaques. Representative Jaques requested privilege of the floor for himself and Representative Barbieri to present a House Tribute, read by Representative D.E. Williams, to Diana Caine, Board Member, Delaware Chapter of the National Multiple Sclerosis Society, who addressed the House.

The Majority Whip moved to recess for caucus at 2:27 p.m.

The House reconvened at 3:49 p.m. Representative Schwartzkopf requested that he be marked present.

The Reading Clerk read the following communications into the record:

**Memorandum**

To: The Honorable Robert F. Gilligan

191
Speaker of the House

From: Representative Dennis P. Williams
Date: March 18, 2010
RE: Absence from Legislative Session

I will be unable to attend Legislative Session today, due to personal reasons.

Thank you.

The Senate wishes to inform the House that it has passed HB 3 w/HA 1 and is returning the same to the House and the Senate wishes to inform the House that it has passed SCR 28 and requests the concurrence of the House.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought SB 182, jointly sponsored by Senator Hall-Long & Senators Bushweller & Cloutier & Representative Walls, before the House for consideration.

SB 182 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO NURSING.

Representative Jaques made comments.

Representatives Mulrooney & B. Short requested that they be marked present.

The roll call on SB 182 was taken and revealed:

YES: 38.
ABSENT: Representatives Lavelle, Manolakos & D.P. Williams - 3.

Therefore, having received a constitutional majority, SB 182 was returned to the Senate.

Representatives Viola & Plant requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Oberle.


HCR 27 - SUPPORTING THE DESIGNATION OF THE "HONOR AND REMEMBER FLAG" AS A NATIONAL SYMBOL FOR REMEMBERING OUR FALLEN SERVICEMEN AND WOMEN.

Representative Oberle made comments.

HCR 27 was adopted by voice vote and was sent to the Senate for concurrence.

Mr. Speaker Gilligan & Representative Plant made comments.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short brought SB 195, jointly sponsored by Senator Venables, before the House for consideration.

SB 195 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF BLADES RELATING TO ELECTIONS. (2/3 bill)

Representative D. Short introduced and brought HB 322, jointly sponsored by Representative Wilson & Representative Atkins & Representatives Bennett, Briggs King, Carson, Hudson, Jaques, Lee, Miro, Ramone, Scott, B. Short & Walls & Senators Ennis & Katz & cosponsored by Representatives J. Johnson & Wilson, before the House for consideration.

Representative Atkins brought HB 322, jointly sponsored by Representative Mitchell & Representative Schwartzkopf & Representatives Bennett, Briggs King, Carson, Hudson, Jaques, Lee, Miro, Ramone, Scott, B. Short & Walls & Senators Ennis & Katz & cosponsored by Representatives J. Johnson & Wilson, before the House for consideration.

HB 322 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Representative Atkins made comments.

The roll call on HB 322 was taken and revealed:

YES: 40.
ABSENT: Representative D.P. Williams - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 195 w/HA 1 was returned to the Senate for concurrence on HB 322.

Representative Atkins brought HB 324, jointly sponsored by Senator McDowell & Representative Schwartzkopf & Representatives Atkins, Briggs King, Carson, Hudson, Jaques, Lee, Miro, Ramone, Scott, B. Short & Walls & Senators Ennis & Katz & cosponsored by Representatives J. Johnson & Wilson, before the House for consideration.

HB 324 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CONSTABLE SALES.
Representative J. Johnson made comments.
The roll call on HB 324 was taken and revealed:
YES: 40.
ABSENT: Representative D.P. Williams - 1.
Therefore, having received a constitutional majority, HB 324 was sent to the Senate for concurrence.

HB 330 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO IMMUNITY FOR DONATIONS TO VOLUNTEER FIRE DEPARTMENTS.

The roll call on HB 330 was taken and revealed:
YES: 40.
ABSENT: Representative D.P. Williams - 1.
Therefore, having received a constitutional majority, HB 330 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought HB 335, jointly sponsored by Senator Sokola & Representatives Atkins, Bennett, Cathcart, Gilligan, Hudson, Kowalko, Longhurst, Manolakos, Mitchell, Oberle, Ramone, Scott, D. Short & Viola & Senators Cook, Booth, Bushweller, Simpson & Sorenson, before the House for consideration.

HB 335 - AN ACT TO AMEND CHAPTER 11 OF TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX RETURNS.

The roll call on HB 335 was taken and revealed:
YES: 40.
ABSENT: Representative D.P. Williams - 1.
Therefore, having received a constitutional majority, HB 335 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley introduced and brought SCR 28, jointly sponsored by Senator Sorenson & Senator Cloutier & Senators Blevins, Booth, Bunting, Bushweller, Connor, Ennis, Hall-Long, Henry, Katz, Peterson & Venables on behalf of all Senators & Representatives Bennett, Hocker, Hudson, Jaques, Kovach, Kowalko, Mitchell, Oberle & Scott on behalf of all Representatives, before the House for consideration.

SCR 28 - CELEBRATING THE 90TH ANNIVERSARY OF THE LEAGUE OF WOMEN VOTERS.

The roll call on SCR 28 was taken and revealed:
YES: 40.
ABSENT: Representative D.P. Williams - 1.
Therefore, having received a constitutional majority, SCR 28 was adopted by voice vote and was returned to the Senate.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques made an announcement.

Representative Lavelle made an announcement.

Mr. Speaker Gilligan & Representative Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative Hudson.

Representative Hudson introduced HCR 28, jointly sponsored by Representative D. Short & Representative Briggs King & Representative Ramone & Senator Booth & Senator Bonini & Representatives Cathcart, Carey, Hocker, Lavelle, Lee, Manolakos, Outten & Wilson & Senator Simpson.

HCR 28 - URGING THE 111TH CONGRESS TO ABANDON THE IRRATIONAL PURSUIT OF A FISCALLY IRRESPONSIBLE FEDERAL HEALTHCARE ENTITLEMENT PLAN AND ENACT LESS COSTLY ALTERNATIVES TO REDUCE THE COST OF HEALTHCARE AND INCREASE ITS AVAILABILITY FOR ALL AMERICANS.

The Majority Leader moved to recess to the call of the Chair at 4:26 p.m.

Mr. Speaker Gilligan assigned HCR 28 to the House Administration Committee.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on March 23, 2010.

Representative Mitchell introduced HA 1 to SB 60.

HA 1 to SB 60 was placed with the Bill.

Representative M. Marshall made an announcement.

The Majority Leader moved to adjourn at 2:03 p.m., thereby ending the current legislative day. The House reconvened at 2:04 p.m.

13th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
March 23, 2010

The Chief Clerk called the roll.
Members Present: 41.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District. Mr. Speaker Gilligan led those present in the pledge of allegiance to the American flag. The minutes of the previous legislative day were approved as posted. The Chief Clerk & Mr. Speaker Gilligan introduced guests.

The following prefiled legislation was introduced:

**HB 337 - D. SHORT & SENATOR VENABLES - HOUSE ADMINISTRATION - An Act to Amend the Charter of the City of Seaford Relating to the Assessment of Taxes. (2/3 bill)**

**HB 338 - J. JOHNSON & SENATOR ENNIS & SENATOR HENRY & SENATOR SORENSON & SENATOR VENABLES; REPRESENTATIVES BARBIERI, KOWALKO, PLANT, SCHOOLEY, SCOTT - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Classification of Offenses and Sentences.**

**HB 339 - OUTTEN & SENATOR COOK - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Felton to Change the Duration of the Term of a Member of the Town Council and to Implement Use of the Kent County Voter Registration System. (2/3 bill)**

**HB 341 - M. MARSHAII & SENATOR BLEVINS; REPRESENTATIVES KOVACH, BENNETT, CARSON, WILSON - JUDICIARY - An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law.**

**HA 1 to HA 1 to HB 137 - D. SHORT - Placed with the Bill.**

**HA 2 to HS 1 for HB 247 - KEELEY - Placed with the Bill.**

**HA 1 to HB 326 - LAVELLE - Placed with the Bill.**

**HA 1 to HB 337 - D. SHORT - Placed with the Bill.**

Representative Schwartzkopf deferred to Representative Blakey. Representative Blakey requested and was granted privilege of the floor for himself and Representatives Outten & Thornburg to present a House Tribute to Sheryl Ford, Advisor, Family Careers and Community Leaders of America and Future Educators of America at Caesar Rodney High School and students who raised funds to purchase sleeping bags for homeless children in Kent County. Ms. Ford addressed the House and the students announced their names for the record. Representative Outten introduced guests. Representatives D.E. Williams, Manolakos & Hudson requested that they be marked present. Mr. Speaker Gilligan introduced former Representative and Senator Steven H. Amick and invited Senator Amick to join him on the podium. Representative Kowalko made comments. Representative Schwartzkopf deferred to Representative Jaques. Representative Jaques requested and was granted privilege of the floor for himself and Representatives Kowalko & Schooley to present a House Tribute to the Delaware State Championship Lego Team from Newark Charter School. Mr. Gregory Meece, Principal, announced the names of the students and a parent coach for the record.

Representative Schwartzkopf deferred to Representative Hocker. Representative Hocker requested privilege of the floor to present a House Tribute to TeenPact of Delaware. Peter Martin, Guest Director, addressed the House. The students announced their names and hometowns for the record.

Representative Schwartzkopf made an announcement. Representatives Longhurst, Lavelle & Schwartzkopf made comments. The Majority Leader moved to recess for caucus at 2:48 p.m. The House reconvened at 4:20 p.m.

Representative Schwartzkopf deferred to Representative Hocker. Representative Hocker requested privilege of the floor to present a House Tribute to the Delaware State Championship Lego Team from Newark Charter School. Mr. Gregory Meece, Principal, announced the names of the students and a parent coach for the record.

Representative Schwartzkopf made an announcement. Representatives Longhurst, Lavelle & Schwartzkopf made comments. The Majority Leader moved to recess for caucus at 2:48 p.m. The House reconvened at 4:20 p.m.

Representative Schwartzkopf deferred to Representative Hocker. Representative Hocker requested privilege of the floor to present a House Tribute to TeenPact of Delaware. Peter Martin, Guest Director, addressed the House. The students announced their names and hometowns for the record.

Representative Mulrooney requested that he be marked present. Representative Mulrooney requested that HB 259 be stricken. Representative Schwartzkopf deferred to Representative D. Short. Representative D. Short requested that HB 309 be stricken. Representative D. Short moved to suspend the rules which interfere with action on HB 337. The motion was properly seconded and adopted by voice vote.

Representative D. Short brought HB 337, jointly sponsored by Senator Venables, before the House for consideration.

**HB 337 - AN ACT TO AMEND THE CHARTER OF THE CITY OF SEAFORD RELATING TO THE ASSESSMENT OF TAXES. (2/3 bill)**

Representative D. Short brought HA 1 to HB 337 before the House for consideration. Representative D. Short made a comment. HA 1 was adopted by voice vote. Representative D. Short made comments. The roll call on HB 337 with HA 1 was taken and revealed:

YES: 41.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 337 w/HA 1 was sent to the Senate for concurrence.

Representatives Lee & B. Short requested that they be marked present during the roll call. Representative Cathcart requested and was granted personal privilege of the floor to make comments.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed HB 284 w/SA 1 and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Kovach.

Representative Kovach introduced and brought HCR 29, jointly sponsored by Representative Carson & Representative Atkins on behalf of all Representatives & Senator Bunting & Senator Ennis & Senator Cloutier on behalf of all Senators, before the House for consideration.

HCR 29 - RECOGNIZING THE VALUABLE CONTRIBUTION THAT THE LIONS CLUBS INTERNATIONAL MAKE TO OUR LOCAL COMMUNITIES, AS WELL AS TO THE WORLD AT-LARGE, BY DESIGNATING THAT MARCH 27, 2010 BE DECLARED AS DELAWARE STATE LIONS DAY.

Representatives Kovach, D.P. Williams & Jaques made comments.

HCR 29 was adopted by voice vote and was sent to the Senate for concurrence.


The Majority Leader moved to recess to the call of the Chair at 4:42 p.m.

Mr. Speaker Gilligan called the House to order at 2:02 p.m. on March 24, 2010. The Majority Leader moved to adjourn at 2:03 p.m., thereby ending the current legislative day. The House reconvened at 2:04 p.m.

14th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
March 24, 2010

Mr. Speaker Gilligan made an announcement.

Mr. Speaker Gilligan requested that the Chief Clerk call the roll of the Members of the House of Representatives of the 145th General Assembly.

The Chief Clerk called the roll.

Representative Schwartzkopf moved to adopt the roll as just called by the Chief Clerk as the permanent roll of the House of Representatives of the 145th General Assembly. The motion was seconded by Representative D.P. Williams and adopted by voice vote.

The Chief Clerk called the roll.

Members Present: 33.


A prayer was offered by Representative Clifford G. Lee, Fortieth Representative District. Mr. Speaker Gilligan led those present in the pledge of allegiance to the American flag. The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

HA 1 to HB 280 - Q. JOHNSON - Placed with the Bill.

HA 1 to HB 317 - B. SHORT - Placed with the Bill.

Representative Keeley requested that she be marked present.

The Reading Clerk read the following communications into the record:

MEMORANDUM
TO: Speaker Robert Gilligan

FROM: Rep. Donald A. Blakey

DATE: March 23, 2010

SUBJECT: Absence from Session

Please be advised I will be absent from session on Wednesday, March 24, 2010 due to personal business.

March 24, 2010

The Honorable Robert F. Gilligan
Speaker of the House
Legislative Hall
Dover, DE 19901

Dear Speaker Gilligan:
Please be advised that it is necessary for me to be absent from Legislative Session today, Wednesday March 24, 2010 due to personal reasons.

Thank you for your understanding.

Sincerely,
Gregory F. Lavelle
State Representative
11th District

Representative Cathcart requested that he be marked present.
The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:09 p.m.

Mr. Speaker Gilligan called the House to order at 2:02 p.m. on March 25, 2010.
Representatives Blakey, Kovach, D.E. Williams & Q. Johnson requested that they be marked present for the current Legislative Day.
The Chief Clerk read the following committee reports into the record:
JUDICIARY: HB 336 - 5F, 2M; HB 341 - 6F, 2M.
ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE:
HB 296 - 7F, 1M.
VETERANS AFFAIRS: HB 323 - 13F; HCR 25 - 13F.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 157 w/SA 1 and requests the concurrence of the House and the Senate has passed HB 319, HCR 27 & HCR 29 and is returning the same to the House.

MEMORANDUM

TO: Speaker Robert Gilligan
FROM: Representative Pamela J. Thornburg
DATE: March 24, 2010
SUBJECT: Absence from Session

Please be advised that I will be absent from session on Tuesday, Wednesday and Thursday, March 30th, 31st and April 1st, 2010 due to personal business.

March 24, 2010

The Honorable Robert F. Gilligan
Speaker of the House
Legislative Hall
Dover, DE 19901

Dear Speaker Gilligan:

Please be advised that it is necessary for me to be absent from the Legislative Session on Thursday, March 25, 2010 due to personal reasons.

Thank you for your understanding.

Sincerely,
Joseph E. Miro
State Representative
22nd District

Representative Schwartzkopf introduced guests.
Representative Schwartzkopf deferred to Representative B. Short.
Representative B. Short introduced HA 1 to HA 1 to HB 317. HA 1 to HA 1 to HB 317 was placed with the Bill.
Representative Viola requested that he be marked present for the current Legislative Day.
The Majority Leader moved to adjourn at 2:08 p.m., thereby ending the current legislative day. The House reconvened at 2:09 p.m.

15th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
March 25, 2010

The Chief Clerk called the roll.
Members Present: 39.
A prayer was offered by Representative Helene M. Keeley, Third Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American flag.
The minutes of the previous legislative day were approved as posted.
The following prefilled legislation was introduced:
HB 342 - HUDSON & SENATOR BONINI; REPRESENTATIVES D. SHORT, BRIGGS KING, HOCKER, KOVACH, MIRO, RAMONE; SENATORS SIMPSON, SORENSON, BOOTH, CLOUTIER, CONNOR - APPROPRIATIONS - An Act Proposing an Amendment to the Delaware Constitution Relating to Spending Increases.


HJR 9 - George & Senator Blevins; Representatives Bennett, Briggs King, Hocker, Hudson, J. Johnson, Q. Johnson, Keeley, Kovach, Kowalko, Mitchell, B. Short, D. Short; Senators Bushweller, Katz, Simpson, Sokola, Sorenson - JUDICIARY - Requesting Congress to Enact Federal Legislation that adds Unpaid Court-Ordered Restitution, Fines, Fees and Costs to Delinquent Obligations that can be Intercepted Through the United States Department of the Treasury Offset Program.

SB 157 w/SA 1 - Peterson & Representative Ramone & Representatives Keeley, Oberle, Lavelle, Manolakos; Senators Bonini, Mcdowell - ECONOMIC DEVELOPMENT/BUSINESS/INSURANCE & COMMERCE - An Act to Amend Title 10 of the Delaware Code Relating to Residential Homes and Exemptions.

Representative Schwartzkopf deferred to Representative Thornburg.
Representative Hocker requested that he be marked present.
Representative Thornburg introduced guests.
Representative Thornburg introduced and brought HR 38, before the House for consideration.

HR 38 - PROCLAIMING FEBRUARY 21-27, 2010 AS FOOD CHECK-OUT WEEK IN DELAWARE.

HR 38 was adopted by voice vote.
Representative Thornburg made a comment.
Representative Thornburg requested and was granted privilege of the floor to present a House Tribute to Barbara Sapp, Women's Chair, Delaware Farm Bureau.
Representatives Carey & Walls made comments.
Representative Schwartzkopf deferred to Representative Thornburg.
Representative Thornburg requested and was granted privilege of the floor to present a House Tribute to Representative Helene M. Keeley, who addressed the House.
Representative Schwartzkopf deferred to Representative Schooley.
Representative Schooley introduced a guest.
Representatives George & Mitchell requested that they be marked present.
Representative Schooley introduced and brought HCR 30, sponsored on behalf of all Representatives & jointly sponsored by Senator Sokola on behalf of all Senators, before the House for consideration.

HCR 30 - COMMENDING MARY E. PINKSTON FOR BEING SELECTED DELAWARE'S STATE TEACHER OF THE YEAR FOR 2010 AND COMMENING EACH SCHOOL DISTRICT'S TEACHER OF THE YEAR. WHEREAS, nearly 8,874 teachers work each day with approximately 126,800 children who attend 204 Delaware public schools in 19 school districts and Charter Schools; and WHEREAS, teachers strive for excellence in their professions when they know that the community supports them and appreciates their efforts on behalf of our children; and WHEREAS, the Teacher of the Year program identifies school and district representatives who embody the best qualities of all Delaware teachers; and WHEREAS, the Delaware State Teacher of the Year is chosen annually for possessing a superior ability to inspire and nurture students with a love of learning and for having won the admiration of fellow teachers, school administrators, and the parents of students; and WHEREAS, Mary E. Pinkston of Brandywine High School in the Brandywine School District has been named the Delaware State Teacher of the Year for 2010 as part of the National Teacher of the Year program, the oldest and most prestigious award program that focuses public attention on excellence in teaching; and WHEREAS, each of the other eighteen school districts and Charter Schools have chosen a 2010 District Teacher of the Year, namely: Appoquinimink School District: Tracy Taylor Calhoun Caesar Rodney School District: Kathy A. DeLong Cape Henlopen School District: Kellyann Palladino-Ranieri Capital School District: Amy Bowen Christina School District: Andrew Beadenkopf Colonial School District: Dawn E. Alexander Delmar School District: Christy Parsons
Indian River School District: Heather S. Moore
Lake Forest School District: Karen D. Williams
Laurel School District: Andrea M. Sullenberger
Milford School District: Tommi Barrett-Greenly
New Castle County Vo Tech School District: Patricia T. Creveling
Pencader Business & Finance Charter High School: Jenny L. Aunet
POLYTECH School District: Brenda Porter
Red Clay Consolidated School District: Natalie M. Brancati
Seaford School District: Mary Katharine Baldwin
Sussex Technical High School: Valarie Day
Woodbridge School District: Ginger Brown

NOW, THEREFORE,

BE IT RESOLVED, by the House of Representatives of the 145th General Assembly of the State of Delaware, the Senate concurring therein, that the members hereby commend Mary E. Pinkston for her well-deserved designation as the 2010 Delaware State Teacher of the Year.

BE IT FURTHER RESOLVED, that the entire membership of the Delaware General Assembly hereby extend heartfelt thanks to Mary E. Pinkston, Delaware State Teacher of the Year, and to each of her fellow District Teachers of the Year for 2010 for their many contributions to the betterment of education in Delaware.

BE IT FURTHER RESOLVED that upon passage, a suitably prepared and duly authenticated copy of this House Concurrent Resolution be presented to Mary E. Pinkston and each School District’s Teacher of the Year.

Representative Schooley made comments.

HCR 30 was adopted by voice vote and was sent the Senate for concurrence.

The Teachers of the Year announced their names and school districts for the record.

Representative Schooley introduced Mary Pinkston, Delaware Teacher of the Year, who addressed the House. Mr. Speaker Gilligan & Representatives Walls, Schwartzkopf, Blakey, Carey, Briggs King, Kowalko, Wilson, Jaques & Brady made comments.

Representative Atkins requested that he be marked present and requested and was granted personal privilege of the floor to introduce a guest. Representative Schwartzkopf deferred to Representative Wilson. Representative Wilson made an announcement. Representative J. Johnson made comments. Representative Schwartzkopf deferred to Representative Ramone. Representative Ramone introduced a guest. Representative Schwartzkopf deferred to Representative Q. Johnson. Representative Q. Johnson requested and was granted personal privilege of the floor to introduce a guest.

HB 336 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PROTECTION FROM ABUSE PROCEEDINGS.

Representatives Barbieri, Hudson & Kovach made comments.

The roll call on HB 336 was taken and revealed:

YES: 39.
ABSENT: Representatives Miro & Plant - 2.

Therefore, having received a constitutional majority, HB 336 was sent to the Senate for concurrence.

Representative Barbieri requested and was granted personal privilege of the floor to introduce guests. Representative Schwartzkopf deferred to Representative Barbieri.

Representative George brought HB 341, jointly sponsored by Senator Blevins & Representative Kovach & cosponsored by Representatives Jaques, Bennett, Carson, J. Johnson, Kovach, Mitchell & Wilson, before the House for consideration.

HB 341 - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (2/3 bill)

Representative George made comments.

The roll call on HB 341 was taken and revealed:

YES: 39.
ABSENT: Representatives Miro & Plant - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 341 was sent to the Senate for concurrence.

The Senate wishes to inform...
the House that it has passed **SJR 2** and requests the concurrence of the House. Representative D.P. Williams introduced a guest.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker moved to suspend the rules which interfere with introduction of and action on **SJR 2**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Hocker introduced and brought **SJR 2**, jointly sponsored by Senator Bunting, before the House for consideration.

**SJR 2** - HONORING THE HEROIC MEMORY OF THE DREXLER BROTHERS OF BETHANY BEACH AND RESPECTFULLY REQUESTING THE ASSISTANCE OF DELAWARE’S CONGRESSIONAL DELEGATION IN HAVING CONGRESSIONAL MEDAL OF HONOR RECIPIENT ENSIGN HENRY CLAY DREXLER JOINTLY ATTRIBUTED TO DELAWARE AND PENNSYLVANIA

Representative Hocker made comments.

The roll call on **SJR 2** was taken and revealed:

**YES:** 39.

**ABSENT:** Representatives Miro & Plant - 2.

Therefore, having received a constitutional majority, **SJR 2** was returned to the Senate.

Representative Schwartzkopf deferred to Representative B. Short.


**HB 317** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO HOME SOLICITATION AND DOOR TO DOOR SALES. (2/3 bill)

Representative B. Short brought **HA 1** to **HB 317** before the House for consideration.

Representative B. Short made comments. **HA 1 to HA 1** was adopted by voice vote. Representative B. Short introduced and brought **HA 2 to HA 1** to **HB 317** before the House for consideration. Representatives B. Short & Ramone made comments. **HA 2 to HA 1** was adopted by voice vote. Representative B. Short made comments. **HA 1 w/HA 1 & 2** was adopted by voice vote.

Representative Lavelle introduced and brought **HA 2 to HB 317** before the House for consideration.

Representatives Lavelle, B. Short, Lavelle, Viola & Kovach made comments. **HA 2 to HB 317** was defeated by voice vote. Representatives B. Short, Ramone, Hudson, Kovach, Viola, Hudson, Viola, D. Short & B. Short made comments.

The roll call on **HB 317 w/HA 1 & HA 1 & 2 to HA 1** was taken and revealed:

**YES:** 28.

**NO:** Representatives Blakey, Briggs King, Carey, Cathcart, Hocker, Lee, Manolakos, Outten, Ramone, Thornburg & Wilson - 11.

**ABSENT:** Representatives Miro, Plant - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 317 w/HA 1 & HA 1 & 2 to HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley brought **HS 1 for HB 247** jointly sponsored by Senator McBride & Representatives Brady, Hudson, Mitchell, Carson, Schooley, Mulrooney & J. Johnson & Senators Henry & Sokola, before the House for consideration.

**HB 247** - AN ACT TO AMEND TITLE 6, TITLE 25 AND TITLE 29 OF THE DELAWARE CODE RELATING TO CONSUMER PROTECTION.

Representative Keeley brought **HA 1 to HS 1 for HB 247** before the House for consideration.

Representative Keeley made comments. **HA 1** was adopted by voice vote. Representative Keeley brought **HA 2 to HS 1 for HB 247** before the House for consideration. Representative Keeley made comments. **HA 2** was adopted by voice vote. Representative Kovach introduced and brought **HA 3 to HS 1 for HB 247** before the House for consideration. Representative Kovach moved to place **HA 3** on the Speaker’s Table. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Keeley introduced and brought **HA 4 to HS 1 for HB 247**, jointly sponsored by Representative Kovach, before the House for consideration. Representatives Keeley, Oberle, Kovach, Oberle, Keeley, Kowalko, Oberle, Kovach, Kowalko, Oberle, Keeley & Briggs King made comments. **HA 4** was adopted by voice vote. Representative Kovach requested that **HA 3 to HS 1 for HB 247** be stricken. Representatives Keeley & Lavelle made comments. Representative Keeley requested and was granted privilege of the floor for Ian McConnel, Director, Consumer Protection Unit, Department of Justice. Representatives Lavelle & Wilson made comments.

The roll call on **HS 1 for HB 247 w/HA 1, 2 & 4** was taken and revealed:

**YES:** 36.

**NOT VOTING:** Representative Wilson - 1.

**ABSENT:** Representatives Manolakos, Miro, Plant & D.P. Williams - 4.
Therefore, having received a constitutional majority, **HS 1 for HB 247 w/HA 1, 2 & 4** was sent to the Senate for concurrence.

Representative Wilson announced that he did not vote on **HS 1 for HB 247 w/HA 1, 2, & 4** because of a possible conflict of interest.

Representative Keeley made comments.

Mr. Speaker Gilligan announced that **HB 280** is being removed from the Agenda.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought **HB 284 w/SA 1**, jointly sponsored by Senator Ennis, before the House for concurrence on **SA 1**.

**HB 284** - An ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEXUAL RELATIONS IN A DETENTION FACILITY.

Representative J. Johnson made comments.

The roll call on **HB 284 w/SA 1** was taken and revealed:

**YES**: 37.

**ABSENT**: Representatives Manolakos, Miro, Plant & D.P. Williams - 4.

Therefore, having received a constitutional majority, **HB 284 w/SA 1** was sent to the Governor.

Representative Schwartzkopf made an announcement.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 197** and requests the concurrence of the House and the Senate has passed **HCR 30** and is returning the same to the House.

The Majority Leader moved to adjourn at 2:01 p.m., thereby ending the current legislative day. The House reconvened at 2:02 p.m.

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**16th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session**  
**March 30, 2010**

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Plant & Thornburg - 2.

A prayer was offered by Representative Earl G. Jaques, Jr., Twenty-seventh Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American flag.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:


**HB 346** - GEORGE & SENATOR PETERTSON; REPRESENTATIVES GILLIGAN, KEELEY, MIRO, MITCHELL, SCHOOLEY; SENATORS BLEVINS, BUSHWELLER, KATZ - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Crimes and Criminal Procedure.

**HB 347** - BARBIERI & SENATOR SOKOLA; REPRESENTATIVES BRADY, J. JOHNSON, KEELEY, KOWALKO, SCHOOLEY, VIOLA; SENATORS BUNTING, ENNIS, MARSHALL, VENABLES - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Mandatory Reporting of School Crimes.

**HB 348** - LONGHURST & SENATOR HALL-LONG; REPRESENTATIVES BARBIERI, BENNETT, CARSON, HUDSON, J. JOHNSON, Q. JOHNSON, KEELEY, MITCHELL, MULROONEY, PLANT, SCHOOLEY, SCHWARTZKOPF; SENATORS HENRY, PETERTSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**HB 349** - GILLIGAN & SENATOR DELUCA - REVENUE & FINANCE - An Act to Amend Titles 9 and 30 of the Delaware Code Relating to Withholding of Tax on Gains from Real Estate.

**HB 351** - BARBIERI & SENATOR HENRY; REPRESENTATIVES CARSON, GILLIGAN, JAQUES, MITCHELL, D.E. WILLIAMS, ATKINS, BRIGGS KING, CAREY, CATHCART, HOCKER,

HA 5 to HB 194 - SCHWARTZKOPF - Placed with the Bill.

HA 1 to HA 5 to HB 194 - KOVACH - Placed with the Bill.

SB 197 - BLEVINS & REPRESENTATIVE BENNETT & SENATOR SORENSEN & REPRESENTATIVE HUDSON; SENATORS BOOTH, BUSHWELLER, ENNIS, HALL-LONG, HENRY, KATZ, MARSHALL, PETERSON, SOKOLA, BONINI; REPRESENTATIVES CARSON, CATHCART, JAQUES, Q. JOHNSON, KEELEY, KOVACH, LAVELLE, MITCHELL, MULROONEY, OBERLE, RAMONE, SCHOOLEY, SCHWARTZKOPF, SCOTT, D. SHORT, VIOLA, WALLS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Offenses Against the Person.

Representative Schwartzkopf deferred to Representative Kovach. Representative Kovach requested and was granted privilege of the floor for Anne Hogan, Chief Executive Officer, Girl Scouts of the Chesapeake Bay Council. Representative George made comments. Representative Kovach introduced a guest. Representative Brady introduced guests. Representatives Kowalko & Schooley requested and were granted personal privilege of the floor to introduce guests. Representatives Schooley & Kovach made comments. Mr. Speaker Gilligan introduced guests. Representative Mulrooney made comments and introduced a guest. Representatives D.E Williams & B. Short & requested that they be marked present.

The Reading Clerk read the following communication into the record:

Memorandum
To: The Honorable Robert F. Gilligan
   Speaker of the House
From: Representative Hazel D. Plant
Date: March 30, 2010
RE: Absence from Legislative Session
I will be unable to attend Legislative Session today, due to personal reasons.
Thank you.

Mr. Speaker Gilligan made an announcement regarding HB 194.
The Majority Leader moved to recess for caucus at 2:22 p.m.
The House reconvened at 4:32 p.m.
Representative Schwartzkopf deferred to Representative Brady.

HB 323 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE DISPOSITION OF A PERSON’S LAST REMAINS.
Representative Brady brought HA 1 to HB 323 before the House for consideration. Representative Brady made comments. HA 1 was adopted by voice vote. Representative Brady made comments.
Representatives Atkins, Lavelle & Viola requested that they be marked present.
The roll call on HB 323 w/HA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Plant & Thornburg - 2.
Therefore, having received a constitutional majority, HB 323 w/HA 1 was sent to the Senate for concurrence.
Representative D.P. Williams requested that he be marked present during the roll call.
Representative Schwartzkopf deferred to Representative George. Representative George requested and was granted personal privilege of the floor to introduce a guest.
Representative Schwartzkopf deferred to Representative Jaques.
Representative Jaques requested that HCR 25 be stricken.
Representative Jaques introduced and brought HCR 31, jointly sponsored by Senator Bunting & Representatives Atkins, Carson, George, Keeley, Mulrooney & D. Short, before the House for consideration.

HCR 31 - URGING CONGRESS TO REQUIRE THE UNITED STATES DEPARTMENT OF DEFENSE TO DESIGNATE "PRISONER OF WAR" AND "MISSING IN ACTION" INTO THE CASUALTY STATUS AND CATEGORY CLASSIFICATION FOR MILITARY PERSONNEL.
Representative Jaques made comments.

HCR 31 was adopted by voice vote and was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Hudson.
HB 353 - AN ACT TO AMEND TITLE 16 AND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND DUTIES OF THE ATTORNEY GENERAL.

Mr. Speaker Gilligan assigned HB 353 to the House Administration Committee.

Representative Hudson made comments regarding HB 353. Representative Schwartzkopf requested that HB 326 & SB 60 be returned to the Ready List. Representative D. Short made comments. Representative D. Short requested that HB 137 be stricken.


Representative Kowalko introduced HB 354, jointly sponsored by Senator Ennis & Representatives Bennett, Brady, Mulrooney, Jaques, Scott, Viola & D.E. Williams.

HB 354 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DESIGNATION OF A STATE WILDLIFE ANIMAL.

Representative Kowalko made comments.

Mr. Speaker Gilligan assigned HB 354 to the Natural Resources Committee.

The Majority Leader moved to recess to the call of the Chair at 4:52 p.m.

Mr. Speaker Gilligan called the House to order at 2:02 p.m. on March 31, 2010.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed SB 200 and requests the concurrence of the House and the Senate has passed HB 246 w/HA 1 & HA 1 to HA 1 and has passed HB 243 w/SA 1 & 2 and is returning the same to the House.

The Majority Whip moved to adjourn at 2:03 p.m., thereby ending the current legislative day. The House reconvened at 2:04 p.m.
WHEREAS, autism is a spectrum disorder, affecting every person in unique and individual ways that call for individualized treatment, educational programming, and services; and
WHEREAS, autism is the result of a neurological disorder affecting the functioning of the brain, and there is a greater need for public awareness of this complex disorder; and
WHEREAS, autism has no known cure, and research is critical to discovering the causes, treatments and cures for the disorder; and
WHEREAS, autism is the third most common developmental disability, affecting more than 1,000,000 people across the country, and as many as 1,200 individuals and their families in Delaware; and
WHEREAS, the population of students with autism statewide in Delaware has more than doubled over the last 10 years; and
WHEREAS, students with autism are graduating in increasing numbers into adult services, going from an average of five graduates in 2000 to a projected 25 in 2010; and
WHEREAS, the needs of adults with mild autism and Asperger’s Syndrome for ongoing support to function successfully at work and in the community often go unrecognized or met; and
WHEREAS, the adult service system needs to be well prepared to support the increasing numbers of young adults who will need residential, vocational, behavioral, health, and/or recreational services to live lives of dignity and productivity in the community; and
WHEREAS, the families of people with autism face financial, emotional, and social challenges as they strive to ensure the best care and life possible for their relative with autism.
NOW, THEREFORE:
BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware that April, 2010 be declared Autism Awareness Month in Delaware.

Representatives Cathcart, Kowalko, Q. Johnson, Kovach, Barbieri, Ramone & Cathcart made comments.

HR 37 was adopted by voice vote.
Representative Cathcart requested and was granted privilege of the floor for Theda Ellis, Executive Director, Autism Delaware. Denise Bradley, Legislative Affairs Committee; Mark Rossi, Board Member, Autism Delaware; Peter Bradley, Volunteer, Autism Delaware; Melissa Tice-Martin, Executive Director, Lower Delaware Autism Foundation; Dan Prettyman, Autism Delaware & Rohan Patel, Lower Delaware Autism Foundation. Representative Cathcart made comments. Representative Kowalko requested and was granted personal privilege of the floor to introduce a guest. Representative George requested that she be marked present.

Representative Longhurst introduced and brought HCR 33, jointly sponsored by Representative Gilligan & Senator DeLuca & Representatives Schwartzkopf, Cathcart & D. Short on behalf of all Representatives & Senators Blevins, Henry, Simpson & Sorenson on behalf of all Senators, before the House for consideration.

HCR 33 - PROCLAIMING APRIL 18, 2010 THROUGH APRIL 24, 2010 AS "DELAWARE'S WEEK OF SERVICE."
Representative Longhurst made a comment.
HCR 33 was adopted by voice vote and was sent to the Senate for concurrence.
Representative Brady made comments regarding HCR 33.
The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:31 p.m.
Mr. Speaker Gilligan called the House to order at 2:02 p.m. on April 1, 2010.
The Chief Clerk read the following committee reports into the record:
MANUFACTURED HOUSING: HB 312 - 1F, 2M; HB 313 - 4M.
EDUCATION: HB 328 - 9F.
HOUSING & COMMUNITY AFFAIRS: HB 320 - 8F; HB 321 - 6F;
HB 333 - 8F.
REVENUE & FINANCE: HB 349 - 5F.3M.
HEALTH & HUMAN DEVELOPMENT: HB 344 - 1F, 7M; HB 351 - 5F, 3M.
Representatives Mitchell, Viola, D.E. Williams, B. Short & D. Short requested that they be marked present for the current Legislative Day. Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell introduced a guest. Representative Schwartzkopf deferred to Representative J. Johnson. Representative J. Johnson requested and was granted personal privilege of the floor to introduce guests. Representatives Scott & Q. Johnson made comments. The House observed a moment of silence in memory of Barbara Cauk, wife of former Representative G. Wallace Cauk, Jr., at the request of Representative Walls. Representative Briggs King requested and was granted personal privilege of the floor to introduce guests.
The Majority Leader moved to adjourn at 2:10 p.m., thereby ending the current legislative day. The House reconvened at 2:11 p.m.

18th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
April 1, 2010

203
The Chief Clerk called the roll.
Members Present: 38.
Members Absent: Representatives Plant, Schooley & Thornburg - 3.
A prayer was offered by Representative William J. Carson, Jr., Twenty-eighth Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American flag.
The minutes of the previous legislative day were approved as posted.
The following prefiled legislation was introduced:


**HB 359** - D. SHORT & SENATOR VENABLES - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Blades Relating to Elections.


**HB 361** - D. SHORT & REPRESENTATIVE HUDSON & SENATOR SIMPSON; REPRESENTATIVES HOCKER, LAVELLE, MANOLAKOS, MIRO, CARSON; SENATOR BONINI - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Duties of a Candidate.

**HA 4 to HA 5 to HB 194** - LEE - Placed with the Bill.

**HA 1 to HB 333** - D. SHORT - Placed with the Bill.

**HA 1 to HB 344** - BRADY - Placed with the Bill.


**SB 183** - MCBRIDE; SENATORS BUNTING, ENNIS, VENABLES; REPRESENTATIVES ATKINS, BOOTH, CARSON, MULROONEY, OBERLE & WALLS - NATURAL RESOURCES - An Act to Amend Title 7, Chapter 5 of the Delaware Code Relating to Game Preserves.

**SB 200** - ENNIS & SENATOR BUSHWELLER & REPRESENTATIVE MITCHELL; REPRESENTATIVES JAQUES, THORNBURG, WALLS, CAREY, CARSON, WILSON; SENATOR BOOTH - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Heavy Vehicle Registration.
Representative Schwartzkopf deferred to Representative Cathcart.
Representative Cathcart requested privilege of the floor to present a House Tribute to Michael Jackson, Associate Secretary of Education for Financial and Administrative Services, who addressed the House.
Representative Schwartzkopf made comments.
Senator Nancy W. Cook made comments.
Representative Kovach requested that he be marked present.
Mr. Speaker Gilligan made an announcement.
Representative Lavelle requested and was granted personal privilege of the floor to introduce guests.
Representative Kowalko requested to be marked present.
The Majority Leader moved to recess for caucus at 2:27 p.m.
The House reconvened at 3:34 p.m.
Representative Outten made comments.
Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on **HB 356**. The motion was seconded by Representative J. Johnson and adopted by voice vote.
Representative Outten introduced and brought **HB 356**, jointly sponsored by Senator Cook, before the House for consideration.

**HB 356** - AN ACT TO AMEND THE CHARTER OF THE TOWN OF FELTON TO CHANGE THE DURATION OF THE TERM OF A MEMBER OF THE TOWN COUNCIL AND TO IMPLEMENT USE OF THE STATE'S VOTER REGISTRATION SYSTEM. (2/3 bill)
Representatives Outten & J. Johnson made comments.
The roll call on **HB 356** was taken and revealed:
YES: 37.
ABSENT: Representatives Plant, Schooley, Thornburg & D.P. Williams - 4.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 356** was sent to the Senate for concurrence.

Representatives George, Lee, Miro & Oberle requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought **HB 312**, jointly sponsored by Senator Ennis & Representatives Atkins, Carson, Q. Johnson, Kowalko, Schwartzkopf & Walls & Senator Bunting, before the House for consideration.

**HB 312** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES.

Representative Longhurst brought **HA 1 to HB 312** before the House for consideration. Representatives Longhurst & Lavelle made comments. Representative Hocker announced that he will not be voting on **HB 312 or HA 1** because of a possible conflict of interest. Representatives Kowalko, Briggs King, Lavelle, Ramone, Lavelle, Ramone, D. Short, Miro, Kovach, Brady, Kowalko & B. Short made comments. **HA 1** was adopted by voice vote.

The roll call on **HB 312 w/HA 1** was taken and revealed:

YES: 21.


ABSENT: Representatives George, Plant, Schooley & Thornburg - 4.

Therefore, having received a constitutional majority, **HB 312 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Gilligan introduced guests.

Representative Schwartzkopf deferred to Representative Barbieri.


**HB 351** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE ELDER CARE INFORMATION AND SUPPORT SYSTEM FOR DELAWARE FAMILIES.

Representatives Barbieri & Lavelle made comments.

The roll call on **HB 351** was taken and revealed:

YES: 35.

ABSENT: Representatives George, Plant, Schooley & Thornburg - 6.

Therefore, having received a constitutional majority, **HB 351** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Brady.

Representative Brady brought **HB 344**, jointly sponsored by Senator Katz & Representatives J. Johnson & D.P. Williams & Senator Henry, before the House for consideration.

**HB 344** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE.

Representative Brady made comments. **HA 1** was adopted by voice vote. Representatives Brady & Kovach made comments. Representative Brady requested and was granted privilege of the floor for Ken Boulden, Clerk of the Peace, New Castle County. Representatives Kovach, Ramone, D. Short & Brady made comments.

The roll call on **HB 344 w/HA 1** was taken and revealed:

YES: 35.

NO: Representatives Briggs King & Hudson - 2.

ABSENT: Representatives George, Plant, Schooley & Thornburg - 4.

Therefore, having received a constitutional majority, **HB 344 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell moved to suspend the rules which interfere with action on **HB 189**. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Mitchell brought **HB 189**, jointly sponsored by Representative J. Johnson & Senator Henry & Representatives Brady, M. Marshall, Plant, Schwartzkopf & Scott, before the House for consideration.

**HB 189** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.

Representative Mitchell made comments.

The roll call on **HB 189** was taken and revealed:

YES: 37.

ABSENT: Representatives George, Plant, Schooley & Thornburg - 4.
Therefore, having received a constitutional majority, HB 189 was sent to the Senate for concurrence. Representative Schwartzkopf deferred to Representative Q. Johnson.


HB 328 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EXCEPTIONAL PERSONS.

Representative Q. Johnson introduced and brought HA 1 to HB 328 before the House for consideration. Representative Q. Johnson made comments. HA 1 was adopted by voice vote.

Representatives Q. Johnson & Kovach made comments.

The roll call on HB 328 w/HA 1 was taken and revealed:
YES: 37.
ABSENT: Representatives George, Plant, Schooley & Thornburg - 4.

Therefore, having received a constitutional majority, HB 328 w/HA 1 was sent to the Senate for concurrence.

Representative Q. Johnson made comments.

Representative Schwartzkopf deferred to Representative Oberle.


HB 363 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO INSTRUCTION IN PUBLIC SCHOOLS ON THE HISTORY OF ORGANIZED LABOR IN AMERICA AND THE COLLECTIVE BARGAINING PROCESS.

Mr. Speaker Gilligan assigned HB 363 to the Education Committee.


HB 364 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE POLICE OFFICERS’ AND FIREFIGHTERS’ EMPLOYMENT RELATIONS ACT.

Mr. Speaker Gilligan assigned HB 364 to the Public Safety & Homeland Security Committee.

The Chief Clerk read the following committee reports into the record:
JUDICIARY: HJR 9 - 6F; HB 338 - 2F, 4M.

The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 183 w/SA 1 and requests the concurrence of the House and the Senate has passed HB 270, HB 216, HB 335, HB 106 & HCR 33 and is returning the same to the House. The Senate wishes to inform the House that it has passed SB 217 & SCR 27 and requests the concurrence of the House. The Senate wishes to inform the House that it has passed SB 224, SB 222, SS 1 to SB 171 w/SA 1 & 2 and requests the concurrence of the House and the Senate has passed HB 159 w/HA 1 and HA 1 to HA 1, HA 2, SA 1 & SA 2 & has passed HB 324 and is returning the same to the House.

Memorandum
To: The Honorable Robert F. Gilligan
   Speaker of the House
From: Representative Hazel D. Plant
Date: April 1, 2010
RE: Absence from Legislative Session

I will be unable to attend Legislative Session today, due to personal reasons.
Thank you.

Mr. Speaker Gilligan, Representatives D.P. Williams & Kowalko made announcements.
The Majority Leader moved to recess to the call of the Chair at 4:50 p.m.
Mr. Speaker Gilligan called the House to order at 2:01 p.m. on April 20, 2010.
The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: Rep. Robert L. Gilligan
   Speaker of the House
CC: Richard Puffer
FROM: Terry Schooley
DATE: April 1, 2010
RE: Absence from session

I will be unable to attend today’s session due to sudden illness.

April 6, 2010

LEGISLATIVE ADVISORY #35
Governor Jack A. Markell signed the following legislation on the date indicated: 3/25/10 - HB 3 aab HA 1; 3/31/10 - SB 182 & HB 319.
LEGISLATIVE ADVISORY # 36

Governor Jack A. Markell signed the following legislation on the date indicated: 4/6/10 - SJR 2; 4/8/10 - HB 106, HB 216, HB 246 aab HA 1 aab HA 1 to HA 1, HB 270 & HB 324; 4/9/10 - HB 284 aab SA 1.

Representative Mitchell made an announcement.

The Majority Leader moved to adjourn at 2:03 p.m., thereby ending the current legislative day. The House reconvened at 2:04 p.m.

19th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session  
April 20, 2010

The Chief Clerk called the roll.
Members Present: 41.

A prayer was offered by Representative Joseph E. Miro, Twenty-second Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American flag.

The minutes of the previous legislative day were approved as posted.

The following out-of-session prefiled legislation was introduced:

**April 15, 2010**

**SA 1.**

Representative Mitchell made an announcement.

The Majority Leader moved to adjourn at 2:03 p.m., thereby ending the current legislative day. The House reconvened at 2:04 p.m.

**19th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session  
April 20, 2010**

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Joseph E. Miro, Twenty-second Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American flag.

The minutes of the previous legislative day were approved as posted.

The following out-of-session prefiled legislation was introduced:
the President and the United States Congress to Address the Issue of Climate Change and Energy by Passing Clean Energy Legislation that Promotes Jobs and Innovative Energy Development, Strengthens National Energy and Economic Security, and Positions the United States to be a Leader in the Field of Clean Energy.

The following prefiled legislation was introduced:


Representatives Hudson & Kowalko made comments.
Representative Viola requested that he be marked present.
Representative Viola requested that **HB 327** be stricken.
Representative Atkins made comments.

Mr. Speaker Gilligan introduced Jason C. Yuan, Representative, Taipei Economic & Cultural Representative Office in the U.S.
Representative Schwartzkopf introduced and brought **HCR 34** jointly sponsored by Senator DeLuca & Representative Gilligan & Representatives Longhurst, Cathcart & D. Short on behalf of all Representatives & Senators Blevins, Henry, Simpson & Sorenson on behalf of all Senators, before the House for consideration.

**HCR 34** - CELEBRATING THE TENTH ANNIVERSARY OF THE SISTER STATE-PROVINCE AGREEMENT BETWEEN THE STATE OF DELAWARE AND THE PROVINCE OF TAIWAN.

WHEREAS, ten years ago, the State of Delaware and the Province of Taiwan developed a Sister State-Province Agreement; and

WHEREAS, in 1999, three members of the Delaware General Assembly, Representatives Joseph G. DiPinto, Roger R. Roy, and Robert F. Gilligan, initiated the establishment of a trade office in Taipei, Taiwan, and

WHEREAS, Taiwan continues to be one of the top ten markets worldwide for Delaware exports; and

WHEREAS, a continued relationship of trade and friendship will benefit the people of Taiwan and the people of Delaware; and

WHEREAS, the Sister State-Province relationship between Delaware and Taiwan has promoted, and will continue to promote, increased trade, tourism, and communications, as well as cultural, educational, professional, commercial and scientific exchanges between the two communities.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware, the Senate concurring therein, that its members recognize the important relationship and friendship between the State of Delaware and the Province of Taiwan.

BE IT FURTHER RESOLVED that the members of the House of Representatives, the Senate concurring therein, support and encourage maintaining the Sister State-Province relationship between the State of Delaware and the Province of Taiwan.

BE IT FURTHER RESOLVED that the relationship between the State of Delaware and the Province of Taiwan will continue to foster mutually beneficial exchanges and strengthen each community culturally, economically and intellectually.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution shall be presented to Mr. Jason C. Yuan, the Representative on behalf of the Taipei Economic & Cultural Representative Office in the United States, during the Taiwanese delegation’s visit to the State of Delaware on April 20, 2010.

Representative Schwartzkopf & Cathcart made comments.

**HCR 34** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf requested and was granted privilege of the floor for Mr. Jason Juan.
Mr. Speaker Gilligan introduced members of the Taiwan delegation.
Representative D.E. Williams, Mr. Speaker Gilligan & Representative Miro made comments.
Representative Schwartzkopf deferred to Representative Carson.
Representative Carson requested privilege of the floor for Representative Carey and himself to introduce Dr. Jan Sosnowski, Delaware Veterinary Medicine Association, Representative to the American Veterinary Medicine Association; Dr. Heather Hirst, State Veterinarian & Lynn Appel, Executive Director, Delaware Veterinary Medical Association and to present a House Tribute to Dr. Craig A. Stonesifer, President, Delaware Veterinary Medical Association, who addressed the House.

Representative Carey made comments.
Representative Schwartzkopf deferred to Representative Lee.
Representative Lee requested & was granted privilege of the floor to present a House Tribute to John Hollis, representing Sussex Child Health Promotion Coalition, who addressed the House.
Representatives George & B. Short requested that they be marked present.
Mr. Speaker Gilligan reassigned HB 340 to the Telecommunications, Internet & Technology Committee.

Representative Schwartzkopf deferred to Representative Keeley.


HCR 35 - ESTABLISHING APRIL 20, 2010 AS "EQUAL PAY DAY" IN THE STATE OF DELAWARE.

WHEREAS, more than forty years after the passage of the Equal Pay Act and Title VII of the Civil Rights Act, a gap in wages for women and minorities persists; and

WHEREAS, despite the fact that women make up half of the American workforce, women on average earn only 77% of men’s earnings; African American women earn 70% of men’s average earnings; Hispanic women earn 62%; Asian women, 87%; and

WHEREAS, even when experience, education and time in the workforce are factored in, a significant percentage of this differential can only be attributed to discrimination; and

WHEREAS, according to the U.S. Department of Labor Bureau of Labor Statistics, women earn less in every occupational classification for which data is available, including occupations traditionally dominated by women (e.g., registered nurses and teachers); and

WHEREAS, 73% of mothers are working and a majority of families in the United States rely on women’s wages to make ends meet; and

WHEREAS, over a working lifetime, this wage disparity costs the average American woman and her family $700,000 to $2 million in lost wages, also impacting social security benefits and pensions; and

WHEREAS, fair pay policies can be implemented simply and without undue cost or hardship in both the public and private sectors; and

WHEREAS, the U.S. Congress has taken up these concerns with the passage of the Lilly Ledbetter Act of 2009, which restores protection against pay discrimination, and the pending Paycheck Fairness Act, which would ensure effective remedies for wage discrimination and strengthen enforcement of equal pay laws; and

WHEREAS, Tuesday, April 20, 2010 symbolizes the day on which the wages paid to American women catch up to the wages paid to men from the previous year.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware, the Senate concurring therein, that Tuesday, April 20, 2010 is designated as Equal Pay Day in the State of Delaware.

HCR 35 was adopted by voice vote and was sent to the Senate for concurrence.

Representative Keeley made comments & introduced guests.

Representative Scott made an announcement.

The Majority Leader moved to recess for caucus at 2:41 p.m.

The House reconvened at 4:10 p.m.

Representative Schwartzkopf brought Consent Agenda A, which requires a two-thirds vote, before the House for concurrence on Senate Amendments.

HB 159 w/HA 1, HA 1 to HA 1, HA 2 & SA 1 & SA 2 - REPRESENTATIVE BOOTH & SENATOR HALL-LONG; REPRESENTATIVES CARSON, MITCHELL, CATHCART, D. SHORT, CAREY, Hocker, Lavelle, Outten, Wilson & SENATORS BUNTING, SIMPSON & SORENSON - An Act to Amend Title 29 of the Delaware Code Relating to Powers, Duties, and Functions of the Secretary of the Department of Health and Social Services. (2/3 bill)

HB 243 w/SA 1 & SA 2 - WALLS - An Act to Amend the Charter of the Town of Bowers, Chapter 279, Volume 53, Laws of Delaware as Amended to (1) Confer Upon the Tax Collector the Powers of the Kent County Receiver of Taxes for Purposes of Collecting Delinquent Taxes, and (2) Grant the Town the Specific Authority to Regulate the Use of Golf Carts. (2/3)

Representatives D.P. Williams & Plant requested that they be marked present.

The roll call on Consent Agenda A was taken and revealed:

YES: 40.

ABSENT: Representative Cathcart - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 159 w/HA 1, HA 1 to HA 1, HA 2 & SA 1 & 2 & HB 243 w/SA 1 & 2 were sent to the Governor.

Representatives Lavelle & Mulrooney requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought HB 296, jointly sponsored by Senator Henry & Representative Wilson & Senators Cloutier, Ennis & Bushweller, before the House for consideration.

HB 296 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO DECEDENTS' ESTATES.
Representative B. Short made comments.
The roll call on HB 296 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, HB 296 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative D. Short.
Representative D. Short brought HB 333, jointly sponsored by Representative Schwartzkopf & Senator Bunting & Representatives Carey, Hocker, Lee, Outten & Wilson, before the House for consideration.

HB 333 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE ENFORCEMENT OF AN ORDER TO CONNECT TO A SANITARY SEWER.
Representative D. Short made a comment. HB 333 was introduced and brought before the House for consideration. Representative D. Short made comments.
The roll call on HB 333 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, HB 333 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Brady.
Representative Brady brought SB 167, sponsored by Senator Henry & Representative Keeley & Representatives Barbieri, Jaques, Hocker & Manolakos, before the House for consideration.

SB 167 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM TAXATION FOR CERTAIN ORGANIZATIONS.
Representatives Brady & Lavelle made comments.
The roll call on SB 167 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, SB 167 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Hocker.
Representative Hocker brought SB 192, jointly sponsored by Senator Bunting, before the House for consideration.

SB 192 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF FENWICK RELATING TO TOWN COUNCIL VACANCIES AND FORFEITURES. (2/3 bill)
Representative Hocker made comments.
The roll call on SB 192 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 192 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Bennett.
Representative Bennett brought HB 294 w/SA 1, jointly sponsored by Representative Scott & Senator Bushweller & Representatives Blakey, Q. Johnson, Outten, Thornburg & Walls & Senator Simpson, before the House for concurrence on SA 1.

HB 294 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE KENT COUNTY COMPTROLLER, KENT COUNTY RECEIVER OF TAXES AND COUNTY TREASURER, AND GOVERNMENT OF KENT COUNTY.
Representative Bennett made comments.
The roll call on HB 294 w/SA 1 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, HB 294 w/SA 1 was sent to the Governor.
Representative Gilligan made an announcement.
Representative Schwartzkopf brought HB 330 w/SA 1, jointly sponsored by Senator Ennis & Representatives Bennett, Carson, Cathcart, Gilligan, Hocker, Hudson, Jaques, Q. Johnson, Longhurst, Mitchell, Outten, Viola, Walls & Wilson & Senators McBride & Bushweller, before the House for concurrence on SA 1.

HB 330 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO IMMUNITY FOR DONATIONS TO VOLUNTEER FIRE DEPARTMENTS.
Representative Schwartzkopf made comments.
The roll call on HB 330 w/SA 1 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, HB 330 w/SA 1 was sent to the Governor.
Representative Schwartzkopf deferred to Representative Jaques.
Representative Jaques introduced HB 370, jointly sponsored by Senator Katz.

HB 370 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE.
Mr. Speaker Gilligan assigned HB 370 to the Health & Human Development Committee. Representative Jaques made comments. Mr. Speaker Gilligan made an announcement. The Majority Leader moved to recess to the call of the Chair at 4:40 p.m. Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 21, 2010. The Reading Clerk read the following communications into the record: The Senate wishes to inform the House that it has passed HB 330 w/SA 1 and is returning the same to the House. The Senate wishes to inform the House that it has passed HCR 34 & HCR 35 and is returning the same to the House. The Majority Leader moved to adjourn at 2:01 p.m., thereby ending the current legislative day. The House reconvened at 2:02 p.m. 

20th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session

April 21, 2010

The Chief Clerk called the roll. Members Present: 34. Members Absent: Representatives Cathcart, Carey, Lavelle, Manolakos, Oberle, B. Short & D.E. Williams - 7. A prayer was offered by Representative Pamela J. Thornburg, Twenty-ninth Representative District. Mr. Speaker Gilligan led those present in the pledge of allegiance to the American flag. The minutes of the previous legislative day were approved as posted. The following prefiled legislation was introduced:


HB 372 - GEORGE & SENATOR BLEVINS; REPRESENTATIVES BENNETT, CARSON, HUDSON, KOVACH, LAVELLE; SENATOR SORENSON - JUDICIARY - An Act to Amend Chapter 18, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Liability Companies and the Registration and Regulation of Foreign Limited Liability Companies.

HB 373 - GEORGE & SENATOR BLEVINS; REPRESENTATIVES BENNETT, CARSON, HUDSON, JAQUES, KOVACH, LAVELLE - JUDICIARY - An Act to Amend Chapter 17, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Partnerships and the Registration and Regulation of Foreign Limited Partnerships.

HB 374 - GEORGE & SENATOR BLEVINS; REPRESENTATIVES BENNETT, CARSON, HUDSON, J. JOHNSON, KOVACH, LAVELLE - JUDICIARY - An Act to Amend Chapter 15, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Partnerships and the Registration and Regulation of Foreign Limited Liability Partnerships.

HB 375 - GEORGE & SENATOR BLEVINS; REPRESENTATIVES BENNETT, CARSON, HUDSON, KOVACH, LAVELLE; SENATOR SORENSON - JUDICIARY - An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law.

HA 1 to HB 350 - HOCKER - Placed with the Bill. Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley requested and was granted privilege of the floor for herself and Representatives Jaques and Kowalko to present a House Tribute to the Fifth & Eighth Grade State Champion Odyssey of the Mind Teams, Newark Charter School. Representative Schooley made an announcement. Representative Longhurst made comments. Students, Parent Coaches & the School Principal announced their names for the record. Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley introduced a guest. Representative Schwartzkopf deferred to Representative Carson. Representative Carson requested and was granted personal privilege of the floor to introduce guests. Representative Schwartzkopf brought the following prefiled Consent Calendar #13 before the House for consideration.


HR 41 - D. SHORT & REPRESENTATIVE B. SHORT & REPRESENTATIVE Q. JOHNSON & REPRESENTATIVE SCOTT & REPRESENTATIVE WALLS & REPRESENTATIVE BRIGGS KING &
REPRESENTATIVE HOCKER & REPRESENTATIVE KOVACH & REPRESENTATIVE LAVELLE & REPRESENTATIVE RAMONE & REPRESENTATIVE WILSON & REPRESENTATIVES CARSON, KEELEY & HUDSON - Requesting the Delaware Insurance Commissioner to Conduct Random Audits of Small Business Health Insurance Carriers in Delaware.

Consent Calendar #13 was adopted by voice vote and HR 39 & HR 41 were declared passed.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:14 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following Members were marked present by the Chief Clerk after the House recessed at 2:14 p.m.: Representatives Keeley, Mitchell & Walls.

Mr. Speaker Gilligan called the House to order at 2:02 p.m. on April 22, 2010.

Representatives B. Short, Lavelle, Carey, Manolakos & D.E. Williams requested that they be marked present for the current Legislative Day.

The Chief Clerk read the following committee reports into the record:

JUDICIARY: SB 197 - 5F, 2M; SB 217 - 6F, 2M.
PUBLIC SAFETY & HOMELAND SECURITY: SB 200 - 3F, 5M; SB 224 - 2F, 6M.
REVENUE & FINANCE: HB 334 - 6F, 1M.
HOUSING & COMMUNITY AFFAIRS: HB 352 - 6F.
EDUCATION: HB 345 - 7F, 3M; HB 347 - 6F, 4M; HB 350 - 8M.
LABOR: SB 222 - 1F, 5M.
NATURAL RESOURCES: HB 354 - 2F, 8M; HB 355 - 5M, 3U.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 212 w/SA 1, 2 & 3 and the Senate has passed SCR 29 and requests the concurrence of the House.

MEMORANDUM

TO: Representative Robert F. Gilligan
Speaker of the House
CC: Rich Puffer
Chief Clerk
FROM: Representative Darryl M. Scott
DATE: April 21, 2010
RE: Absence from session

I am unable to attend session tomorrow, April 22, 2010, as I have been called out of town on business.

The Majority Leader moved to adjourn at 2:05 p.m., thereby ending the current legislative day. The House reconvened at 2:06 p.m.

21st LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
April 22, 2010

The Chief Clerk called the roll.

Members Present: 40.

Members Absent: Representative Scott - 1.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.

Mr. Speaker Gilligan invited Steve Zimmerman, Patrick Cullington & Joseph Rogers to lead those present in the pledge of allegiance to the American flag.

The minutes of the previous legislative day were approved as posted.

The following prefilled legislation was introduced:


HA 1 to HB 321 - CATHCART - Placed with the Bill

HA 1 to HB 350 - BRIGGS KING - Placed with the Bill.

SB 212 w/SA 1, 2 & 3 - ENNIS & REPRESENTATIVE MITCHELL; SENATORS BUSHWELLER, HALL-LONG, CONNOR, MCBRIDE; REPRESENTATIVES IAQUES, CATHCART - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County.

Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley & Mr. Speaker Gilligan introduced guests. Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst introduced guests. Representative Schwartzkopf deferred to Representative Miro. Representative Miro introduced guests. Representative Schwartzkopf deferred to Representative Brady. Representative Brady requested and was granted privilege of the floor for Pam Sapko, Executive Director, Delaware Center for Horticulture. Representatives Mulrooney, Outten, Plant & Mitchell requested that they be marked present. Representative Schwartzkopf deferred to Representative Atkins. Representative Atkins requested and was granted personal privilege of the floor to introduce guests. Representative Kovach requested that he be marked present. Representative Schwartzkopf made comments. Representative Schwartzkopf deferred to Representative Blakey.

Representative Blakey made comments and requested and was granted privilege of the floor for Joyce Warrington, representing Organization of Adult Alumni and Students in Service. Representative Blakey made comments. Representative Schwartzkopf introduced and brought SCR 29, jointly sponsored by Senator Cloutier & Senator Connor & Representative Longhurst, before the House for consideration.

Representative Mulrooney requested that HB 162 be stricken.

Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst made comments. The House observed a moment of silence in memory of Christopher W. White, Executive Director, Community Legal Aid Society, at the request of Representative Longhurst. Representatives Kowalko & Schwartzkopf made comments.

The Majority Leader moved to recess for caucus at 2:27 p.m.

The House reconvened at 4:23 p.m. Representative D.P. Williams requested that he be marked present. Representative Cathcart requested that he be marked present. Representative Kowalko introduced and brought HCR 37, jointly sponsored by Representative Keeley & Representative Miro & Representative Plant on behalf of all Representatives & Senator Marshall on behalf of all Senators, before the House for consideration.

HCR 37 - MOURNING THE DEATHS OF THE PRESIDENT, FIRST LADY AND MANY OTHER LEADERS OF THE REPUBLIC OF POLAND WHO TRAGICALLY DIED IN A PLANE CRASH ON APRIL 10, 2010; REMEMBERING THE SACRIFICE OF THE APPROXIMATELY 22,000 POLISH CITIZENS EXECUTED IN 1940 BY THE SOVIET SECRET POLICE ON THIS 70TH ANNIVERSARY OF THE KATYN MASSACRE; AND OBSERVING APRIL AS A MONTH OF REMEMBRANCE TO HONOR THE MEMORY OF THE VICTIMS OF BOTH OF THESE TRAGIC EVENTS.

WHEREAS, on April 10, 2010, the President and First Lady of Poland, Lech and Maria Kaczynski, as well as many of Poland’s diplomatic, military and religious leaders tragically died when the plane on which they were passengers crashed in a forest in western Russia near the city of Smolensk; and...
WHEREAS, President Kaczynski was a distinguished statesman who, along with many of the others who died on April 10th, played a key role in the Solidarity movement and Poland’s inspiring democratic transformation; and

WHEREAS, the Solidarity movement ended communism in Poland without bloodshed, inspiring other nations under Soviet control to seek freedom and democracy and playing an important role in the fall of communism in Central and Eastern Europe; and

WHEREAS, the Polish leadership was traveling to Russia on April 10th to commemorate the 70th anniversary of the Katyn Massacre (also know as the Katyn Forest Massacre), the brutal mass execution of approximately 22,000 Polish military officers, doctors, professors, lawmakers and civil servants committed in April or May of 1940 by the Soviet Secret Police; and

WHEREAS, with responsibility for the Katyn Massacre finally being acknowledged by the Russian government, Poland and Russian have begun to build and re-establish relationships that have been strained since World War II; and

WHEREAS, the healing process between the two nations was to continue with the visit by President Kaczynski and other leaders of a strong, vibrant and free Poland to Katyn to commemorate the 70th anniversary of this unthinkable tragedy and ensure that such events never reoccur in civilized society; and

WHEREAS, the strength of Poland’s leaders and will of its great people will ensure that Poland emerges from the depths of this most recent tragedy, and the legacy of President Kaczynski and the leaders who died in Katyn in 1940 and on April 10, 2010, will continue to guide Poland in the direction of freedom and progress; and

WHEREAS, a deep bond of friendship exists between the people of the United States and the people of Poland and Poland is among the strongest allies and partners of the United States; and

WHEREAS, the General Assembly believes it is appropriate to observe the month of April as a time of remembrance to honor the memory of the victims of these tragic events and their efforts to seek peace and reconciliation.

NOW, THEREFORE:

BE IT RESOLVED that the House of Representatives of the 145th General Assembly of the State of Delaware, the Senate concurring therein, that the members hereby mourn the deaths of Poland’s President, First Lady and many diplomatic, military and religious leaders who died on April 10, 2010.

BE IT FURTHER RESOLVED that the General Assembly hereby remembers the sacrifice of the approximately 22,000 Polish citizens executed by the Soviet Secret Police in the 1940 Katyn Massacre.

BE IT FURTHER RESOLVED that the General Assembly hereby designate the month of April as a month of remembrance to honor the memory of all the Polish leaders who died in the Katyn Massacre and on April 10, 2010, and their efforts to seek peace and reconciliation.

BE IT FURTHER RESOLVED that, upon passage, a suitably prepared and duly authenticated copy of this resolution be sent Ambassador Kupiecki at the Embassy of the Republic of Poland in Washington, D.C.

Representative Kowalko made comments.

HCR 37 was adopted by voice vote and was sent to the Senate for concurrence.

Representative Keeley requested and was granted personal privilege of the floor to make comments. Mr. Speaker Gilligan appointed Representative D.P. Williams as Acting Speaker. Mr. Acting Speaker introduced a guest.

Representative Gilligan brought HB 349, jointly sponsored by Senator DeLuca, before the House for consideration.

HB 349 - AN ACT TO AMEND TITLES 9 AND 30 OF THE DELAWARE CODE RELATING TO WITHHOLDING OF TAX ON GAINS FROM REAL ESTATE.

Representatives Gilligan & Kovach made comments. Representative Gilligan requested and was granted privilege of the floor to make comments. Representative Kovach, Cathcart, Gilligan, Oberle, Kovach, Hudson & Gilligan made comments. Representative Hudson requested and was granted privilege of the floor for Patrick Carter, Director, Division of Revenue, Department of Finance. Representative Hudson requested and was granted privilege of the floor for Ron Smith, Minority House Attorney. Representative B. Short made comments.

The roll call on HB 349 was taken and revealed:

YES: 39.

ABSENT: Representatives Lavelle & Scott - 2.

Therefore, having received a constitutional majority, HB 349 was sent to the Senate for concurrence. Representative Schwartzkopf deferred to Representative Gilligan.

Representative Gilligan moved to suspend the rules which interfere with action on HR 40. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Gilligan brought HR 40, jointly sponsored by Representative Schwartzkopf & Representative Longhurst & Representative Cathcart & Representative D. Short, before the House for consideration.

HR 40 - RELATING TO PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES OF THE 145TH GENERAL ASSEMBLY OF THE STATE OF DELAWARE.
Representative Gilligan made comments.

HR 40 was adopted by voice vote.

Mr. Speaker Gilligan resumed the Chair.

Representative Schwartzkopf deferred to Representative Bennett.


SB 197 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES AGAINST THE PERSON.

Representatives Bennett & Oberle made comments. Representative Bennett requested and was granted privilege of the floor for Patricia Dailey Lewis, Deputy Attorney General, Director of the Family Division, Department of Justice. Representatives Oberle, D.P. Williams, Schwartzkopf, Kovach & Oberle made comments.

The roll call on SB 197 was taken and revealed:

YES: 38.

ABSENT: Representatives Lavelle, Manolakos & Scott - 3.

Therefore, having received a constitutional majority, SB 197 was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought SB 200, jointly sponsored by Senator Ennis & Senator Bushweller & Representatives Jaques, Thornburg, Walls, Carey, Carson & Wilson & Senator Booth, before the House for consideration.

SB 200 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO HEAVY VEHICLE REGISTRATION.

Representatives Mitchell & Walls made comments.

The roll call on SB 200 was taken and revealed:

YES: 38.

ABSENT: Representatives Lavelle, Manolakos & Scott - 3.

Therefore, having received a constitutional majority, SB 200 was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought SB 224, jointly sponsored by Senator DeLuca & Senators Ennis & Bushweller & Representatives Schwartzkopf, Lee & Carson, before the House for consideration.

SB 224 - AN ACT TO AMEND TITLE 20 RELATING TO THE DELAWARE STATE POLICE READY RESERVE.

Representative Mitchell made comments.

The roll call on SB 224 was taken and revealed:

YES: 38.

ABSENT: Representatives Lavelle, Manolakos & Scott - 3.

Therefore, having received a constitutional majority, SB 224 was returned to the Senate.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought HB 345, jointly sponsored by Senator Hall-Long & Representatives Bennett, Carson, Keeley, Mitchell, Schooley, Scott, Kowalko & D.E. Williams & Senators Blevins, Bushweller, Sokola & McDowell & cosponsored by Representatives Jaques, Kovach & Miro, before the House for consideration.

HB 345 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL CURRICULUM AND WORLD LANGUAGES.

Representative Q. Johnson made comments.

The roll call on HB 345 was taken and revealed:

YES: 37.

ABSENT: Representatives Lavelle, Manolakos, Plant & Scott - 4.

Therefore, having received a constitutional majority, HB 345 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Walls.

Representative Walls brought HB 352, jointly sponsored by Representative Brady & Senator Katz & Representatives D.P. Williams & Senators Hall-Long & Henry & cosponsored by Representative Wilson & Senators Ennis, Bonini, Booth & Simpson, before the House for consideration.

HB 352 - AN ACT TO AMEND TITLE 27 OF THE DELAWARE CODE RELATING TO RELIGIOUS CAMP MEETINGS.

Representative Walls made comments.

The roll call on HB 352 was taken and revealed:

YES: 37.

ABSENT: Representatives Lavelle, Manolakos, Plant & Scott - 4.

Therefore, having received a constitutional majority, HB 352 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.

**HB 378 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO ENERGY EFFICIENCY RESOURCE STANDARDS.**

Mr. Speaker Gilligan assigned HB 378 to the Energy Committee.

Representative Kowalko made an announcement.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 218 & SB 203** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **HB 314 w/HA 1 & SA 1 & HCR 37** and is returning the same to the House.

The Majority Leader moved to recess to the call of the Chair at 5:34 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on April 27, 2010.

The Majority Leader moved to adjourn at 2:02 p.m., thereby ending the current legislative day. The House reconvened at 2:03 p.m.

22nd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session  
April 27, 2010

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative D.P. Williams - 1.

A prayer was offered by Representative John C. Atkins, Forty-first Representative District.

Mr. Speaker Gilligan invited Major General Frank Vavala & Colonel Randal L. Bright, representing Delaware National Guard, to lead those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.

The following prefilled legislation was introduced:

**SB 203 - HENRY & REPRESENTATIVE D.P. WILLIAMS; REPRESENTATIVES PLANT, WILSON - CORRECTIONS - An Act to Name the Dining Hall at Baylor Women’s Correctional Institution in Honor of Hayward Roy Jr.**

**SB 218 - HENRY & REPRESENTATIVE CARSON; SENATORS BUSHWELLER, ENNIS; REPRESENTATIVES MITCHELL, BENNETT - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Court Costs for Civil Traffic Offenses.**

The Reading Clerk read the following communications into the record:

April 26, 2010

**LEGISLATIVE ADVISORY # 37**

Governor Jack A. Markell signed the following legislation on the date indicated: 4/14/10 - **HB 335**.

**Memorandum**

To: The Honorable Robert F. Gilligan  
Speaker of the House

From: Representative Dennis P. Williams

Date: April 27, 2010

RE: Absence from Legislative Session

I will be unable to attend Legislative Session today, due to personal reasons.

Thank you.

Representative Schwartzkopf deferred to Representative Barbieri.

Representative Barbieri introduced and brought **HCR 38** sponsored on behalf of all Representatives & by Senator Henry on behalf of all Senators, before the House for consideration.

**HCR 38 - DESIGNATING SATURDAY MAY 1, 2010, AS “BRAIN TUMOR AWARENESS DAY” IN THE STATE OF DELAWARE.**

WHEREAS, every day an estimated 482 people are diagnosed with a brain tumor, an average of 20 people every hour; and

WHEREAS, there are more than 120 different types of brain tumors, making accurate and efficient treatment difficult; and

WHEREAS, the cause of brain tumors are unknown; and

WHEREAS, some brain tumors cannot be detected by a blood test, making an MRI or CT Scan the only effective diagnostic tool; and

WHEREAS, brain tumors affect people of all ages, genders, ethnicities, fitness levels and socioeconomic status; and

WHEREAS, brain tumor symptoms may include seizures, chronic headaches, dizziness, nausea or impaired faculties, including problems with vision, taste, smell, hearing, touch, memory, cognitive skills and physical function and coordination; and

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WHEREAS, brain tumors are the second leading cause of cancer-related deaths in children under the age of 20; and
WHEREAS, in order to promote awareness of the causes, effects and treatments of brain tumors in Delaware, the General Assembly believes it appropriate to designate a “Brain Tumor Awareness Day” in the State of Delaware.

NOW, THEREFORE:
BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware, the Senate concurring therein, that Saturday May 1, 2010, is hereby designated as Brain Tumor Awareness Day in the State of Delaware.

BE IT FURTHER RESOLVED that the members of the General Assembly call on the Kelly Heinz-Grundner Brain Tumor Foundation, along with the Helen F. Graham Cancer Center, all state and local officials and other interested groups to observe Saturday, May 1, 2010, with appropriate activities that promote awareness and early detection of brain tumors in our communities

Representative Barbieri made comments. Representative Kovach requested that he be marked present and made comments. Representative Longhurst made comments and an announcement.

HCR 38 was adopted by voice vote and was sent to the Senate for concurrence.
Representative Brady requested that he be marked present.
Representative Barbieri requested and was granted privilege of the floor for himself & Representative Longhurst to present a House Tribute to Chris Grundner, Executive Director, The Kelly Heinz-Grundner Brain Tumor Foundation, who addressed the House.
Representative Schwartzkopf deferred to Representative Jaques.
Representative Jaques introduced and brought HCR 36 sponsored on behalf of all Representatives & by Senator Bunting on behalf of all Senators, before the House for consideration.
Representatives Keeley, Mitchell & Viola requested that they be marked present.

HCR 36 - SUPPORTING THE EMPLOYER SUPPORT OF THE GUARD AND Reserve (“ESGR”) STATEMENT OF SUPPORT PROGRAM AND ENCOURAGING ALL DELAWARE EMPLOYERS TO SIGN AN ESGR STATEMENT OF SUPPORT.

WHEREAS, approximately 1.1 million men and women serve in United States’ National Guard and Reserve units, representing almost half of our nation’s total military strength; and
WHEREAS, under current National Defense Strategy, Guard and Reserve units are full partners in a fully integrated Total Force, answering the nation’s call in missions ranging from the provision of humanitarian relief at home and abroad to engaging in conflict in Iraq and Afghanistan; and
WHEREAS, as of September, 30, 2009, almost 50% of Guard and Reserve service members have been mobilized in support of Operation of Enduring Freedom and Operation Iraqi Freedom; and
WHEREAS, unlike their Active Duty counterparts, Guard and Reserve service members must balance their commitments to the nation and obligations to their civilian employers; and
WHEREAS, Employer Support of the Guard and Reserve (“ESGR”) was created in 1972 as an organization within the Department of Defense to promote cooperation and understanding between Reserve members and their employers, and to assist in resolving conflicts which may arise from an employee’s military commitments; and
WHEREAS, the ESGR Statement of Support program asks employers to recognize the critical role of the Reserve Components in our nation’s defense by executing a pledge to honor and enforce the Uniformed Services Employment and Re-Employment Rights Act (USERRA) by: (1) neither denying employment nor limiting or reducing job opportunities because of service in the Reserve Components; (2) granting leaves of absence for military duty and training; and (3) ensuring that all employees are aware of these policies; and
WHEREAS, continuous support of our National Guard and Reserve through the ESGR Statement of Support Program allows service members to focus on their military duties without having to worry about their civilian jobs back home; and
WHEREAS, in 2009 approximately 55,000 employers nationwide executed ESGR Statements of Support; and
WHEREAS, on December 17, 2009, Governor Markell executed an ESGR Statement of Support, pledging the State of Delaware’s support for our National Guard and Reserve members and joining the ever growing list of Delaware employers who have done the same; and
WHEREAS, the General Assembly believes it is appropriate to recognize and express its support for the ESGR Statement of Support program, and to encourage all Delaware employers to execute and ESGR Statement of Support.

NOW, THEREFORE:
BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware, the Senate concurring therein, that the members hereby express their support for the ESGR Statement of Support Program.

BE IT FURTHER RESOLVED that the members of 145th General Assembly of the State of Delaware hereby encourage all Delaware employers to pledge their support for Delaware’s National Guard and Reserve service members by executing an ESGR Statement of Support.
BE IT FURTHER RESOLVED that, in order to assist Delaware employers in executing ESGR Statements of Support, the Department of Labor is requested to place a link on its webpage to ESGR’s online statement of support form. (http://esgr.org/newforms.asp?p=sos).

HCR 36 was adopted by voice vote and was sent to the Senate for concurrence.

Representative Jaques requested and was granted privilege of the floor for himself & Major General Frank Vavala, Adjutant General, Delaware National Guard; Colonel Randal L. Bright, Commander, 512th Airlift Wing & Eugene A. Hebert, Chair Emeritus, Delaware Committee for Employer Support of the National Guard and Reserve. Major General Vavala, Colonel Bright & Mr. Hebert addressed the House.

Representative Cathcart requested that he be marked present.
Mr. Speaker Gilligan introduced a guest.
Representative B. Short requested that he be marked present.
Mr. Speaker Gilligan reassigned HB 364 to the Labor Committee.
Representative Schwartzkopf made an announcement.
The Majority Leader moved to recess for caucus at 2:33 p.m.
The House reconvened at 3:48 p.m.
Representative Plant requested that she be marked present.

SB 222 - AN ACT TO AMEND TITLE 23 OF THE DELAWARE CODE RELATING TO PILOTAGE RATES.

Representative Schwartzkopf made comments.
The roll call on SB 222 was taken and revealed:
YES: 39.
ABSENT: Representatives Cathcart & D.P. Williams - 2.
Therefore, having received a constitutional majority, SB 222 was returned to the Senate.
Representatives Lavelle, Miro & Mulrooney requested that they be marked present during the roll call.
Representative Schwartzkopf deferred to Representative B. Short.
Representative B. Short made comments.
Representative B. Short brought HB 314 w/SA 1, jointly sponsored by Senator Blevins & Representative Bennett & Senators Henry & Sokola & cosponsored by Senators Cloutier & Ennis, before the House for concurrence on SA 1.

HB 314 - AN ACT TO AMEND TITLE 18 RELATING TO CAPTIVE INSURANCE COMPANIES.

Representative B. Short made comments.
The roll call on HB 314 w/SA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Cathcart & D.P. Williams - 2.
Therefore, having received a constitutional majority, HB 314 w/SA 1 was sent to the Governor.
Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri brought HB 347, jointly sponsored by Representative Scott & Senator Sokola & Representatives Brady, J. Johnson, Keeley, Kowalko & Viola & Senators Ennis, Marshall & Venables, before the House for consideration.

HB 347 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE MANDATORY REPORTING OF SCHOOL CRIMES.

Representative Barbieri introduced and brought HA 1 to HB 347 before the House for consideration. Representative Barbieri made comments. HA 1 was adopted by voice vote. Representatives Barbieri & Lavelle made comments. Representative Barbieri requested and was granted privilege of the floor for Robin Case, Education Associate in the area of School Discipline & Climate, Department of Education. Representatives Lavelle, B. Short, Kovach, Barbieri, Kovach, Lavelle, Thornburg & Barbieri made comments. Representative Barbieri requested and was granted privilege of the floor for James Nutter, Majority House Attorney. Representatives Oberle, Kovach, B. Short, Lavelle, Manolakos & Barbieri made comments. Representative Manolakos requested and was granted privilege of the floor for Robin Case, Education Associate in the area of School Discipline & Climate, Department of Education. Representatives Manolakos, Mitchell, Blakey, Barbieri, Blakey, Miro, Scott, Manolakos, Kovach, Schwartzkopf, J. Johnson, Lavelle, Barbieri, Miro, Kovach, Barbieri & Manolakos made comments.
The roll call on HB 347 w/HA 1 was taken and revealed:
YES: 22.
NOT VOTING: Representatives Carey, Cathcart, Manolakos, Miro, Mitchell, Oberle, Ramone & D. Short - 8.

ABSENT: Representatives Atkins & D.P. Williams - 2.

Therefore, having received a constitutional majority, HB 347 w/HA 1 was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 5:30 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on April 28, 2010.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 209 w/SA 1, SB 214, SB 216, SB 220, SB 240 & SCR 31 and requests the concurrence of the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Nick Manolakos, do hereby request that my name be removed as co-sponsor of HB 347.

Date: 4/27/10

Signed: Nick Manolakos

The Majority Leader moved to adjourn at 2:01 p.m., thereby ending the current legislative day. The House reconvened at 2:02 p.m.

23rd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session

April 28, 2010

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Viola & D.E. Williams - 2.

The House observed a moment of silence in memory of Harold Stransky, uncle of Representative D. Short, at the request of Representative B. Short.

A prayer was offered by Representative Bryon H. Short, Seventh Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

HB 379 - SCHOOLEY & SENATOR SOKOLA; REPRESENTATIVES CAREY, JAQUES, MANOLAKOS, MIRO, MITCHELL, OUTFEN, VIOLA; SENATOR VENABLES - EDUCATION - An Act to Amend Title 14 and Title 21 of the Delaware Code Relating to School Buses.


HA 2 to HB 321 - CATHCART - Placed with the Bill.

HA 1 to HB 370 - JAQUES - Placed with the Bill.

HA 1 to HB 375 - GEORGE - Placed with the Bill.


SB 220 - SIMPSON & REPRESENTATIVE D.P. WILLIAMS; SENATORS BLEVINS, BOOTH; REPRESENTATIVES KOWALKO, BENNETT - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Execution of a Chattel Judgment.

SB 240 - SIMPSON & REPRESENTATIVE KEELEY; SENATOR PETERSON - AGRICULTURE - An Ac to Amend Title 7 of the Delaware Code Relating to Dangerous and Potentially Dangerous Dogs. (2/3 bill)

Representative Schwartzkopf brought the following prefiled Consent Calendar #14 before the House for consideration.

HCR 39 - SCHOOLEY ON BEHALF OF ALL REPRESENTATIVES & SENATOR SOKOLA ON BEHALF OF ALL SENATORS - Thanking the Parent Teacher Association (the “PTA”) for Its 113 Years of Service and Dedication to Our Children, Our Schools and Our Communities.

Consent Calendar #14 was adopted by voice vote and HCR 39 was sent to the Senate for concurrence and SCR 31 was returned to the Senate.

Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley introduced guests. Representative Kowalko requested and was granted personal privilege of the floor to make comments and to introduce a guest. Representatives D.P. Williams & Kovach requested that they be marked present. Representatives Kovach, Scott & Manolakos made comments regarding HCR 39.

Representative Schwartzkopf deferred to Representative George. Representative George requested and was granted privilege of the floor for herself and Representative Brady to present a House Tribute to Ann Wick, Former Chairwoman, Delaware Early Childhood Council, who addressed the House. Representatives Brady & Schooley made comments. Representative Schwartzkopf deferred to Representative Thornburg. Representative Thornburg introduced guests and requested and was granted privilege of the floor for Emily Passwaters, State 4-H Teen Council President. Representatives Outten, Walls, Manolakos & Wilson made comments. Representatives Atkins, Keeley & Carey requested that they be marked present.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:27 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following Members were marked present by the Chief Clerk after the House recessed at 2:27 p.m.: Representatives Oberle, Lavelle & Mulrooney.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on April 29, 2010. The Chief Clerk read the following committee reports into the record:

JUDICIARY: HB 365 - 5F,1M; HB 372 - 3F,3M; HB 373 - 3F,3M; HB 374 - 5F,3M; HB 375 - 3F,3M.

PUBLIC SAFETY & HOMELAND SECURITY: HB 368 - 6F, 2M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE:

HB 256 - 8F, 1M; HB 343 - 8F, 1M; HB 371 - 9F; HB 380 - 6F; SB 157 w/SA 1 - 9F.

HOUSE ADMINISTRATION: HB 359 - 1F, 4M; HB 360 - 1F, 4M; HB 362 - 5M.

TELECOMMUNICATION INTERNET & TECHNOLOGY: HB 340 - 2F, 2M.

Representative D.E. Williams requested that he be marked present for the current Legislative Day. The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed HS 1 for HB 247, HB 308 & HB 341 and is returning the same to the House.

April 28, 2010

LEGISLATIVE ADVISORY #38

Governor Jack A. Markell signed the following legislation on the date indicated: 4/27/10 - SB 167, SB 200, SB 224, HB 159 aab HA 1 aab HA 1 to HA 1, HA 2, SA 1 & SA 2; HB 294 aab SA 1 & HB 330 aab SA 1.

The Majority Leader moved to adjourn at 2:03 p.m., thereby ending the current legislative day. The House reconvened at 2:04 p.m.

24th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
April 29, 2010

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Schooley - 1.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

HB 382 - CARSON & SENATOR PETERSON; REPRESENTATIVES BARBIERI, BENNETT, BRADY, KOWALKO, MITCHELL, PLANT, SCOTT, VIOLA, BLAKEY, JAQUES, WALLS; SENATORS BLEVINS, BUSHWELLER, COOK, ENNIS, HALL-LONG, HENRY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Controlled Substances.


HA 1 to HB 320 - CATHCART - Placed with the Bill.
HA 1 to HB 343 - BRADY - Placed with the Bill.
The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: Rep. Robert F. Gilligan
Speaker of the House

CC: Richard L. Puffer

FROM: Rep. Teresa Schooley

DATE: April 29, 2010

RE: Absence from session

I will be unable to attend today’s session due to family obligations.

Representative Atkins requested that he be marked present. Representative Schwartzkopf deferred to Representative Lavelle. Representative Lavelle requested and was granted privilege of the floor to present a House Tribute to Edward Capodanno, who addressed the House. Representative George & Mr. Speaker Gilligan made comments. Representatives Lee & Carson requested and were granted personal privilege of the floor to introduce guests. Mr. Speaker Gilligan introduced guests. Representative Viola introduced HA 1 to HB 334. HA 1 was placed with the bill. Representative B. Short introduced a guest. Mr. Speaker Gilligan assigned HB 343 to the Appropriations Committee. Representatives Schwartzkopf & Atkins made comments.

The Majority Leader moved to recess for caucus at 2:19 p.m.

The House reconvened at 4:10 p.m.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought HB 354, jointly sponsored by Senator Ennis & Representatives Bennett, Brady, Mulrooney, Jaques, Scott, Viola & D.E. Williams, before the House for consideration.

HB 354 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DESIGNATION OF A STATE WILDLIFE ANIMAL.

Representatives Kovach, Miro, Scott & Thornburg requested that they be marked present.

Representative Kovach introduced and brought HB 354 before the House for consideration. Representatives Kovach, Kowalko & Schwartzkopf made comments. HA 1 was defeated by voice vote. Representatives Kovach & Blakey made comments.

The roll call on HB 354 was taken and revealed:

YES: 37. 
NO: Representative Kovach - 1.
ABSENT: Representatives Lavelle, Plant & Schooley - 3.
Therefore, having received a constitutional majority, HB 354 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins brought HB 340, jointly sponsored by Senator Venables & Representatives Bennett, Carson, Q. Johnson, Schooley, Walls & Wilson & cosponsored by Representatives Jaques, Kovachko, Mitchell, Schwartzkopf & Scott, before the House for consideration.

HB 340 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LIBRARIES.

Representatives Atkins & Scott made comments.

The roll call on HB 340 was taken and revealed:

YES: 39.
NO: Representatives Plant, Schooley - 2.
ABSENT: Therefore, having received a constitutional majority, HB 340 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short brought HB 359, jointly sponsored by Senator Venables, before the House for consideration.

HB 359 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF BLADES RELATING TO ELECTIONS. (2/3 bill)

Representative D. Short made comments.

The roll call on HB 359 was taken and revealed:

YES: 39.
NO: Representatives Plant & Schooley - 2.
ABSENT: Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 359 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought HB 362, jointly sponsored by Senator Ennis, before the House for consideration.

HB 362 - AN ACT TO AMEND THE LAWS OF DELAWARE VOLUME 66, AS AMENDED, PERTAINING TO THE CHARTER OF THE TOWN OF CLAYTON. (2/3 bill)
Representative Q. Johnson made comments.
The roll call on HB 362 was taken and revealed:
YES: 39.
ABSENT: Representatives Plant & Schooley - 2.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 362 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative George.

Representative George brought HB 372, jointly sponsored by Senator Blevins & Representatives Bennett, Carson, Hudson, Kovach & Lavelle & Senator Sorenson, before the House for consideration.

HB 372 - AN ACT TO AMEND CHAPTER 18, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED LIABILITY COMPANIES AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY COMPANIES.

Representative George made comments. Representative George requested and was granted privilege of the floor for Michael Migliore, Majority House Attorney. Mr. Speaker Gilligan made a comment.
The roll call on HB 372 was taken and revealed:
YES: 38.
NOT VOTING: Representative Oberle - 1.
ABSENT: Representatives Plant & Schooley - 2.
Therefore, having received a constitutional majority, HB 372 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative George.

Representative George brought HB 373, jointly sponsored by Senator Blevins & Representatives Bennett, Carson, Hudson, Jaques, Kovach & Lavelle, before the House for consideration.

HB 373 - AN ACT TO AMEND CHAPTER 17, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS.

Representative George made comments. Representative George requested and was granted privilege of the floor for Michael Migliore, Majority House Attorney. Mr. Speaker Gilligan made a comment.
The roll call on HB 373 was taken and revealed:
YES: 38.
NOT VOTING: Representative Oberle - 1.
ABSENT: Representatives Plant & Schooley - 2.
Therefore, having received a constitutional majority, HB 373 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative George.

Representative George brought HB 374, jointly sponsored by Senator Blevins & Representatives Bennett, Carson, Hudson, Kovach & Lavelle & cosponsored by Representative J. Johnson, before the House for consideration.

HB 374 - AN ACT TO AMEND CHAPTER 15, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY PARTNERSHIPS.

Representative George made comments. Representative George requested and was granted privilege of the floor for Michael Migliore, Majority House Attorney. Mr. Speaker Gilligan made a comment.
The roll call on HB 374 was taken and revealed:
YES: 39.
ABSENT: Representatives Plant & Schooley - 2.
Therefore, having received a constitutional majority, HB 374 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative George.

Representative George brought HB 375, jointly sponsored by Senator Blevins & Representatives Bennett, Carson, Hudson, Kovach & Lavelle & Senator Sorenson, before the House for consideration.

HB 375 - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (2/3 bill)

Representative George made comments. Representative George brought HA 1 to HB 375 before the House for consideration. Representative George made a comment. HA 1 was adopted by voice vote. Mr. Speaker Gilligan announced that HB 375 requires a two-thirds vote.
The roll call on HB 375 w/HA 1 was taken and revealed:
YES: 38.
NOT VOTING: Representative Oberle - 1.
ABSENT: Representatives Plant & Schooley - 2.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 375 w/HA 1 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Cathcart.

**HB 321 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO TITLES AND CONVEYANCES.**

Representative Cathcart requested that HA 1 to HB 321 be stricken. Representative Cathcart made comments. Representative Cathcart brought HA 2 to HB 321 before the House for consideration. HA 2 was adopted by voice vote. Representative Cathcart made comments.

The roll call on HB 321 w/HA 2 was taken and revealed:

YES: 38,

ABSENT: Representatives Miro, Plant & Schooley - 3.

Therefore, having received a constitutional majority, HB 321 w/HA 2 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Cathcart.

Representative Cathcart brought HB 320, jointly sponsored by Senator Ennis & Representatives Carson, Jaques, Q. Johnson, Mitchell, D. Short, Carey & Oberle & Senator Hall-Long & cosponsored by Representative Kovach, before the House for consideration.

**HB 320 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO TITLES AND CONVEYANCES.**

Representative Cathcart brought HA 1 to HB 320 before the House for consideration. Representative Cathcart made comments. Representative Cathcart introduced and brought HA 2 to HB 320 before the House for consideration. Representative Cathcart made comments.

HA 2 was adopted by voice vote. Representative Cathcart made comments.

The roll call on HB 320 w/HA 1 & 2 was taken and revealed:

YES: 39,

ABSENT: Representatives Plant & Schooley - 2.

Therefore, having received a constitutional majority, HB 320 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Q. Johnson.


**HB 386 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL BOARDS.**

Mr. Speaker Gilligan assigned HB 386 to the Education Committee.


**HB 387 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION.**

Mr. Speaker Gilligan assigned HB 387 to the Education Committee.

Representative Scott made an announcement.

Representative Schwartzkopf deferred to Representative Keeley.


**HB 384 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT.**

Mr. Speaker Gilligan assigned HB 384 to the House Administration Committee.

Representative Schwartzkopf deferred to Representative Mulrooney.

Representatives Mulrooney & Kowalko made announcements.

The Majority Leader moved to recess to the call of the Chair at 5:04 p.m.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on May 4, 2010.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 234 w/SA 1 & SA 3, SB 198 & SB 193 and requests the concurrence of the House and the Senate has passed HB 328 w/HA 1, HCR 36, HCR 38 & HCR 39 and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker introduced HB 393, jointly sponsored by Senator Bunting.

**HB 393 - AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH TO GRANT THE TOWN OF**
DEWEY BEACH THE AUTHORITY TO CHANGE THE DATE OF ANNUAL MUNICIPAL ELECTIONS TO PREVENT CONFLICT WITH JEWISH HOLY DAYS. (2/3 bill)

Mr. Speaker Gilligan assigned HB 393 to the House Administration Committee.
Representative Schwartzkopf made an announcement.
Representative Hocker introduced HB 394, jointly sponsored by Senator Bunting.

HB 394 - AN ACT TO AMEND VOLUME 65, CHAPTER 295, LAWS OF DELAWARE, ENTITLED CHARTER OF THE TOWN OF BETHANY BEACH, REGARDING PENALTIES FOR VIOLATIONS OF TOWN ORDINANCES, TO INCREASE THE MAXIMUM FINANCIAL PENALTY THAT MAY BE IMPOSED TO ELIMINATE IMPRISONMENT AS A POTENTIAL SANCTION, AND TO AUTHORIZE THE TOWN TO IMPOSE CIVIL PENALTIES AS WELL AS CRIMINAL PENALTIES. (2/3 bill)

Mr. Speaker Gilligan assigned HB 394 to the House Administration Committee.
Representative Hocker introduced HB 394, jointly sponsored by Senator Bunting.

HB 395 - AN ACT TO AMEND VOLUME 65, CHAPTER 295, LAWS OF DELAWARE, AN ACT TO REINCORPORATE THE TOWN OF BETHANY BEACH REGARDING THE REFERENDUM POWER, AND TO ALLOW NATURAL PERSONS HOLDING TITLE TO REAL ESTATE AS TRUSTEE, TO VOTE IN MUNICIPAL ELECTIONS; AND PLACING A LIMIT ON THE TOTAL NUMBER OF PERSONS WHO MAY QUALIFY TO VOTE AS A "NONRESIDENT PROPERTY OWNER" TO A MAXIMUM OF EIGHT PERSONS PER PROPERTY. (2/3 bill)

Mr. Speaker Gilligan assigned HB 395 to the House Administration Committee.
The Majority Leader moved to adjourn at 2:06 p.m., thereby ending the current legislative day. The House reconvened at 2:07 p.m.

25th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
May 4, 2010

The Chief Clerk called the roll.
Members Present: 40.
Member Absent: Representatives Hudson 1.
A prayer was offered by Representative Darryl M. Scott, Thirty-first Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following prefiled legislation was introduced:


HA 1 to HB 235 - CARSON - Placed with the Bill.

HA 2 to HB 326 - SCHWARTZKOPF - Placed with the Bill.


SB 234 - MCBRIDE & REPRESENTATIVE MULROONEY; SENATORS BLEVINS, BUNTING, CLOUTIER, KATZ, MCDOWELL, SIMPSON, PETERSON, BUSHWELLER, SORENSON; REPRESENTATIVES KEELEY, KOVACH, KOWALKO, RAMONE, SCHOOLEY, VIOLA, D.P. WILLIAMS, JAQUES, D.E. WILLIAMS - NATURAL RESOURCES - An Act to Amend Titles 7 and 30 of the Delaware Code Relating to Recycling and Beverage Containers.

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Representative Mulrooney requested that he be marked present. Representative Schwartzkopf deferred to Representative Scott. Representative Scott requested and was granted privilege of the floor for Dr. Susanna Lee, President, Jobs for Delaware Graduates and Dayanna Chapnell, State Vice President & Courtney Everett, State Treasurer. Representative Scott made comments. Representatives Kovach, Cathcart, Wilson & Manolakos requested that they be marked present. Representative Miro made comments.

Representative Schwartzkopf deferred to Representative B. Short. Representative B. Short introduced guests. Representative B. Short requested and was granted privilege of the floor for Palash Gupta, Vice President, Delaware Asian American Business Association.

The Reading Clerk read the following communications into the record:

May 4, 2010

The Honorable Robert F. Gilligan
Speaker of the House
Legislative Hall
Dover, DE 19901

Dear Speaker Gilligan:

Please be advised that it is necessary for me to be absent from Legislative Session today, Tuesday, May 4, 2010, because of personal family business.

Thank you for your understanding.

Sincerely,

Deborah D. Hudson
State Representative
12th District

Reminder

TO: Richard L. Puffer, Chief Clerk of the House
Bernard Brady, Secretary of the Senate

FROM: Deborah A. Porter
Acting Director, Legislative Council, Division of Research, Legislative Hall

DATE: May 4, 2010

RE: POLICEMEN’S MEMORIAL - APPROVAL HAS BEEN GRANTED TO USE THE WEST SIDE OF LEGISLATIVE HALL PARKING SPACES.

Please make an announcement on the floor reminding everyone that Legislative Avenue will be closed and parking on the west side of Legislative Hall will be interrupted for the annual Policemen’s Memorial scheduled for Wednesday, May 5, 2010 at 12:00 until approximately 1:30 PM. To prepare for the event the streets will be closed from 10:00 a.m. to 2:00 p.m.

This event has been approved by both the Chair and Co Chair of Legislative Council.

Mr. Speaker Gilligan & Representative Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst introduced HB 391, jointly sponsored by Senator Ennis.

HB 391 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES.

Mr. Speaker Gilligan assigned HB 391 to the Manufactured Housing Committee.

Representatives Longhurst & Schwartzkopf made announcements.

Representative Mitchell, Mr. Speaker Gilligan & Representative Schwartzkopf made comments.

The Majority Leader moved to recess for caucus at 2:32 p.m.

The House reconvened at 3:41 p.m.

Representatives Thornburg & D.P. Williams requested that they be marked present.

Representative Schwartzkopf deferred to Representative Bennett.


HB 380 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO ECONOMIC DEVELOPMENT INCENTIVES. (F/N)

Representatives Bennett & Miro made comments.

Mr. Speaker Gilligan granted privilege of the floor to Russell T. Larson, Controller General. Representatives Kovach, Hocker & Bennett made comments. Representative Bennett requested and was granted privilege of the floor for Alan Levin, Director, Delaware Economic Development Office.

Representatives Kovach, Ramone & Bennett made comments.

The roll call on HB 380 was taken and revealed:

YES: 40.

ABSENT: Representative Hudson - 1.

Therefore, having received a constitutional majority, HB 380 was sent to the Senate for concurrence.
Representative Oberle requested that he be marked present during the roll call. Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell brought SB 217, jointly sponsored by Senator Blevins & Senator Ennis & Representative J. Johnson, before the House for consideration.

SB 217 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE TIMING OF AN INITIAL HEARING BEFORE A JUDGE OF A PERSON WHO IS TEMPORARILY INCAPACITATED.

Representative Mitchell introduced and brought HA 1 to SB 217 before the House for consideration. Representatives Mitchell & Cathcart made comments. HA 1 was adopted by voice vote. Representative Mitchell made comments.

The roll call on SB 217 w/HA 1 was taken and revealed:

YES: 40.
ABSENT: Representative Hudson - 1.

Therefore, having received a constitutional majority, SB 217 w/HA 1 was returned to the Senate for concurrence on HA 1.

Representative Schwartzkopf brought HB 326, jointly sponsored by Representative Atkins & Representative Keeley & Senator Bunting & Senator Blevins & Senator Peterson & Senator Connor & cosponsored by Representative Ramone & Senator McDowell, before the House for consideration.

HB 326 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTHCARE MEDICAL NEGLIGENCE INSURANCE AND LITIGATION.

Representative Lavelle brought HA 1 to HB 326 before the House for consideration. Representatives Lavelle, Kovach, Oberle, Schwartzkopf & Lavelle made comments. The roll call on HA 1 to HB 326 was taken and revealed:

NO: 22.
NOT VOTING: Representatives D. Short & Wilson - 2.
ABSENT: Representative Hudson - 1.

Therefore, not having received a constitutional majority, HA 1 to HB 326 was declared defeated. Representative Schwartzkopf brought HB 326 to HB 326 before the House for consideration. Representative Schwartzkopf made comments. HB 326 was adopted by voice vote. Representatives Schwartzkopf, Cathcart, Kovach, Lavelle, D.P. Williams, Schwartzkopf, Lavelle, D. Short & Briggs King made comments. Representative Schwartzkopf requested and was granted privilege of the floor for James Nutter, Majority House Attorney. Representatives Briggs King, Lavelle, Oberle, Cathcart, Kovach, Oberle, Schwartzkopf, Oberle, Cathcart & Schwartzkopf made comments. Representative Cathcart requested and was granted privilege of the floor for James Nutter, Majority House Attorney. Representatives Cathcart, Lavelle & Kovach made comments.

The roll call on HB 326 w/HA 2 was taken and revealed:

YES: 36.
NO: Representatives Kovach & Lavelle - 2.
NOT VOTING: Representatives D. Short & Wilson - 2.
ABSENT: Representative Hudson - 1.

Therefore, having received a constitutional majority, HB 326 w/HA 2 was sent to the Senate for concurrence.


HB 378 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO ENERGY EFFICIENCY RESOURCE STANDARDS.

Representative Kowalko introduced and brought HA 1 to HB 378 before the House for consideration.

Representative Kowalko made comments. HA 1 was adopted by voice vote. Representatives Kowalko & Lavelle made comments.

The roll call on HB 378 w/HA 1 was taken and revealed:

YES: 39.
ABSENT: Representatives Hudson & Plant - 2.

Therefore, having received a constitutional majority, HB 378 w/HA 1 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative George. Representatives George, Viola, Kowalko, Barbieri & Mulrooney made announcements. Representative Scott requested and was granted personal privilege of the floor to introduce a guest.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed **SB 213** and requests the concurrence of the House and the Senate has passed **HB 312 w/HA 1 & HB 351 w/SA 1** and is returning the same to the House.

The Majority Leader moved to recess to the call of the Chair at 5:06 p.m.
Mr. Speaker Gilligan called the House to order at 2:01 p.m. on May 5, 2010.

The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed **HB 105 w/HA 2 & SA 2** and is returning the same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST
I, David Wilson, do hereby request that my name be removed as co-sponsor of **HB 376**.
Date: 5/4/10
Signed: Dave Wilson

The Majority Leader moved to adjourn at 2:02 p.m., thereby ending the current legislative day. The House reconvened at 2:03 p.m.

26th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
May 5, 2010

The Chief Clerk called the roll.
Members Present: 33.

A prayer was offered by Representative Earl G. Jaques, Jr., Twenty-seventh Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The following prefiled legislation was introduced:
**HA 1 to HB 391** - LONGHURST - Placed with the Bill

The Reading Clerk read the following communications into the record:

May 5, 2010

The Honorable Robert F. Gilligan
Speaker of the House
Legislative Hall
Dover, DE 19901

Dear Speaker Gilligan:
Please be advised that it is necessary for me to be absent from Legislative Session today, Wednesday, May 5, 2010 due to family reasons.
Thank you for your understanding.

Sincerely,
Gregory F. Lavelle
State Representative
11th District
May 5, 2010

The Honorable Robert F. Gilligan
Speaker of the House
Legislative Hall
Dover, DE 19901

Dear Speaker Gilligan:
Please be advised that it is necessary for me to be absent from Legislative Session on Wednesday, May 5, 2010 and Thursday, May 6, 2010. I will be attending the National Association of Secondary School Principals’ National Board Meeting representing Delaware. I will also be meeting with the Delaware Congressional Delegation to discuss funding for the Educational and Secondary Education Act (ESEA).
Thank you.

Sincerely,
Nick T. Manolakos
State Representative
20th District
May 5, 2010

Representatives Miro & Hocker requested that they be marked present.
Representative Schwartzkopf deferred to Representative Schooley.
Representative Schooley requested and was granted personal privilege of the floor to introduce guests. Representatives Viola & Longhurst requested that they be marked present. Representative Miro made comments.

Representative Schwartzkopf brought Consent Calendar #15 before the House for consideration HR 42 - SCHOOLEY ON BEHALF OF ALL REPRESENTATIVES - Honoring the Longstanding Partnership in Public Service Between the University of Delaware and the State of Delaware.

HR 43 - SCHOOLEY ON BEHALF OF ALL REPRESENTATIVES - Honoring the Longstanding Partnership in Public Service Between Delaware State University and the State of Delaware.

HR 44 - SCHOOLEY ON BEHALF OF ALL REPRESENTATIVES - Honoring the Longstanding Partnership in Public Service Between Delaware Technical & Community College and the State of Delaware.

HCR 40 - CARSON & REPRESENTATIVE WALLS ON BEHALF OF ALL REPRESENTATIVES & SENATOR ENNIS & SENATOR HALL-LONG ON BEHALF OF ALL SENATORS - Designating the Month of May 2010 as "Older Americans Month".

HCR 41 - SCHOOLEY ON BEHALF OF ALL REPRESENTATIVES & SENATOR SOKOLA ON BEHALF OF ALL SENATORS - Commending the Students Selected as Secretary of Education Scholars of 2010.

Consent Calendar #15 was adopted by voice vote and HR 42, HR 43 & HR 44 were declared passed and HCR 40 & HCR 41 were sent to the Senate for concurrence.

Representative Schooley made comments regarding HR 42, HR 43 & HR 44. Representative Atkins requested that he be marked present. Representative J. Johnson made comments.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:13 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following members were marked present by the Chief Clerk after the House recessed at 2:13 p.m.: Representatives Kowalko, Thornburg, Scott, Mulrooney, Q. Johnson & Cathcart.

Mr. Speaker Gilligan called the House to order at 2:03 p.m. on May 6, 2010. Representatives Kovach, D.E. Williams & Carson requested that they be marked present for the current Legislative Day.

The Chief Clerk read the following committee reports into the record:

JUDICIARY: SB 220 - 4F, 2M.

MANUFACTURED HOUSING: HB 391 - 3M; HB 392 - 3M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE:

SB 209 w/SA 1 - 4F, 3M; SB 216 - 4F, 3M.

EDUCATION: HB 379 - 9M; HB 386 - 9M; HB 387 - 10M.

CORRECTIONS: SB 203 - 1F, 5M.

NATURAL RESOURCES: SB 234 w/SA 1 & 3 - 2F, 5M.

PUBLIC SAFETY & HOMELAND SECURITY: HB 383 - 1F, 6M;

SB 212 w/SA 1, 2 & 3 - 1F, 7M; SB 218 - 1F, 7M.

HEALTH & HUMAN DEVELOPMENT: HB 382 - 2F, 5M.

HOUSE ADMINISTRATION: HB 361 - 1F, 3M; HB 381 - 4M; HB 393 - 4M; HB 394 - 4M; HB 395 - 4M.

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: SB 214 - 4F.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 121 and requests the concurrence of the House and the Senate has passed HB 356 w/SA 1 and is returning the same to the House.

May 5, 2010

LEGISLATIVE ADVISORY #39

Governor Jack A. Markell signed the following legislation on the date indicated: 4/29/10 - HB 243 aab SA 1 & 2; 5/3/10 - SB 192, HB 308, HB 314 aab SA 1 & HB 341.

MEMORANDUM

DATE: MAY 5, 2010

TO: RICH PUFFER, CHIEF CLERK OF THE HOUSE

FROM: PETER SCHWARTZKOPF, Representative, 14TH DISTRICT

RE: REQUEST HB 5 BE RETURNED TO THE HOUSE OF REPRESENTATIVES

As the sponsor of HB 5, I would ask that you please contact the Senate and request the bill be returned to the House of Representatives. In light of the adoption of SB 121 it seems prudent to strike HB 5, and I plan to do so upon its return.

Thank you for your time and consideration.

MEMORANDUM

TO: Bernard J. Brady

Secretary of the Senate
FROM: Richard L. Puffer
Clerk of the House
DATE: May 5, 2010
RE: Request for the Return of House Bill 5 to the House of Representatives

At the request of the House Prime Sponsor, Representative Peter C. Schwartzkopf, I respectfully request the return of House Bill 5 to the House of Representatives.

Thank you for your attention to this request.

TO: Richard L. Puffer
Clerk of the House
FROM: Bernard J. Brady
Secretary of the Senate
DATE: May 5, 2010
RE: HB 5

Attached please find the original of HB 5. Senator Anthony J. DeLuca, Chair of the Executive Committee, to which HB 5 was assigned, has returned the same to the Office of the Secretary for delivery to the House as requested.


HB 5 - AN ACT TO AMEND TITLES 6, 9, 18, 19, 25 AND 29 OF THE DELAWARE CODE RELATING TO DISCRIMINATION IN EMPLOYMENT, PUBLIC WORKS CONTRACTING, HOUSING, EQUAL ACCOMMODATIONS AND THE INSURANCE BUSINESS.

Representative Schwartzkopf requested that HB 5 w/HA 1 be stricken.

Representative Q. Johnson requested that he be marked present for the current Legislative Day.

The Majority Leader moved to adjourn at 2:09 p.m., thereby ending the current legislative day. The House reconvened at 2:10 p.m.

27th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session

May 6, 2010

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representatives Manolakos - 1.

A prayer was offered by Representative William J. Carson, Jr., Twenty-eighth Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.

The minutes of the previous two legislative days were approved as posted.

The following prefilled legislation was introduced:

HB 396 - SCHOOLEY & SENATOR SOKOLA; REPRESENTATIVES BARBIERI, CARSON, JAQUES, Q. JOHNSON, LAVELLE, LONGHURST, MITCHELL, HUDSON, MIRO, RAMONE, MANOLAKOS, SCHWARTZKOPF, SCOTT; SENATORS ENNIS, MCDOWELL - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Education.

HB 397 - SCHWARTZKOPF & SENATOR BUNTING; REPRESENTATIVES HOCKER, JAQUES, KEELEY, LONGHURST, WILSON, BENNETT, WALLS - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Special License or Registration Plates.

HB 398 - OUTTEN & SENATOR COOK; REPRESENTATIVES CAREY, HOCKER, HUDSON, THORNBURG, MITCHELL, J. JOHNSON, WALLS; SENATORS BUNTING, SIMPSON, BOOTH - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Extension of Muskrat Season.

HA 1 to HB 180 - HUDSON - Placed with the Bill.

HA 1 to HB 389 - HUDSON - Placed with the Bill.

SB 41 w/SA 1 - BLEVINS & SENATOR SORENSON & REPRESENTATIVE M. MARSHALL; SENATORS BUSHWELLER, CONNOR, HALL-LONG, HENRY, PETERSON; REPRESENTATIVES BARBIERI, BENNETT, JAQUES, Q. JOHNSON, LAVELLE, KEELEY, KOWALKO, MIRO, MITCHELL, OBERLE, RAMONE, SCHOOLEY, SCOTT - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Foster Care and the SEED Program.

Representative Schwartzkopf introduced and brought HCR 42, jointly sponsored by Representative Gilligan & Representative Longhurst & Representative Cathcart & Representative D. Short on behalf of all Representatives & Senator DeLuca & Senator Blevins & Senator Henry & Senator Simpson & Senator Sorenson on behalf of all Senators, before the House for consideration.
HCR 42 - EXTENDING SINCERE THANKS TO THE CAREER AND TECHNICAL STUDENT ORGANIZATIONS OF DELAWARE FOR THE PRESENTATION OF THE BEAUTIFUL GERANIUMS AND EXTENDING BEST WISHES FOR MUCH SUCCESS TO EACH OF THESE EXEMPLARY STUDENTS.

Representative Schwartzkopf made comments.

HCR 42 was adopted by voice vote and was sent to the Senate for concurrence.

Representative Carey requested that he be marked present.

Representative Schwartzkopf requested and was granted privilege of the floor for Frank Ingrum, Education Specialist, working with Career & Technical Student Organizations, who introduced Amber Bullock, President, Future Farmers of America; Natalie Miller, Vice President, SkillsUSA; Steven Vanderlo, President, Technology Student Association; Amy Micklos, President, Family, Career & Community Leaders of America & Hunter McHugh, President, DECA - An Association of Marketing Students, all of whom addressed the House.

Representatives Thornburg, Briggs King, Wilson & Schooley made comments. The students announced their names & schools for the record. Representative Miro made comments.

Representative Schwartzkopf introduced and brought HCR 43, sponsored by Representative Gilligan on behalf of all Representatives & by Senator DeLuca on behalf of all Senators, before the House for consideration.

HCR 43 - COMMENDING THE NOMINEES FOR THE 2010 DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE.

WHEREAS, over 16,000 State of Delaware employees provide critical services to the people of Delaware; and

WHEREAS, each year the governor honors State employees who have delivered a superlative level of public service; and

WHEREAS, each day people working for the State of Delaware perform tasks that protect our environment, safeguard public health and safety, and execute other vital and necessary functions that keep our citizens well-served by their State government; and

WHEREAS, the level of dedication demonstrated by those nominated for the 2010 Delaware Award for Excellence and Commitment in State Service exceeds the already high standards of their colleagues; and

WHEREAS, the nominees for recognition for this achievement in 2010 include: Eric Austin, Kimberly Judy, Karen Bounds, Lisa M. Shaw, John McCartney, Alan Nold, Sheng Yang, John Nauman, Reagan Paquette, Edward M. McWilliams, Robert Weakland, Robert Daniel, John Larouche, Kelli Stepler, Jowonna Thomas, Hope LaChance, Denise Hudson, Joyce Adkins, Bobbie L. Fisher, Ben McQueen, William Craig Watson, Brenda J. Solloway, Robert G. Cooke, Mary B. Parker, Robert L. Ragin, Vernon Kirk and Monica Farrell.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware, the Senate concurring therein, that we hereby honor the nominees for the 2010 Delaware Award for Excellence and Commitment in State service and offer them our gratitude for a job well done.

BE IT FURTHER RESOLVED that copies of this Resolution be presented to the award nominees.

Representative Schwartzkopf made comments.

HCR 43 was adopted by voice vote and was sent to the Senate for concurrence.

BE IT RESOLVED that HB 370 be stricken. Representative Jaques requested that HB 370 be stricken.

Representative Schwartzkopf deferred to Representative Kowalko. Representative Kowalko introduced a guest.

Representative Schwartzkopf deferred to Representative Keeley. Representative Keeley brought SB 157 w/SA 1, jointly sponsored by Senator Peterson & Representatives Ramone, Oberle, Lavelle & cosponsored by Senators Bonini & McDowell & Representative Manolakos, before the House for consideration.

SB 157 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO RESIDENTIAL HOMES AND EXEMPTIONS.

Representative Keeley requested and was granted privilege of the floor for William F. Jaworski, Jr., Attorney. Representative Keeley made comments.

The roll call on SB 157 w/SA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Kovach & Manolakos - 2.

Therefore, having received a constitutional majority, SB 157 w/SA 1 was returned to the Senate.

Representatives Atkins, Hocker, Oberle, Plant & Viola requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Longhurst.

HB 381 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

Representative Longhurst made comments.

The roll call on HB 381 was taken and revealed:

YES: 27.


NOT VOTING: Representatives Hudson, Ramone & Thornburg - 3.

ABSENT: Representatives Kovach & Manolakos - 2.

Therefore, having received a constitutional majority, HB 381 was sent to the Senate for concurrence.

Representatives Kowalko & Lavelle made comments regarding HB 381.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst brought HB 105 w/HA 2 & SA 2, jointly sponsored by Representative Atkins & cosponsored by Representative Schwartzkopf, before the House for concurrence on SA 2.

HB 105 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE.

Representative Cathcart made comments.

Representative Longhurst moved to place HB 105 w/HA 2 & SA 2 on the Speaker's Table. The motion was seconded by Representative Schwartzkopf and adopted by voice vote.

Representative Schwartzkopf deferred to Representative J. Johnson.


HB 338 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CLASSIFICATION OF OFFENSES AND SENTENCES.

Representative J. Johnson brought HA 1 to HB 338 before the House for consideration.

Representative J. Johnson made a comment. HA 1 was adopted by voice vote. Representative J. Johnson made comments.

The roll call on HB 338 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Kovach & Manolakos - 2.

Therefore, having received a constitutional majority, HB 338 w/HA 1 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Q. Johnson.


HB 383 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF VEHICLES.

Representatives Q. Johnson & Lavelle made comments.

The roll call on HB 383 was taken and revealed:

YES: 39.

ABSENT: Representatives Kovach & Manolakos - 2.

Therefore, having received a constitutional majority, HB 383 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley requested and was granted personal privilege of the floor to introduce a guest.

Representative Oberle made comments.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought HB 386, jointly sponsored by Senator Sokola & Representatives Barbieri, George, Jaques, J. Johnson, Keeley, Kovach, Lavelle, Ramone & Schooley & Senators Henry & Sorenson & cosponsored by Representative D.E. Williams & Senators Bonini, Connor & Hall-Long, before the House for consideration.

HB 386 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL BOARDS.

Representative Q. Johnson made comments.

The roll call on HB 386 was taken and revealed:

YES: 39.

ABSENT: Representatives Kovach, Manolakos - 2.

Therefore, having received a constitutional majority, HB 386 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Q. Johnson. 

HB 387 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION.

Representative Q. Johnson deferred to Representative Q. Johnson.


HB 387 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION.

Representative Q. Johnson made comments.

The roll call on HB 387 was taken and revealed:

YES: 39.

ABSENT: Representatives Kovach & Manolakos - 2.

Therefore, having received a constitutional majority, HB 387 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst moved to lift HB 105 w/HA 2 & SA 2 from the Speaker's Table. The motion was seconded by Representative Schwartzkopf and adopted by voice vote.

Representative Longhurst brought HB 105 w/HA 2 & SA 2, jointly sponsored by Representative Atkins & cosponsored by Representative Schwartzkopf, before the House for concurrence on SA 2.

HB 105 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE.

Representative Longhurst moved a comment.

Representative Hocker announced that he will not be voting on HB 105 w/HA 2 & SA 2 because of a possible conflict of interest.

Representatives Oberle & Longhurst made comments.

The roll call on HB 105 w/HA 2 & SA 2 was taken and revealed:

YES: 38.

NOT VOTING: Representative Hocker - 1.

ABSENT: Representatives Kovach & Manolakos - 2.

Therefore, having received a constitutional majority, HB 105 w/HA 2 & SA 2 was sent to the Governor.

Representative Schwartzkopf deferred to Representative Barbieri.


HB 351 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE ELDER CARE INFORMATION AND SUPPORT SYSTEM FOR DELAWARE FAMILIES.

Representative Barbieri made comments.

The roll call on HB 351 w/SA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Kovach & Manolakos - 2.

Therefore, having received a constitutional majority, HB 351 w/SA 1 was sent to the Governor.

Representative Schwartzkopf deferred to Representative Scott.


HB 399 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION.

Mr. Speaker Gilligan assigned HB 399 to the Education Committee.

Representative Scott made comments regarding HB 399.

Mr. Speaker Gilligan wished a Happy Mothers' Day to Representatives Hudson, Briggs King, Longhurst, Schooley, Thornburg & Plant.

Representative Scott made an announcement.

The Majority Leader moved to recess to the call of the Chair at 5:52 p.m.

Mr. Speaker Gilligan called the House to order at 2:02 p.m. on May 11, 2010.

Representative Schwartzkopf made an announcement.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 225 and requests the concurrence of the House and the Senate has passed HCR 40, HCR 41 & HCR 43 and is returning the same to the House. The Senate wishes to inform the House that it has passed HB 336 & HCR 42 and is returning the same to the House.
The Majority Leader moved to adjourn at 2:03 p.m., thereby ending the current legislative day. The House reconvened at 2:04 p.m.

28th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
May 11, 2010

The Chief Clerk called the roll.
Members Present: 39.
Members Absent: Representatives Lavelle & Manolakos - 2.
A prayer was offered by Representative Deborah D. Hudson, Twelfth Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following prefiled legislation was introduced:
**HA 1 to HS 1 for HB 348** - LONGHURST - Placed with the Bill.
**HA 1 to HB 395** - HOCKER - Placed with the Bill.
The Reading Clerk read the following communication into the record:
May 11, 2010
The Honorable Robert F. Gilligan
Speaker of the House
Legislative Hall
Dover, DE 19901
Dear Speaker Gilligan:
Please be advised that it is necessary for me to be absent from Legislative Session today, Tuesday May 11, 2010 due to family reasons.
Thank you for your understanding.
Sincerely,
Gregory F. Lavelle
State Representative
11th District

Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst made an announcement. Representative Kowalko requested and was granted personal privilege of the floor to introduce a guest and to make comments. Mr. Speaker Gilligan made a comment. Representatives Q. Johnson requested that he be marked present. Representative Thornburg made a comment. Representatives Mitchell, Outten & Miro requested that they be marked present. Representative Schwartzkopf deferred to Representative Scott. Representative Scott requested and was granted personal privilege of the floor to introduce guests. Representative Keeley requested that she be marked present. Representative Schwartzkopf deferred to Representative Brady. Representative Brady requested and was granted personal privilege of the floor to introduce guests. Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley made an announcement.

Representative Schwartzkopf introduced & brought **HCR 44**, jointly sponsored by Representative Atkins on behalf of all Representatives & Senator Bunting on behalf of all Senators, before the House for consideration.
**HCR 44** - TO RECOGNIZE THE MONTH OF MAY 2010 AS "POPPY MONTH" IN THE STATE OF DELAWARE.
WHEREAS, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers; and
WHEREAS, millions who have answered the call to arms have died on the field of battle; and
WHEREAS, a nation of peace must be reminded of the price of war and the debt owed to those who have died in war; and
WHEREAS, the red poppy has been designated as a symbol of sacrifice of lives in all wars; and
WHEREAS, the American Legion Auxiliary has pledged to remind America annually of the debt through the distribution of the memorial flower.
NOW, THEREFORE:
BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware, the Senate concurring therein, that the month of May 2010 be recognized as “Poppy Month” in the State of Delaware and ask that all citizens pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial Poppy.
BE IT FURTHER RESOLVED, that a suitably prepared copy of this resolution be delivered to The American Legion Auxiliary Unit #28 in Millsboro, Delaware.

Representative Schwartzkopf made comments.

HCR 44 was adopted by voice vote and was sent the Senate for concurrence.

Representative Schwartzkopf introduced guests and requested and was granted privilege of the floor for Cindy Phillips, Secretary, American Legion Auxiliary Unit 28.

Representative Atkins requested that he be marked present and made comments.

Mr. Speaker Gilligan assigned HB 97 to the Appropriations Committee.

Representative Schwartzkopf made an announcement.

Representatives Plant, Oberle & Viola requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:23 p.m.

The House reconvened at 4:40 p.m.

Representative Schwartzkopf brought Consent Agenda B, which requires a two-thirds vote, before the House for consideration & concurrence on a Senate Amendment.

HB 356 w/SA 1 - OUTTEN & SENATOR COOK - An Act to Amend the Charter of The Town of Felton to Change the Duration of the Term of a Member of the Town Council and to Implement Use of the State's Voter Registration System. (2/3 bill)

HB 393 - HOCKER & SENATOR BUNTING - An Act to Amend Chapter 59, Volume 63 of the Laws of Delaware, as Amended, the Charter of the Town of Dewey Beach to Grant the Town of Dewey Beach the Authority to Change the Date of Annual Municipal Elections to Prevent Conflict with Jewish Holy Days. (2/3 bill)

HB 394 - HOCKER & SENATOR BUNTING - An Act to Amend Volume 65, Chapter 295, Laws of Delaware, Entitled Charter of the Town of Bethany Beach, Regarding Penalties for Violations of Town Ordinances, to Increase the Maximum Financial Penalty that may be Imposed to Eliminate Imprisonment as a Potential Sanction, and to Authorize the Town to Impose Civil Penalties as Well as Criminal Penalties. (2/3 bill)

Representative Schwartzkopf made comments.

The roll call on Consent Agenda B was taken and revealed:

YES: 37.
ABSENT: Representatives Lavelle, Manolakos, Plant & D.P. Williams - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 393 & HB 394 were sent to the Senate for concurrence & HB 356 w/SA 1 was sent to the Governor.

Representatives D. E. Williams & B. Short requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short brought HB 360, jointly sponsored by Representative Hudson & Representative Viola & Senator Simpson & Representatives Hocker, Lavelle, Manolakos, Miro & Carson & Senators Bunting, Venables & Bonini, before the House for consideration.

HB 360 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FINANCIAL DISCLOSURE REPORTS.

Representative D. Short made comments.

The roll call on HB 360 was taken and revealed:

YES: 39.
ABSENT: Representatives Lavelle, Manolakos - 2.

Therefore, having received a constitutional majority, HB 360 was sent to the Senate for concurrence.

Representative D.P. Williams requested that he be marked present during the roll call.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short brought HB 361, jointly sponsored by & Representative Hudson & Senator Simpson & Representatives Hocker, Lavelle, Manolakos, Miro & Carson & Senator Bonini, before the House for consideration.

HB 361 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO DUTIES OF A CANDIDATE.

Representative D. Short made comments.

The roll call on HB 361 was taken and revealed:

YES: 39.
ABSENT: Representatives Lavelle & Manolakos - 2.

Therefore, having received a constitutional majority, HB 361 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought HB 368, jointly sponsored by Senator Bushwell & Representatives Barbieri, Carson, Lavelle & Ramone & Senator Ennis, before the House for consideration.

HB 368 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES AND COMMERCIAL DRIVER LICENSES. (2/3 bill)

Representative Mitchell made comments.
The roll call on HB 368 was taken and revealed:
YES: 39.
ABSENT: Representatives Lavelle & Manolakos - 2.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 368 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mulrooney.
Representative Mulrooney moved to suspend the rules which interfere with action on SB 234 w/SA 1 & 3. The motion was seconded by Representative J. Johnson and adopted by voice vote.


SB 234 - AN ACT TO AMEND TITLES 7 AND 30 OF THE DELAWARE CODE RELATING TO RECYCLING AND BEVERAGE CONTAINERS. (3/5 bill) (F/N)

Representative Miro announced that he will not be voting on SB 234 w/SA 1 & 3 because of a possible conflict of interest. Representative Cathcart requested and was granted privilege of the floor for Ron Smith, Minority House Attorney. Representative Cathcart made comments. Mr. Speaker Gilligan granted privilege of the floor to William G. Bush IV, Majority House Attorney. Representatives Cathcart & Oberle made comments. Mr. Speaker Gilligan ruled that it would have been proper for SB 234 to have started in either the Senate or the House. Representative Cathcart requested and was granted privilege of the floor for Ron Smith, Minority House Attorney. Representatives Cathcart & Mulrooney made comments. Mr. Speaker Gilligan granted privilege of the floor to William G. Bush IV, Majority House Attorney.

Representative Cathcart made comments. Mr. Speaker Gilligan ruled that SB 234 is not a violation of Article VIII, Section 1 of the Constitution of the State of Delaware. Representative Cathcart requested and was granted privilege of the floor for Ron Smith, Minority House Attorney. Representative Cathcart made comments. Mr. Speaker Gilligan granted privilege of the floor to William G. Bush IV, Majority House Attorney. Representative Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for Ron Smith, Minority House Attorney. Representatives Cathcart & Oberle made comments. Mr. Speaker Gilligan ruled that the vote requirement for SB 234 is three-fifths Members of the House.

The Reading Clerk read the following communication into the record:
Via email
Sent Tuesday, May 11, 2010
From: Greg Lavelle
To: Speaker of the House Robert Gilligan
Mr. Speaker,
Due to the unforeseen illness of my wife, and the need to care for my children, I regret to inform you I will be unable to attend session today.
If Senate Bill 234 is worked on the House floor in my absence, please be advised State House Minority Leader Richard Cathcart will floor manage House Amendments 1 & 3 in my stead. Representative Cathcart is a prime sponsor of both measures and is empowered to do this under existing House protocols.
Sincerely,
State Representative Greg Lavelle

Representative D. Short introduced and brought HA 1 to SB 234, jointly sponsored by Representative Cathcart & Representative Lavelle & Representative Hocker, before the House for consideration.

Representatives D. Short & Mulrooney made comments.
The roll call on HA 1 to SB 234 was taken and revealed:
NO: 23.
ABSENT: Representatives Lavelle, Manolakos & Miro - 3.
Therefore, not having received a constitutional majority, HA 1 to SB 234 was declared defeated.
Representative D. Short introduced and brought HA 2 to SB 234 before the House for consideration.
Representatives D. Short & Mulrooney made comments.
Representative Kovach requested and was granted privilege of the floor for Collin O’Mara, Secretary, Department of Natural Resources and Environmental Control.
Representatives Kovach & Oberle made comments.
HA 2 was defeated by voice vote.
Representative D. Short introduced and brought HA 3 to SB 234, jointly sponsored by Representative Lavelle & Representative Cathcart, before the House for consideration.
Representatives D. Short, Kowalko, Cathcart, Viola, D. Short, Q. Johnson, Bennett, D. Short, Viola, Briggs King & Jaques made comments.
The roll call on HA 3 to SB 234 was taken and revealed:
NO: 37.
NOT VOTING: Representative Blakey - 1.
ABSENT: Representatives Lavelle, Manolakos & Miro - 3.
Therefore, not having received a constitutional majority, **HA 3 to SB 234** was declared defeated.

The Reading Clerk read the following communications into the record:

**WITHDRAWAL OF SPONSORSHIP REQUEST**
I, Joseph E. Miro, do hereby request that my name be removed as co-sponsor of **SB 234**.
Date: 5/11/10
Signed: Joseph E. Miro

**WITHDRAWAL OF SPONSORSHIP REQUEST**
I, Joseph E. Miro, do hereby request that my name be removed as co-sponsor of **HA 6 to SB 234**.
Date: 5/11/10
Signed: Joseph E. Miro

Representative Oberle introduced and brought **HA 4 to SB 234**, jointly sponsored by Representative Cathcart & Representative D. Short & Representative Lavelle & Representative Hocker, before the House for consideration.

Representatives Oberle, Mulrooney, Hudson & Oberle made comments. Representative Kovach requested and was granted privilege of the floor for William G. Bush IV, Majority House Attorney.

Representatives Cathcart & Oberle made comments.

The roll call on **HA 4 to SB 234** was taken and revealed:
NO: 22.
NOT VOTING: Representative Miro - 1.
ABSENT: Representatives Lavelle & Manolakos - 2.
Therefore, not having received a constitutional majority, **HA 4 to SB 234** was declared defeated.

Representative Oberle made comments regarding **HA 5 to SB 234**. Representative Oberle introduced and brought **HA 5 to SB 234**, jointly sponsored by Representative Cathcart & Representative Lavelle & Representative Hocker, before the House for consideration. Representative Oberle moved to place **HA 5** on the Speaker's Table. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Kovach introduced and brought **HA 6 to SB 234**, jointly sponsored by Representative Cathcart & Representative Hudson, before the House for consideration. Representatives Kovach, Mulrooney, Q. Johnson & Kovach made comments.

The roll call on **HA 6 to SB 234** was taken and revealed:
NO: 23.
NOT VOTING: Representative Miro - 1.
ABSENT: Representatives Atkins, Lavelle & Manolakos - 3.
Therefore, not having received a constitutional majority, **HA 6 to SB 234** was declared defeated.

Representative Cathcart introduced and brought **HA 7 to SB 234**, jointly sponsored by Representative Ramone, before the House for consideration. Representatives Cathcart, Kovach, Hocker & Ramone made comments.

The roll call on **HA 7 to SB 234** was taken and revealed:
NO: 24.
NOT VOTING: Representative Miro - 1.
ABSENT: Representatives Atkins & Lavelle & Manolakos - 2.
Therefore, not having received a constitutional majority, **HA 7 to SB 234** was declared defeated.

Representative Mulrooney requested and was granted privilege of the floor for Collin O'Mara, Secretary, Department of Natural Resources and Environmental Control.

Representatives Mulrooney, Cathcart, Oberle, Schwartzkopf, Oberle, Cathcart, Q. Johnson, D. Short, Hocker, Hudson & Kovach made comments. Representative Cathcart requested and was granted privilege of the floor for N.C. Vasuki, Former Chief Executive Officer, Delaware Solid Waste Authority.

Representatives Cathcart & Oberle made comments.

The roll call on **SB 234 w/SA 1 & 3** was taken and revealed:
NO: 26.

The roll call on **SB 234 w/SA 2 & 3** was taken and revealed:
NO: 26.
NOT VOTING: Representative Miro - 1.
ABSENT: Representatives Lavelle & Manolakos - 2.
Therefore, having received a constitutional majority of at least three-fifths Members of the House, SB 234 w/SA 1 & 3 was returned to the Senate.
The Majority Leader moved to recess to the call of the Chair at 7:14 p.m.
Mr. Speaker Gilligan called the House to order at 2:01 p.m. on May 12, 2010.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed HB 304 w/HA 1 and is returning the same to the House and the Senate wishes to inform the House that it has passed HB 362 and is returning the same to the House.

TO: The Honorable Robert Gilligan
Speaker of the House
FROM: Representative Ruth Briggs King
SUBJECT: Absence from Session
DATE: May 11, 2010
It is necessary for me to be absent from session on Wednesday, May 12 and Thursday, May 13, 2010 due to personal business.
The Majority Leader moved to adjourn at 2:02 p.m., thereby ending the current legislative day. The House reconvened at 2:03 p.m.

29th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
May 12, 2010
The Chief Clerk called the roll.
Members Present: 34.
A prayer was offered by Representative Robert E. Walls, Thirty-third Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The following prefiled legislation was introduced:

HB 401 - OBERLE & REPRESENTATIVE CATHCART & REPRESENTATIVE D. SHORT - EDUCATION - An Act to Amend Titles 12 and 14 of the State of Delaware Relating to Escheats.

HB 402 - WALLS & SENATOR BUNTING; REPRESENTATIVES CAREY, CARSON, HOCKER, Q. JOHNSON, LEE, THORNBURG, WILSON; SENATORS ENNIS, HALL-LONG, BOOTH - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to the Department of Agriculture.

HB 403 - WALLS & SENATOR BUNTING; REPRESENTATIVES CARSON, HUDSON, Q. JOHNSON, THORNBURG, WILSON; SENATORS ENNIS, BOOTH - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to the Department of Agriculture.

HB 404 - WALLS & SENATOR BUNTING; REPRESENTATIVES CARSON, WILSON; SENATORS HALL-LONG, BOOTH - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to the Department of Agriculture.

HB 405 - WALLS & SENATOR BUNTING; REPRESENTATIVE WILSON; SENATOR BOOTH - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to the Department of Agriculture.

HB 406 - WALLS & SENATOR BUNTING; REPRESENTATIVES CARSON, OUTTEN, THORNBURG, WILSON; SENATORS ENNIS, BOOTH - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to the Department of Agriculture.

HB 407 - WALLS & SENATOR BUNTING; REPRESENTATIVES CARSON, HUDSON, OUTTEN, THORNBURG, WILSON; SENATORS BOOTH, SIMPSON - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to the Department of Agriculture.

HA 2 to HB 389 - VIOLA - Placed with the Bill.
SB 113 - COOK & REPRESENTATIVE M. MARSHALL; SENATORS BLEVINS, HALL-LONG, SORENSON, CONNOR, CLOUTIER; REPRESENTATIVES KOWALKO, SCHOOLEY, BRADY, BARBIERI, BENNETT, BRIGGS KING, CAREY, CARSON, CATHCART, HOCKER, HUDSON, JAQUES, J. JOHNSON, KOVACH, LEE, MANOLAKOS, MIRIO, MITCHELL, OUTTEN, PLANT, RAMONE, SCOTT, B. SHORT, WALLS, D.E. WILLIAMS, WILSON, - JUDICIARY - An Act to Amend Titles 10, 29 and 31 of the Delaware Code Relating to Extending the Jurisdiction of the Family Court for Abused, Dependent and Neglected Children.
Representative George requested and was granted personal privilege of the floor to introduce guests.
Mr. Speaker Gilligan introduced a guest. Representative Kovach made comments.
Representative Schwartzkopf brought Consent Calendar #16 before the House.

HR 45 - HUDSON ON BEHALF OF ALL REPRESENTATIVES - Recognizing May 12, 2010 as Fibromyalgia Awareness Day in Delaware.
HCR 45 - SCHWARTZKOPF ON BEHALF OF ALL REPRESENTATIVES & SENATOR DELUCA ON BEHALF OF ALL SENATORS - In Recognition of the 2010 All Star Award Recipients of the Delaware Health Care Facilities Association during National Nursing Home Week.

Consent Calendar #16 was adopted by voice vote and HR 45 was declared passed and HCR 45 was sent to the Senate for concurrence.

Representatives Barbieri, Miro, Manolakos, Thornburg & Keeley requested that they be marked present.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:09 p.m.

Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following members were marked present by the Chief Clerk after the House recessed at 2:09 p.m.: Representatives Mulrooney & D.P. Williams.

Mr. Speaker Gilligan called the House to order at 2:02 p.m. on May 13, 2010.

Representatives Jaques & D.E. Williams requested that they be marked present for the current Legislative Day.

The Chief Clerk read the following committee reports into the record:

APPROPRIATIONS: HB 343 - 1F, 5M.
ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE: HB 367 - 1F, 5M; HB 377 - 6F, 1M.
PUBLIC SAFETY & HOMELAND SECURITY: HB 388 - 2F, 6M; SB 193 -1F, 7M; SB 198 – 1F, 7M.

EDUCATION: HB 399 - 11F; SB 41 w/S A1 - 9M.
GAMING & PARIMUTUELS: HB 389 - 4F, 2M.
HOUSE ADMINISTRATION: HB 384 - 3M; SB 225 - 3M.
HEALTH & HUMAN DEVELOPMENT: SB 213 - 9F.

The Reading Clerk read the following communications into the record:

May 11, 2010
The Honorable Robert F. Gilligan
Speaker of the House
Legislative Hall
Dover, DE 19901
Dear Speaker Gilligan:

Please be advised that it is necessary for me to be absent from Legislative Session on Tuesday, May 11, 2010 because of unexpected obligations at work.

Thank you for your understanding.

Sincerely,
Nicholas Manolakos
State Representative
20th District

The Senate wishes to inform the House that it has passed SB 215 & SCR 33 and requests the concurrence of the House and the Senate has passed HB 299, HB 322, HB 2, HB 190 w/S A 1 & HCR 45 and is returning the same to the House.

Representatives Atkins, B. Short & Plant requested that they be marked present for the current Legislative Day.

The Majority Leader moved to adjourn at 2:03 p.m., thereby ending the current legislative day. The House reconvened at 2:04 p.m.

30th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
May 13, 2010

The Chief Clerk called the roll.
Members Present: 39.
Members Absent: Representatives Briggs King & Hudson - 2.
A prayer was offered by Representative Clifford G. Lee, Fortieth Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The minutes of the previous two legislative days were approved as posted.
The following prefilled legislation was introduced:

HB 408 - MITCHELL & SENATOR HENRY; REPRESENTATIVES ATKINS, CARSON, LEE, D.P. WILLIAMS; SENATORS CLOUTIER, MCBRIDE, SOKOLA - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Tobacco Product Tax.

HB 409 - WALLS & REPRESENTATIVE CARSON & SENATOR ENNIS & SENATOR VENABLES - NATURAL RESOURCES - An Act to Amend Chapters 5 and 7 of Title 7 of the Delaware Code Relating to Licenses and Regulations Concerning Game and Fish. (2/3 bill)

HB 410 - GEORGE & SENATOR HENRY & SENATOR COOK; REPRESENTATIVES BENNETT, J. JOHNSON, LEE, MITCHELL, PLANT, KOVACH, D.P. WILLIAMS, WILSON;
SENATORS MCDOWELL, SIMPSON - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Divorce and Annulment.


HB 412 - LAVELLE & SENATOR BOOTH; REPRESENTATIVES CATHCART, BRIGGS KING, CAREY, MIRO, WILSON, HOCKER, KOVACH, OUTTEN, RAMONE; SENATORS KATZ, BONINI - HOUSE ADMINISTRATION - An Act Proposing an Amendment to Article II of the Constitution of the State of Delaware Relating to Open Meetings and Public Records of the General Assembly. (2/3 bill)

HB 413 - LAVELLE & SENATOR SIMPSON; REPRESENTATIVES CATHCART, CAREY, HOCKER, KOVACH, WILSON, BRIGGS KING, OUTTEN, RAMONE - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to State Procurement.

HCR 46 - BRADY & SENATOR MCDOWELL - VETERANS AFFAIRS - Supporting the Creation of a National POW/MIA Trailway System and Recommending that the Segment of the Abandoned Pennsylvania Railroad Running from South Market Street in Wilmington to Battery Park in New Castle be Designated as the First Segment Thereof.


Representative Schwartzkopf deferred to Representative Bennett.


Representatives Barbieri & Mitchell requested that they be marked present.

SCR 33 - RECOGNIZING MAY, 2010 AS MELANOMA AND SKIN CANCER DETECTION AND PREVENTION MONTH.

WHEREAS, skin cancer is the most common of all cancers, affecting one in five Americans; and
WHEREAS, melanoma is a particularly aggressive form of skin cancer that accounts for less than 5% of skin cancer cases, but causes a large majority of skin cancer deaths; and
WHEREAS, melanoma incidence rates have been increasing for at least 30 years; and
WHEREAS, in 2009 there were an estimated 220 new cases of melanoma diagnosed in Delaware and 68,720 nationally; and
WHEREAS, melanoma differs from other common cancers in that it has a wide age distribution and is common in individuals of all ages; and
WHEREAS, melanoma is curable if detected and treated early; and
WHEREAS, exposure to ultraviolet rays is the leading environmental factor for development of skin cancer; and
WHEREAS, May is recognized in the United States as National Melanoma and Skin Cancer Detection and Prevention Month; and
WHEREAS, May has been established in Delaware as Melanoma and Skin Cancer Detection and Prevention Month.

NOW THEREFORE:
BE IT RESOLVED by the Senate of the 145th General Assembly of the State of Delaware the House of Representatives concurring therein, that the members do hereby recognize May, 2010 as Melanoma and Skin Cancer Detection and Prevention Month.

Representative Bennett & Mr. Speaker Gilligan made comments.

SCR 33 was adopted by voice vote and was returned to the Senate.

Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst introduced guests. Representative Cathcart made an announcement. Representative Lavelle requested that he be marked present. Representative Schwartzkopf deferred to Representative Kovach. Representative Kovach introduced a guest. Mr. Speaker Gilligan assigned HB 399 to the Appropriations Committee. Representative Schwartzkopf deferred to Representative Hocker. Representative Hocker made comments & introduced a guest. Representative Schwartzkopf made comments. Representative Manolakos requested that he be marked present.

The Reading Clerk read the following communication into the record:
May 13, 2010

The Honorable Robert F. Gilligan
Speaker of the House
Legislative Hall
Dover, DE 19901
Dear Speaker Gilligan:

Please be advised that it is necessary for me to be absent from Legislative Session today, Thursday, May 13, 2010, because of personal family business.

Thank you for your understanding.

Sincerely,
Deborah D. Hudson
State Representative
12th District

Representative Schwartzkopf made an announcement.
The Majority Leader moved to recess for caucus at 2:17 p.m.
The House reconvened at 4:08 p.m.
Representatives Carey, Carson, Miro, Oberle, Outten, Thornburg, Scott, Walls & B. Short requested that they be marked present.
Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri brought HB 190 w/SA 1, jointly sponsored by Senator Hall-Long & Representatives M. Marshall, Schwartzkopf & Scott & Senator Henry, before the House for concurrence on SA 1.

HB 190 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DRUG TESTING OF EMPLOYEES OF THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES.
Representative Barbieri made comments.
The roll call on HB 190 w/SA 1 was taken and revealed:
YES: 36.
ABSENT: Representatives Briggs King, Cathcart, Hudson, Plant & D. Short - 5.
Therefore, having received a constitutional majority, HB 190 w/SA 1 was sent to the Governor.
Representative Schwartzkopf deferred to Representative Jaques.
Representative Jaques brought SB 225, jointly sponsored by Senator Katz & Senator Bunting & Representative Brady, before the House for consideration.

SB 225 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE REGARDING ABSENTEE VOTING AND ASSOCIATED ISSUES.
Representative Jaques made a comment.
Representative Jaques requested and was granted privilege of the floor for Elaine Manlove, Commissioner of Elections. Representative Lavelle made a comment.
The roll call on SB 225 was taken and revealed:
YES: 37.
ABSENT: Representatives Briggs King, Cathcart, Hudson & Plant - 4.
Therefore, having received a constitutional majority, SB 225 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Mitchell.
Representative Mitchell brought SB 212 w/SA 1, 2 & 3, jointly sponsored by Senator Ennis & Senators Bushweller, Hall-Long, Connor & McBride & Representatives Jaques & Cathcart, before the House for consideration.

SB 212 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY. (3/5 bill)
Representatives Mitchell, B. Short & Lavelle made comments.
The roll call on SB 212 w/SA 1, 2 & 3 was taken and revealed:
YES: 38.
ABSENT: Representatives Briggs King, Hudson & Plant - 3.
Therefore, having received a constitutional majority of at least three-fifths Members of the House, SB 212 w/SA 1, 2 & 3 was returned to the Senate.
Representative Kovach requested and was granted personal privilege of the floor to introduce a guest.
Representative Schwartzkopf deferred to Representative Bennett.

HB 365 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CERTAIN POSITIONS IN THE COURT OF COMMON PLEAS.
Representative Bennett made comments.
The roll call on HB 365 was taken and revealed:
YES: 38.
ABSENT: Representatives Briggs King, Hudson & Plant - 3.
Therefore, having received a constitutional majority, HB 365 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Mitchell.
Representative Mitchell brought SB 198, jointly sponsored by Senator Bushweller & Senators Henry, Sokola & Ennis & Representatives Keeley, Lavelle, Hudson, Miro, Bennett, Wilson, Carey & D. Short, before the House for consideration.

**SB 198 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLES.**
Representative Mitchell made comments.
The roll call on SB 198 was taken and revealed:
YES: 38.
ABSENT: Representatives Briggs King, Hudson & Plant - 3.
Therefore, having received a constitutional majority, SB 198 was returned to the Senate.
Representative Schwartzkopf deferred to Representative George.

**SB 41 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FOSTER CARE AND THE SEED PROGRAM. (F/N)**
Representative George made comments.
The roll call on SB 41 w/SA 1 was taken and revealed:
YES: 38.
ABSENT: Representatives Briggs King, Hudson & Plant - 3.
Therefore, having received a constitutional majority, SB 41 w/SA 1 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Hocker.
Representative Hocker brought HB 395, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 395 - AN ACT TO AMEND VOLUME 65, CHAPTER 295, LAWS OF DELAWARE. AN ACT TO REINCORPORATE THE TOWN OF BETHANY BEACH REGARDING THE REFERENDUM POWER, AND TO ALLOW NATURAL PERSONS HOLDING TITLE TO REAL ESTATE AS TRUSTEE, TO VOTE IN MUNICIPAL ELECTIONS; AND PLACING A LIMIT ON THE TOTAL NUMBER OF PERSONS WHO MAY QUALIFY TO VOTE AS A "NONRESIDENT PROPERTY OWNER" TO A MAXIMUM OF EIGHT PERSONS PER PROPERTY. (2/3 bill)**
Representative Hocker brought HA 1 to HB 395 before the House for consideration. HA 1 was adopted by voice vote.
Representative Hocker made comments.
The roll call on HB 395 w/HA 1 was taken and revealed:
YES: 38.
ABSENT: Representatives Briggs King, Hudson & Plant - 3.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 395 w/HA 1 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Cathcart.
Representative Cathcart brought HB 334, sponsored by Representative Hudson & Senator Booth & Representatives D. Short, Briggs King, Kovach, Lavelle & Ramone & Senator Sorenson, before the House for consideration.

**HB 334 - AN ACT TO AMEND TITLE 30 AND TITLE 31 OF THE DELAWARE CODE RELATING TO THE DELAWARE CHILDREN'S TRUST FUND ACT.**
Representative Viola brought HA 1 to HB 334, jointly sponsored by Representative Hudson, before the House for consideration.
Representative Viola made comments.
HA 1 was adopted by voice vote.
Representative Viola introduced HA 1 to HA 1 to HB 334.
Mr. Speaker Gilligan made an announcement.
Representative Schwartzkopf moved to rescind the voice vote on HA 1. The motion was seconded by Representative Cathcart and adopted by voice vote.
Representative Viola introduced and brought HA 1 to HA 1 to HB 334 before the House for consideration.
Representatives Viola & J. Johnson made comments.
HA 1 to HA 1 was adopted by voice vote.
HA 1 w/HA 1 to HA 1 was adopted by voice vote.
Representative Cathcart made comments.
The roll call on HB 334 w/HA 1 & HA 1 to HA 1 was taken and revealed:
YES: 38.
ABSENT: Representatives Briggs King, Hudson & Plant - 3.
Therefore, having received a constitutional majority, HB 334 w/HA 1 & HA 1 to HA 1 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Outten.
Representative Outten introduced and brought HCR 47, sponsored on behalf of all Representatives & by Senator Cook on behalf of all Senators, before the House for consideration.

**HCR 47 - RECOGNIZING MAY, 2010 AS HUNTINGTON'S DISEASE AWARENESS MONTH IN DELAWARE.**

Representative Outten made comments.
HCR 47 was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Scott.
Representative Scott brought HS 1 for HB 229, jointly sponsored by Representative D.P. Williams & Representative Miro & Senator Peterson & Representatives Barbieri, Bennett, Blakey, Brady, Carey, Carson, Jaques, J. Johnson, Q. Johnson, Keeley, Kovach, Kowalko, Lavelle, Manolakos, Mitchell, Mulrooney, Oberle, Ramone, Schooley, Schwartzkopf, B. Short & Walls & Senators Blevins, Bunting, Bushweller, Ennis, Henry & Sokola & cosponsored by Senator Cloutier, before the House for consideration.

**HB 229 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.**

Representative D. Short brought HA 1 to HS 1 for HB 229, sponsored by Representative Hudson, before the House for consideration. Representative D. Short moved to place HA 1 on the Speaker's Table. The motion was seconded by Representative Schwartzkopf and adopted by voice vote. Representative D. Short introduced and brought HA 2 to HS 1 for HB 229 before the House for consideration. Representatives Scott, D. Short, Cathcart & Scott made comments. Mr. Speaker Gilligan declared a recess at 4:59 p.m. The House reconvened at 5:00 p.m. Representatives Scott, Schwartzkopf, Cathcart & D. Short made comments. HA 2 was adopted by voice vote. Representative Atkins introduced and brought HA 3 to HS 1 for HB 229, jointly sponsored by Representative Blank & Representative Carey & Representative Carson & Representative Hocker & Representative Lee & Representative Thornburg & Representative Walls, before the House for consideration. Representative Atkins made comments. HA 3 was adopted by voice vote. Representative Scott introduced and brought HA 4 to HS 1 for HB 229 before the House for consideration. Representatives Scott & Schwartzkopf made comments. HA 4 was adopted by voice vote. Representatives Scott, D. Short, D.P. Williams, Lavelle & Scott made comments. Representative Lavelle requested and was granted privilege of the floor for William G. Bush IV, Majority House Attorney. Representatives Lavelle & Atkins made comments. The roll call on HS 1 for HB 229 w/HA 2, 3 & 4 was taken and revealed:

YES: 33.

NO: Representatives Atkins, Hocker, Lee, Outten & Wilson - 5.

ABSENT: Representatives Briggs King, Hudson, Plant - 3.

Therefore, having received a constitutional majority, HS 1 for HB 229 w/HA 1 to HA 1 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Brady. Representative Brady requested that HCR 24 be stricken. Representative Scott made comments regarding HS 1 for HB 229. Mr. Speaker Gilligan made an announcement. Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley requested that HB 350 be stricken. Representative Schwartzkopf deferred to Representative D.P. Williams. Representatives D.P. Williams, Walls & Kowalko made announcements. Representatives Carson & Miro made comments regarding HS 1 for HB 229.

The Majority Leader moved to recess to the call of the Chair at 5:22 p.m. Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 1, 2010. The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 235 w/SA 2 & SB 122 w/SA 1 and requests the concurrence of the House and the Senate has passed HB 344 w/HA 1, HB 185 w/ HA 1, HB 380, HCR 44 & HCR 47 and is returning the same to the House. The Senate wishes to inform the House that it has passed SB 44 w/SA 1 and requests the concurrence of the House and the Senate has passed HB 352 and is returning the same to the House. Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell made an announcement. The Majority Leader moved to adjourn at 2:02 p.m., thereby ending the current legislative day. The House reconvened at 2:03 p.m.

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**31st LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session**

June 1, 2010

The Chief Clerk called the roll.
Members Present: 41.
A prayer was offered by Representative Gregory F. Lavelle, Eleventh Representative District. Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.

The following out-of-session prefiled legislation was introduced:

**May 27, 2010**

**HS 1 for HB 182** - GEORGE & REPRESENTATIVE KOVACH & SENATOR HENRY & SENATOR PETERSON & SENATOR SORENSON; REPRESENTATIVES GILLIGAN, HUDSON, KOWALKO, MITCHELL, SCHOOLEY; SENATORS DELUCA, SIMPSON - JUDICIARY - An Act to Amend Titles 10 and 11 of the Delaware Code Relating to Certain Offenses.


**HB 414** - D. SHORT & REPRESENTATIVE D.P. WILLIAMS & SENATOR BUNTING; REPRESENTATIVES CATHCART, HOCKER, LEE, OUTTEN, WILSON, BENNETT, CARSON, SCOTT, B. SHORT, WALLS; SENATORS MCDOWELL, BOOTH - APPROPRIATIONS - An Act to Provide a Supplemental Appropriation for the Fiscal Year Ending June 30, 2011 to the Department of Transportation for the Purpose of Providing Additional Funding for Municipal Street Aid.


**HB 416** - Q. JOHNSON & REPRESENTATIVE CATHCART & SENATOR HALL-LONG & SENATOR ENNIS; REPRESENTATIVES CARSON, GEORGE, KEELEY, LEE, MIRO, B. SHORT; SENATORS BLEVINS, CONNOR, PETERSON, SORENSON - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Chiropractic.

**HB 417** - BRIGGS KING & REPRESENTATIVE D. SHORT & SENATOR BOOTH; REPRESENTATIVES HOCKER, HUDSON, OUTTEN, WILSON, CARSON, CATHCART, RAMONE; SENATORS BUNTING, SIMPSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Fiscal Regulations of the State and the Creation of a General Fund Account for Disaster Relief.


**HB 422** - B. SHORT & SENATOR BUNTING; REPRESENTATIVES BENNETT, BRADY, LAVELLE, VIOLA - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 6 of the Delaware Code Relating to Consumer Legal Finance Transactions.

**HB 423** - GEORGE & SENATOR BLEVINS; REPRESENTATIVES KEELEY, MITCHELL; SENATOR COOK - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Domestic Relations and Third Party Visitation.

**HB 424** - SCOTT & SENATOR BUSHWELLER; REPRESENTATIVES BARBIERI, KOWALKO, WILSON; SENATORS COOK, HENRY - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Public Works Contracting.


**HB 426** - Q. JOHNSON & SENATOR SORENSON; REPRESENTATIVES LONGHURST, D.E. WILLIAMS - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9, Title 22, and Title 31 of the Delaware Code Relating to Housing.

HB 428 - BARBIERI & REPRESENTATIVE RAMONE & SENATOR PETERSON; REPRESENTATIVE BRIGGS KING; SENATOR HENRY - JUDICIARY - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors, Offenses Concerning Certain Persons and the Creation of a Civil Cause of Action for Injuries caused by Certain Persons.

HA 1 to HB 41 - CATHCART - Placed with the Bill.

HA 1 to HB 379 - SCHOOLEY - Placed with the Bill.

SB 44 w/SA 1 - SOKOLA & REPRESENTATIVE KOWALCO; SENATORS BONINI, BUSHWELLER, CONNOR, KATZ; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 16 of the Delaware Code Relating to Confidentiality of Personal Health Information.


The following prefiled legislation was introduced:

**HB 1 for HB 10** - SCHOOLEY & SENATOR HENRY; REPRESENTATIVE BARBIERI, GEORGE, KEELEY, KOWALCO, MITCHELL, D.E. WILLIAMS; SENATORS ENNIS, KATZ, MCDOWELL, PETERSON - APPROPRIATIONS - An Act to Amend Title 29 of the Delaware Code Relating to Public Officers' and Employees' Health Care Insurance, State Employees' Pension, Plan, and Other State Employee Benefits.


Governor Jack A. Markell signed the following legislation on the date indicated:

- **5/06/10 - SB 222**
- **05/13/10 - HB 203**.

**May 17, 2010**

**LEGISLATIVE ADVISORY #40**

Governor Jack A. Markell signed the following legislation on the date indicated:

- **5/06/10 - SB 222**
- **05/13/10 - HB 203**.

**May 19, 2010**

**LEGISLATIVE ADVISORY #41**

Governor Jack A. Markell signed the following legislation on the date indicated:

- **5/14/10 - SB 197**
- **SB 217 aab HA 1, HB 105 aab HA 2 & SA 2, HB 312 aab HA 1 & HB 351 aab SA 1; 5/18/10 - SB 41 aab SA 1, SB 157 aab SA 1, SB 198, HB 2, HB 299, HB 322 & HB 356 aab SA 1**.

**May 26, 2010**

**LEGISLATIVE ADVISORY #42**

Governor Jack A. Markell signed the following legislation on the date indicated:

- **5/21/10 - SB 212 aab SA 1, 2 & 3, SB 225, HB 190 aab SA 1, HB 304 aab HA 1**
- **HB 344 aab HA 1 & HB 352; 5/22/10 - HB 362**.

The House observed a moment of silence in memory of J. Milton Hudson, father of Representative Deborah D. Hudson, at the request of Mr. Speaker Gilligan.

Representative Kowalko requested that he be marked present. Mr. Speaker Gilligan reassigned Representative Kowalko to the Natural Resources Committee. Representatives Kowalko & J. Johnson requested and were granted personal privilege of the floor to introduce guests. Representative Longhurst made an announcement. Representatives Hocker & Barbieri requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:11 p.m.

The House reconvened at 3:56 p.m.

Representatives Q. Johnson, Viola & Mulrooney requested that they be marked present.

Mr. Speaker Gilligan assigned SB 209 to the Appropriations Committee.

Mr. Speaker Gilligan made announcements.

Representatives Kovach, D.P. Williams, Atkins & Oberle requested that they be marked present.

Representative Schwartzkopf deferred to Representative J. Johnson.

Representative J. Johnson brought SB 203, jointly sponsored by Senator Henry & cosponsored by Representatives Wilson & Plant, before the House for consideration.

**SB 203** - AN ACT TO NAME THE DINING HALL AT BAYLOR WOMEN'S CORRECTIONAL INSTITUTION IN HONOR OF HAYWARD ROY JR.
Representative J. Johnson requested and was granted privilege of the floor for Josephine R. Roy, sister of Hayward Roy, Jr. Representative J. Johnson deferred to Representative Brady. Representative Brady requested and was granted personal privilege of the floor to introduce a guest.

The roll call on SB 203 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, SB 203 was returned to the Senate.
Representatives George & Plant requested that they be marked present during the roll call.
Representative Schwartzkopf deferred to Representative B. Short.
Representative B. Short brought HB 371, jointly sponsored by Senator DeLuca & Representatives Carson, Kovach, Mitchell & D.E. Williams & Senator Katz, before the House for consideration.

HB 371 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO FREEDOM OF CONTRACT.
Representative B. Short made comments.
The roll call on HB 371 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, HB 371 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative B. Short.
Representative B. Short brought HB 256 before the House for consideration.

HB 256 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO GIVING CERTAINTY [sic] TO THE MORTGAGING OF LEASEHOLD INTERESTS.
Representative B. Short made a comment. HA 1 was adopted by voice vote. Representative B. Short made comments.
The roll call on HB 256 w/HA 1 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, HB 256 w/HA 1 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Schooley.
Representative Schooley brought HB 379, jointly sponsored by Senator Sokola & Representatives Carey, Jaques, Manolakos, Miro, Mitchell, Outten & Viola & Senator Venables, before the House for consideration.

HB 379 - AN ACT TO AMEND TITLE 14 AND TITLE 21 OF THE DELAWARE CODE RELATING TO SCHOOL BUSES.
Representative Schooley made comments. HB 379 was adopted by voice vote. Representative Schooley made comments.
The roll call on HB 379 w/HA 1 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, HB 379 w/HA 1 was sent to the Senate for concurrence.
Representative Mitchell made an announcement.
Mr. Speaker Gilligan assigned SB 193 to the Public Safety & Homeland Security Committee.
Representative Schwartzkopf deferred to Representative Hudson.
Representative Hudson brought HB 388, jointly sponsored by Representative Mitchell & Senator Blevins & Representatives D. Short, Hocker, Kovach, Lee, Manolakos, Gilligan, Q. Johnson & Viola & Senators Simpson & Booth & cosponsored by Representatives Walls & Wilson & Senator Peterson, before the House for consideration.

HB 388 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES.
Representatives Hudson, Jaques, Oberle, D.P. Williams & Kovach made comments.
The roll call on HB 388 was taken and revealed:
YES: 37.
NO: Representative Plant - 1.
NOT VOTING: Representatives Blakey, Jaques & Miro - 3.
Therefore, having received a constitutional majority, HB 388 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Carson.
Representative Carson brought SB 214, jointly sponsored by Senator Peterson, before the House for consideration.

SB 214 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO OUTDOOR LIGHTING REGULATION.
Representative Carson made comments.
The roll call on SB 214 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, SB 214 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Keeley.
Representative Keeley brought HB 384, jointly sponsored by Representative J. Johnson & Representative D.P. Williams & Senator Henry & Representatives Barbieri, Brady, Hudson & Mitchell & Senators Marshall & McDowell and cosponsored by Representatives Oberle, Schwartzkopf & Wilson, before the House for consideration.

HB 384 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT

Representative Keeley made comments.
The roll call on HB 384 was taken and revealed:
YES: 41.
Therefore, having received a constitutional majority, HB 384 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Mitchell.
Representative Mitchell introduced and brought HCR 50, jointly sponsored by Senator Henry, before the House for consideration.

HCR 50 - RECOGNIZING THE MONTH OF JUNE, 2010, AS AMATEUR RADIO MONTH IN THE STATE OF DELAWARE.
Representative Mitchell made comments.
HCR 50 was adopted by voice vote and was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative B. Short.
Representative B. Short brought SB 216, jointly sponsored by Senator DeLuca & Senators Bonini, Bunting, Cook, Katz, Sokola & Cloutier & Representatives Bennett, Brady, Hocker, Hudson, Keeley, Lavelle, Ramone, Viola & D.E. Williams, before the House for consideration.

SB 216 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO VARIABLE RATES FOR REVOLVING CREDIT PLANS.
Representative B. Short made comments.
The roll call on SB 216 was taken and revealed:
YES: 40.
NOT VOTING: Representative Oberle - 1.
Therefore, having received a constitutional majority, SB 216 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Ramone.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SCR 32 & SCR 34 and requests the concurrence of the House.

Representative Ramone introduced and brought SCR 34, jointly sponsored by Senator Peterson, before the House for consideration.

SCR 34 - RECOGNIZING THE WEEK OF JUNE 1-7, 2010 AS NATIONAL CARDIOPULMONARY RESUSCITATION (CPR) AND AUTOMATED EXTERNAL DEFIBRILLATOR (AED) AWARENESS WEEK IN DELAWARE.
Representative Ramone made comments. Representative Ramone requested and was granted privilege of the floor for Johnathan Kirch, Director, representing the American Heart Association and Stewart Krug, President, Matthew Krug Foundation.
Representative Ramone made comments.
SCR 34 was adopted by voice vote and was returned to the Senate.
Representative Schwartzkopf deferred to Representative George.
Representative George introduced HB 433, jointly sponsored by Senator Blevins.

HB 433 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CHOICE OF LAW AND CHOICE OF FORUM.
Mr. Speaker Gilligan assigned HB 433 to the Judiciary Committee.
Representative George made an announcement. Representative Schwartzkopf deferred to Representative Scott. Representative Scott introduced HA 1 to HB 399. HA 1 was placed with the bill. Representative Scott introduced HA 2 to HB 399. HA 2 was placed with the bill. Representative Schwartzkopf deferred to Representative B. Short. Representative B. Short made an announcement. Representative Schwartzkopf deferred to Representative Jaques. Representative Jaques made an announcement. Representative Schwartzkopf deferred to Representative Walls. Representative Walls made an announcement.
The Majority Leader moved to recess to the call of the Chair at 4:47 p.m.
Mr. Speaker Gilligan called the House to order at 2:01 p.m. on June 2, 2010.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 254 w/SA 1 & SB 255 w/SA 1 & SB 242 and requests the concurrence of the House and the Senate has passed HB 349 & HB 345, HB 320 w/HA 1 & 2 & SA 1 & HB 321 w/HA 1 and is returning the same to the House.
Mr. Speaker Gilligan reassigned HS 1 for HB 348 to the Appropriations Committee.
Representative Oberle introduced HA 1 to HB 401. HA 1 was placed with the bill.
The Majority Whip moved to adjourn at 2:03 p.m., thereby ending the current legislative day. The House reconvened at 2:04 p.m.

32nd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
June 2, 2010

The Chief Clerk called the roll.
Members Present: 32.

A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following prefilled legislation was introduced:


**HB 431** - BLAKEY & SENATOR BUSHWELLER - HOUSE ADMINISTRATION - An Act to Amend Chapter 189, Volume 43, Laws of Delaware, as Amended, Relating to the Charter of the Town of Wyoming. (2/3 bill)


**HB 435** - Q. JOHNSON & REPRESENTATIVE CATHCART & SENATOR HALL-LONG; REPRESENTATIVES CARSON, GEORGE, KEELEY, LEE, MIRO, B. SHORT; SENATORS BLEVINS, CONNOR, PETERSON, SORENSON - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Chiropractic.

**HB 436** - SCHOOLEY & SENATOR SOKOLA; REPRESENTATIVES LONGHURST, MITCHELL, SCOTT, B. SHORT; SENATORS BUNTING, VENABLES - EDUCATION - An Act to Amend title 14 of the Delaware Code Relating to Unit Funding.


**HA 2 to HS 1 for HB 348** - LONGHURST - Placed with the Bill.


**SB 254 w/SA 1** - HENRY & REPRESENTATIVE BARBIERI; SENATORS BLEVINS, MARSHALL, MCDOWELL, ENNIS, PETERSON, SORENSON; REPRESENTATIVES SCHOOLEY, VIOLA, HUDSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 and Title 29 of the Delaware Code Relating to Food Stamp Program.

Representatives George, Wilson & Barbieri requested that they be marked present.

**HB 437** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING, AND FISHING LICENSES.

Mr. Speaker Gilligan assigned **HB 437** to the Natural Resources Committee.
Representative Briggs King made comments.
Representatives George, Wilson & Barbieri requested that they be marked present.
The Reading Clerk read the following communications into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #22**
**DATE:** June 2, 2010

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H145-446</td>
<td>Outten</td>
<td>5/19/2009</td>
<td>T</td>
<td>Nancy B. West - Retire - Lake Forest School District</td>
</tr>
<tr>
<td>H145-447</td>
<td>Blakey, Outten</td>
<td>5/19/2009</td>
<td>T</td>
<td>Francis O. Williams - Retire - Lake Forest Schools</td>
</tr>
<tr>
<td>H145-449</td>
<td>Outten</td>
<td>5/19/2009</td>
<td>T</td>
<td>Dianne L. Grambau - Retire - Lake Forest Schools</td>
</tr>
<tr>
<td>H145-450</td>
<td>Thornburg; Outten</td>
<td>5/19/2009</td>
<td>T</td>
<td>Virginia Ball - Retirement - Lake Forest School District</td>
</tr>
<tr>
<td>H145-451</td>
<td>Blakey, Outten</td>
<td>5/19/2009</td>
<td>T</td>
<td>Sharon R. Wright - Retire - Lake Forest School District</td>
</tr>
<tr>
<td>H145-453</td>
<td>Walls, Outten</td>
<td>5/19/2009</td>
<td>T</td>
<td>Viola Schneiderwent - Retire - Lake Forest Schools</td>
</tr>
<tr>
<td>H145-456</td>
<td>Jaques</td>
<td>6/5/2009</td>
<td>T</td>
<td>Ryan Franzoni - Christ the Teacher Catholic School – 2009 Student Excellence and Leadership Award</td>
</tr>
<tr>
<td>H145-460</td>
<td>Booth</td>
<td>6/13/2009</td>
<td>T</td>
<td>Steven Patrick Marvel - Eagle Scout</td>
</tr>
<tr>
<td>H145-461</td>
<td>Kovach; Schooley</td>
<td>4/22/2009</td>
<td>T</td>
<td>Benjamin F. Fay - 80th Birthday</td>
</tr>
<tr>
<td>H145-462</td>
<td>Schooley</td>
<td>5/16/2009</td>
<td>T</td>
<td>Lynn Snyder-Mackler – Francis Alison Faculty Award</td>
</tr>
<tr>
<td>H145-464</td>
<td>Wilson; Outten</td>
<td>5/19/2009</td>
<td>T</td>
<td>Frances Greer Stangl - Retirement - Lake Forest School District</td>
</tr>
<tr>
<td>H145-465</td>
<td>Longhurst</td>
<td>5/30/2009</td>
<td>T</td>
<td>Gene Brodie Emory, Jr. – Eagle Scout</td>
</tr>
<tr>
<td>H145-466</td>
<td>Hocker</td>
<td>6/20/2009</td>
<td>T</td>
<td>Taylor Kern - Eagle Scout</td>
</tr>
<tr>
<td>H145-467</td>
<td>Bennett</td>
<td>5/11/2009</td>
<td>M</td>
<td>The Honorable Maurice A. Hartnett, III</td>
</tr>
</tbody>
</table>

**DATE:** June 2, 2010

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<tbody>
<tr>
<td>H145-468</td>
<td>Schooley</td>
<td>5/21/2009</td>
<td>T</td>
<td>Laura Day - Driving Force Award - Fund for Women</td>
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<tr>
<td>H145-470</td>
<td>Q. Johnson</td>
<td>6/1/2009</td>
<td>T</td>
<td>Melody Lasana/Retire/Health and Social Services</td>
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<tr>
<td>H145-471</td>
<td>Oberle</td>
<td>6/13/2009</td>
<td>T</td>
<td>Sean Brady - Eagle Scout</td>
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<tr>
<td>H145-472</td>
<td>Barbieri; Kowalko</td>
<td>6/13/2009</td>
<td>T</td>
<td>Frazier Smith - Eagle Scout</td>
</tr>
<tr>
<td>H145-474</td>
<td>Hudson</td>
<td>5/14/2009</td>
<td>T</td>
<td>Mildred Courtney - 105th Birthday</td>
</tr>
<tr>
<td>H145-476</td>
<td>Walls</td>
<td>6/26/2009</td>
<td>T</td>
<td>Dorcell Smith Spence - Retire - Dept. of Education</td>
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<tr>
<td>H145-478</td>
<td>Atkins; Booth</td>
<td>5/24/2009</td>
<td>T</td>
<td>Sarah S. Parker - 95th Birthday</td>
</tr>
<tr>
<td>H145-480</td>
<td>Brady</td>
<td>5/21/2009</td>
<td>T</td>
<td>Nick &amp; Josephine Silvestri - 60th Anniversary</td>
</tr>
<tr>
<td>H145-482</td>
<td>Lavelle</td>
<td>4/16/2009</td>
<td>T</td>
<td>Carl and Doris Ross - 60th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-483</td>
<td>Carey</td>
<td>5/22/2009</td>
<td>T</td>
<td>DNREC Division of Fish and Wildlife - Dedication - Lewes Boat Ramp</td>
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<tr>
<td>H145-485</td>
<td>Walls</td>
<td>6/9/2009</td>
<td>T</td>
<td>Carolyn Dittmar - Outstanding</td>
</tr>
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</table>

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The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
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<tr>
<td>H145-488</td>
<td>Walls</td>
<td>6/9/2009</td>
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<td>Robin Owens - Staff Employee</td>
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<tr>
<td>H145-489</td>
<td>Cathcart</td>
<td>4/7/2009</td>
<td>T</td>
<td>Mario &amp; Debbie Tiberi - 30th Wedding Anniversary</td>
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<tr>
<td>H145-490</td>
<td>Schooley</td>
<td>4/16/2009</td>
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<td>Edward &amp; Katherine Hermann - 60th Anniversary</td>
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<tr>
<td>H145-491</td>
<td>Gilligan</td>
<td>4/18/2009</td>
<td>T</td>
<td>William &amp; Dorothy Johnson - 50th Anniversary</td>
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<td>H145-493</td>
<td>Gilligan</td>
<td>4/19/2009</td>
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<td>Michael &amp; Celia Malvestuto - 40th Anniversary</td>
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<td>H145-494</td>
<td>Kovach</td>
<td>5/2/2009</td>
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<td>Robert &amp; Henriette Wright - 50th Anniversary</td>
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<td>H145-495</td>
<td>Kovach</td>
<td>4/16/2009</td>
<td>T</td>
<td>Merritt &amp; Renee Tilley - 60th Wedding Anniversary</td>
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<td>H145-497</td>
<td>Walls</td>
<td>5/28/2009</td>
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<td>Milford High School Boy’s Track</td>
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<td>cosponsor: Rep. Carey</td>
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<td>Team - 2009 Division II State Champions</td>
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<td>H145-498</td>
<td>Atkins</td>
<td>5/18/2009</td>
<td>M</td>
<td>George C. Truitt</td>
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<td></td>
<td>cosponsors: Reps. Atkins, Schwartzkopf &amp; Lee</td>
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<td>Retirement - Delaware State Police</td>
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<td>H145-500</td>
<td>Lee</td>
<td>5/19/2009</td>
<td>T</td>
<td>Christine B. Henderson - Retirement</td>
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<td>H145-503</td>
<td>Schwartzkopf</td>
<td>6/25/2009</td>
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<td>Master Corporal John W. Justice -</td>
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<td>cosponsors: Reps. Atkins, Lee &amp; Booth Retirement - Delaware State Police</td>
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<td>H145-504</td>
<td>Wilson</td>
<td>6/25/2009</td>
<td>T</td>
<td>Sergeant Steve T. Swain -</td>
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<td>cosponsors: Reps. Atkins, Lee, Schwartzkopf &amp; Booth</td>
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<td>Retirement - Delaware State Police</td>
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<tbody>
<tr>
<td></td>
<td>cosponsors: Reps. Atkins Lee &amp; Schwartzkopf</td>
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<td></td>
<td>cosponsors: Reps. Atkins, Lee &amp; Schwartzkopf</td>
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<tr>
<td>H145-507</td>
<td>Walls</td>
<td>6/26/2009</td>
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<td>Christopher Zimmerman - Retire – Dept. of Education</td>
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<td>H145-508</td>
<td>Blakey</td>
<td>6/10/2009</td>
<td>T</td>
<td>Brenda Mack-Bowman - Retire – Dept. of Education</td>
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<td>H145-511</td>
<td>Oberle</td>
<td>5/29/2009</td>
<td>T</td>
<td>University of Delaware Medical Technology Program - 60th Anniversary</td>
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<td>cosponsors: All Representatives</td>
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<td>H145-513</td>
<td>Carey</td>
<td>6/16/2009</td>
<td>T</td>
<td>Honorable Randy J. Holland – Longest Serving</td>
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<tr>
<td></td>
<td>Gilligan</td>
<td></td>
<td></td>
<td>DE Supreme Court Justice</td>
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<td>H145-515</td>
<td>Plant</td>
<td>6/16/2009</td>
<td>T</td>
<td>Amanda Brown - Padua Academy -</td>
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<td>cosponsor: Rep. Keeley</td>
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<td></td>
<td>Father Traitor Scholarship Award</td>
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<tr>
<td>H145-516</td>
<td>D.P. Williams</td>
<td>6/16/2009</td>
<td>T</td>
<td>Samantha Decenord - St. Elizabeth</td>
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<td>cosponsor: Rep. Keeley</td>
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<td></td>
<td>High School - Father Traitor Scholarship Award</td>
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<tr>
<td>H145-517</td>
<td>Plant</td>
<td>6/16/2009</td>
<td>T</td>
<td>Michael Kane - Salesianum High</td>
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<tr>
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<td>cosponsor: Rep. Keeley</td>
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<td></td>
<td>School - Father Traitor Scholarship Award</td>
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<tr>
<td>H145-518</td>
<td>D.E. Williams</td>
<td>6/16/2009</td>
<td>T</td>
<td>Sana'ja McManus - Padua Academy</td>
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<td>cosponsor: Rep. Keeley</td>
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<td></td>
<td>- Father Traitor Scholarship Award</td>
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<td>H145-519</td>
<td>Keeley</td>
<td>6/16/2009</td>
<td>T</td>
<td>Nicholas Cann - Salesianum High</td>
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<tbody>
<tr>
<td>H145-524</td>
<td>B. Short</td>
<td>5/31/2009</td>
<td>T</td>
<td>The Birth Center - 10th Anniversary</td>
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<tr>
<td>H145-526</td>
<td>Brady</td>
<td>6/3/2009</td>
<td>T</td>
<td>Pam Price - 50th Birthday</td>
</tr>
<tr>
<td>H145-527</td>
<td>Walls</td>
<td>6/27/2009</td>
<td>T</td>
<td>Samuel &amp; Shirley Mackert - 50th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-528</td>
<td>Outten</td>
<td>6/26/2009</td>
<td>T</td>
<td>Harry &quot;Dicky&quot; Minner - Retirement - DelDOT</td>
</tr>
<tr>
<td>H145-530</td>
<td>Lee</td>
<td>7/17/2009</td>
<td>T</td>
<td>Dr. Darlene J. Bolig - Retirement - Dept. of Education</td>
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<td>H145-531</td>
<td>Bennett</td>
<td>7/10/2009</td>
<td>T</td>
<td>Kyle Adam Rash - Eagle Scout</td>
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<tr>
<td>H145-532</td>
<td>Outten</td>
<td>6/10/2009</td>
<td>T</td>
<td>Allen's Hatchery - 90th Anniversary</td>
</tr>
<tr>
<td>H145-533</td>
<td>Outten</td>
<td>6/10/2009</td>
<td>T</td>
<td>Felton Lodge Independent Order of Odd Fellows -- 150th Anniversary</td>
</tr>
<tr>
<td>H145-534</td>
<td>Outten</td>
<td>6/10/2009</td>
<td>T</td>
<td>Dr. Charles W. Walton - Retirement - Dept. of Education</td>
</tr>
<tr>
<td>H145-537</td>
<td>Outten</td>
<td>6/10/2009</td>
<td>T</td>
<td>James F. Keeley - Retirement - DelDOT</td>
</tr>
<tr>
<td>H145-538</td>
<td>Outten</td>
<td>6/10/2009</td>
<td>T</td>
<td>Charles W. Walton - Retirement - DelDOT</td>
</tr>
</tbody>
</table>

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H145-544</td>
<td>Carey</td>
<td>6/9/2009</td>
<td>T</td>
<td>Kayla Martell - Outstanding Work with Youth</td>
</tr>
<tr>
<td>H145-546</td>
<td>Thornburg</td>
<td>6/7/2009</td>
<td>M</td>
<td>Doris Elaine DeRocili</td>
</tr>
<tr>
<td>H145-547</td>
<td>Kovan</td>
<td>6/15/2009</td>
<td>T</td>
<td>Beverly Baxter - Retirement - Committee of 100</td>
</tr>
<tr>
<td>H145-552</td>
<td>Scott</td>
<td>6/30/2009</td>
<td>T</td>
<td>Willie E. Jones - Retirement - DelDOT</td>
</tr>
<tr>
<td>H145-553</td>
<td>Thornburg</td>
<td>6/10/2009</td>
<td>T</td>
<td>Patricia P. Conley - Retirement - Smyrna School District</td>
</tr>
</tbody>
</table>
The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>595</td>
<td>Scott</td>
<td>6/16/2009</td>
<td>T</td>
<td>Karen Nickerson - Retire - Public Service Commission</td>
</tr>
<tr>
<td>594</td>
<td>Outten</td>
<td>6/16/2009</td>
<td>T</td>
<td>Norma Sherwood - Retire - Public Service Commission</td>
</tr>
<tr>
<td>593</td>
<td>Longhurst; Jacques</td>
<td>6/11/2009</td>
<td>T</td>
<td>Jonathan H. Buzby - 20 Years of Service - Special Olympics Delaware</td>
</tr>
<tr>
<td>592</td>
<td>Marshall; Schwartzkopf</td>
<td>6/7/2009</td>
<td>M</td>
<td>Justin James Lesko</td>
</tr>
<tr>
<td>591</td>
<td>Schwartzkopf</td>
<td>6/18/2009</td>
<td>T</td>
<td>Cape Henlopen Girls Lacrosse Team - State Champions</td>
</tr>
<tr>
<td></td>
<td>cosponsor: Rep. Booth</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**HOUSE TRIBUTE ANNOUNCEMENT #28**

**DATE: June 2, 2010**

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>589</td>
<td>Lavelle</td>
<td>6/11/2009</td>
<td>T</td>
<td>Daniel Caton - Eagle Scout</td>
</tr>
<tr>
<td>586</td>
<td>Lavelle</td>
<td>6/11/2009</td>
<td>T</td>
<td>Mark Hannagan - Eagle Scout</td>
</tr>
<tr>
<td>585</td>
<td>Lavelle</td>
<td>6/11/2009</td>
<td>T</td>
<td>Kevin Hession - Eagle Scout</td>
</tr>
<tr>
<td>584</td>
<td>Lavelle</td>
<td>6/11/2009</td>
<td>T</td>
<td>Andrew Mercante - Eagle Scout</td>
</tr>
<tr>
<td>582</td>
<td>Lavelle</td>
<td>6/11/2009</td>
<td>T</td>
<td>Andrew Minatella - Eagle Scout</td>
</tr>
<tr>
<td>581</td>
<td>Lavelle</td>
<td>6/11/2009</td>
<td>T</td>
<td>Mikael Oja - Eagle Scout</td>
</tr>
<tr>
<td>580</td>
<td>Outten</td>
<td>6/19/2009</td>
<td>T</td>
<td>William Leroy Betts - 70th Birthday</td>
</tr>
<tr>
<td></td>
<td>cosponsors: Reps. Thornburg, Scott, Bennett, Walls, Blakey, Carson, Carey &amp; Wilson</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>579</td>
<td>Keeley</td>
<td>6/17/2009</td>
<td>T</td>
<td>Dennis J. Savage - Retirement -</td>
</tr>
<tr>
<td></td>
<td>cosponsor: Rep. D.P. Williams</td>
<td></td>
<td></td>
<td>Department of Health &amp; Social Services</td>
</tr>
<tr>
<td></td>
<td>cosponsor: Rep. Ramone</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>577</td>
<td>Thornburg</td>
<td>6/22/2009</td>
<td>T</td>
<td>Gail Lanouette - Retirement - Department of State</td>
</tr>
<tr>
<td>576</td>
<td>Hudson</td>
<td>6/13/2009</td>
<td>M</td>
<td>William Hammett Daiger III</td>
</tr>
<tr>
<td>575</td>
<td>Booth</td>
<td>6/25/2009</td>
<td>T</td>
<td>Master Corporal Timothy R. Conaway - Retirement – Delaware State Police</td>
</tr>
<tr>
<td></td>
<td>cosponsors: Reps. Atkins, Lee &amp; Schwartzkopf</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>574</td>
<td>Booth</td>
<td>6/3/2009</td>
<td>T</td>
<td>Howard &amp;Dorothy Perdue - 70th Wedding Anniversary</td>
</tr>
<tr>
<td>573</td>
<td>Booth</td>
<td>7/11/2009</td>
<td>T</td>
<td>Harbeson Scholarship Program - 10th Anniversary</td>
</tr>
<tr>
<td></td>
<td>cosponsor: Rep. Carey</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>572</td>
<td>Schwartzkopf</td>
<td>6/20/2009</td>
<td>T</td>
<td>Pat Campbell-White - Center for Inland Bays</td>
</tr>
<tr>
<td></td>
<td>cosponsor: Rep. Carey</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>571</td>
<td>Brady</td>
<td>6/22/2009</td>
<td>T</td>
<td>Albert Carter - Retirement - Department of State</td>
</tr>
</tbody>
</table>

**HOUSE TRIBUTE ANNOUNCEMENT #29**

**DATE: June 2, 2010**

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>570</td>
<td>Gilligan</td>
<td>6/17/2009</td>
<td>T</td>
<td>Robert Turner - Past National Commander – American Legion</td>
</tr>
<tr>
<td>569</td>
<td>Longhurst</td>
<td>6/26/2009</td>
<td>T</td>
<td>Andrew Haman - Retire - DHSS</td>
</tr>
<tr>
<td>567</td>
<td>D. Short</td>
<td>6/19/2009</td>
<td>T</td>
<td>Captain Terry Merritt - Retirement - United States Navy</td>
</tr>
<tr>
<td></td>
<td>cosponsor: Rep. Thornburg</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>566</td>
<td>Brady</td>
<td>6/21/2009</td>
<td>T</td>
<td>Most Reverend Michael A. Saltarelli, DD - 2009 Share the Care Award</td>
</tr>
<tr>
<td></td>
<td>cosponsor: Rep. Ramone</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>565</td>
<td>Manolakos</td>
<td>6/21/2009</td>
<td>T</td>
<td>Harry Simeone - Unity Corp. - 2009 Share the Care Award</td>
</tr>
<tr>
<td></td>
<td>cosponsor: Rep. Ramone</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>564</td>
<td>Carson</td>
<td>6/15/2009</td>
<td>M</td>
<td>Medford L. Potter</td>
</tr>
<tr>
<td>563</td>
<td>Mulrooney</td>
<td>6/9/2009</td>
<td>T</td>
<td>Harold Hoagland - Induction - Baseball Hall of Fame</td>
</tr>
<tr>
<td></td>
<td>cosponsor: Rep. Cathcart</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>562</td>
<td>Cathcart</td>
<td>6/9/2009</td>
<td>T</td>
<td>Paul Loder - Induction - Baseball</td>
</tr>
<tr>
<td></td>
<td>cosponsor: Rep. Q. Johnson</td>
<td></td>
<td></td>
<td>Hall of Fame</td>
</tr>
<tr>
<td>561</td>
<td>J. Johnson</td>
<td>5/5/2009</td>
<td>T</td>
<td>Frank &amp; Denise Lingenfelter - 30th Anniversary</td>
</tr>
<tr>
<td>559</td>
<td>Hudson</td>
<td>5/30/2009</td>
<td>T</td>
<td>Tom &amp; Nancy Johnson - 40th Wedding Anniversary</td>
</tr>
</tbody>
</table>
Representative Longhurst brought the following prefiled Consent Calendar #17 before the House for consideration.

**HR 46** - B. SHORT ON BEHALF OF ALL REPRESENTATIVES - Celebrating the Tenth Anniversary of the First State Ballet Theatre.

**HCR 49** - J. JOHNSON & SENATOR ENNIS; REPRESENTATIVES HOCKER, MITCHELL, D.E. WILLIAMS, KEELEY, HUDSON, BRIGGS KING; SENATOR BUNTING - Expressing the Gratitude of the General Assembly for the Tireless Work of the Statistical Analysis Center, and Urging the Department of Correction to Work Cooperatively with the Statistical Analysis Center to Update the Report Regarding Delaware's Correctional Justice System.

Consent Calendar #17 was adopted by voice vote and HR 46 was declared passed and HCR 49 was sent to the Senate for concurrence.

Representative Oberle made comments and introduced the Sanford High School Chorale who performed four selections. Representative Oberle deferred to Representative Manolakos.

Representative Manolakos requested and was granted privilege of the floor for him to address the House. The Chorale members announced their names and grades for the record. Representatives Atkins, Oberle & Representative Hudson to present a House Tribute to Clint Williams, Vocal Ensemble Director, Sanford School, who addressed the House. The Chorale members announced their names and grades for the record. Representatives Atkins, J. Johnson & Schooley requested that they be marked present.

Representative Longhurst deferred to Representative Schooley.

Representative Schooley introduced HA 1 to HB 396. HA 1 was placed with the bill. The Majority Whip moved to recess for committee meetings and to the call of the Chair at 2:37 p.m. Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following member was marked present by the Chief Clerk after the House recessed at 2:37 p.m.: Representative Thornburg.

Mr. Speaker Gilligan called the House to order at 2:01 p.m. on June 3, 2010. The Reading Clerk read the following communications into the record:

Thank you for your understanding.

Please be advised that it is necessary for me to be absent from Legislative Session today, Wednesday June 2, 2010, due to personal reasons.

Thank you for your understanding.

Sincerely,
Gregory F. Lavelle
State Representative
11th District

The Senate wishes to inform the House that it has passed HB 323 w/HA 1, HB 340, HB 337 w/HA 1, HB 347 w/HA 1, HB 372, HB 373, HB 374 & HB 375 w/HA 1 and is returning the same to the House.

Representatives Carey, Miro, Schwartzkopf, D.P. Williams & Mitchell requested that they be marked present for the current Legislative Day.

The Chief Clerk read the following committee reports into the record:

- **EDUCATION:** HB 283 - 8F; HB 396 - 9M; HB 401 - 10M.
- **LABOR:** HB 364 - 5F, 4M.
- **PUBLIC SAFETY & HOMELAND SECURITY:** HB 397 - 6M; HB 415 - 6M; SB 215 - 6M.
- **JUDICIARY:** HB 410 - 8M; HB 423 - 7M; HB 433 - 7M; SB 113 - 7M.
- **APPROPRIATIONS:** HS 1 for HB 10 - 5M; HB 128 - 4M; HB 399 - 4M; SB 209 w/SA 1 - 4M.
- **HEALTH & HUMAN DEVELOPMENT:** HB 41 - 1F, 6M; SB 122 w/SA 1 - 1F, 6M; SB 235 w/SA 2 - 7M.
- **NATURAL RESOURCES:** HB 398 - 7M; HB 409 - 7M.
- **REVENUE & FINANCE:** HB 408 - 6F.
- **ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE:** HB 400 - 6F, 3M.
AGRICULTURE: HB 402 - 6M; HB 403 - 6M; HB 404 - 6M; HB 405 - 6M; HB 406 - 6M; HB 407 - 6M.

The Majority Leader moved to adjourn at 2:04 p.m., thereby ending the current legislative day. The House reconvened at 2:05 p.m.

33rd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
June 3, 2010

The Chief Clerk called the roll.

Members Present: 40.

Members Absent: Representative Manolakos - 1.

A prayer was offered by Representative E. Bradford Bennett, Thirty-second Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

**HB 439** - LEE & SENATOR VENABLES - HOUSE ADMINISTRATION - An Act to Amend Chapter 288, Volume 64, Laws of Delaware, as Amended, the Charter of the Town of Laurel, to Allow the Town of Laurel to Finance the Eligible Costs of Qualifying Projects and Items for a Tax Increment Financing (TIF) District and a Special Development District Created by the Town of Laurel Under Section 36A of the Charter, whether any such Project or Item will Ultimately be Owned by the Town of Laurel or by the State of Delaware or any Agency or Instrumentality Thereof, or any County, Local Political Subdivison, Instrumentality, Agency, Body Politic, Utility District, or Similar Entity within the State of Delaware.


**HB 444** - D.E. WILLIAMS & SENATOR KATZ; REPRESENTATIVES GILLIGAN, HUDSON, KEELEY, B. SHORT; SENATOR ENNIS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 31 of the Delaware Code Relating to Child Care.


Representative Schwartzkopf deferred to Representative George.

Representative D.E. Williams requested that he be marked present.

Representative George requested and was granted privilege of the floor for herself and Representative Schooley to present a House Tribute to Connie Bond Stuart, Regional President, PNC Bank, who addressed the House.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson requested that HB 416 be stricken.

Representatives Keeley, Viola, Mulrooney & Hocker requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:16 p.m.

The House reconvened at 4:58 p.m.

Representative Longhurst introduced and brought SCR 32, jointly sponsored by Senator Hall-Long & Sorensen & Representatives Manolakos, Mitchell, Jaques & Q. Johnson, before the House for consideration.

**SCR 32** - RECOGNIZING THE HEALTH CONCERNS OF BISPHENOL A EXPOSURE.

Representative Longhurst made comments.

SCR 32 was adopted by voice vote and was returned to the Senate.

Representative Longhurst deferred to Representative B. Short.
Representative B. Short brought HB 400, jointly sponsored by Representative Kovach & Representative D. Short & Representatives Barbieri, Bennett, Briggs King, Hocker, Q. Johnson, Lavelle, Mitchell, Ramone & Walls & Senators Bushweller & Henry, before the House for consideration. **HB 400 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO BUILDING CONSTRUCTION DISPUTES.**

Representative B. Short made comments. Representative Kovach requested that he be marked present and made comments. Representatives Hudson, Barbieri, Oberle & Atkins requested that they be marked present. Representative B. Short made comments.

The roll call on HB 400 was taken and revealed:
- YES: 39
- ABSENT: Representatives Manolakos & Thornburg - 2

Therefore, having received a constitutional majority, HB 400 was sent to the Senate for concurrence.

Representative Carson brought HB 382, jointly sponsored by Senator Peterson & Representatives Barbieri, Bennett, Brady, Kowalko, Mitchell, Plant, Scott & Viola & Senators Blevins, Bushweller, Cook, Ennis, Hall-Long & Henry and cosponsored by Representatives Blakey, Jaques & Walls, before the House for consideration. **HB 382 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CONTROLLED SUBSTANCES**

Representative Carson made comments.

The roll call on HB 382 was taken and revealed:
- YES: 40
- ABSENT: Representative Manolakos - 1

Therefore, having received a constitutional majority, HB 382 was sent to the Senate for concurrence.


Representative D.P. Williams made comments.

Mr. Speaker Gilligan ruled that SB 215 requires a three-fifths vote.

The roll call on SB 215 was taken and revealed:
- YES: 40
- ABSENT: Representative Manolakos - 1

Therefore, having received a constitutional majority of at least three-fifths Members of the House, SB 215 was returned to the Senate.

Representative Longhurst deferred to Representative Outten.

Representative Outten brought HB 398, jointly sponsored by Senator Cook & Representatives Carey, Hocker, Hudson, Thornburg & Mitchell & Senators Bunting, Simpson & Booth & cosponsored by Representatives J. Johnson & Walls, before the House for consideration. **HB 398 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO EXTENSION OF MUSKRAT SEASON.**

Representatives J. Johnson & Outten made comments.

The roll call on HB 398 was taken and revealed:
- YES: 40
- ABSENT: Representative Manolakos - 1

Therefore, having received a constitutional majority, HB 398 was sent to the Senate for concurrence.

Representative Longhurst deferred to Representative Walls.

Representative Walls brought HB 409, jointly sponsored by Representative Carson & Senator Ennis & Senator Venables, before the House for consideration. **HB 409 - AN ACT TO AMEND CHAPTERS 5 AND 7 OF TITLE 7 OF THE DELAWARE CODE RELATING TO LICENSES AND REGULATIONS CONCERNING GAME AND FISH. (2/3 bill)**

Representatives Walls & Lavelle made comments.

The roll call on HB 409 was taken and revealed:
- YES: 40
- ABSENT: Representative Manolakos - 1

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 409 was sent to the Senate for concurrence.

Representative Longhurst deferred to Representative Barbieri.

Representative Barbieri brought SB 213, jointly sponsored by Senator Henry & Senators Blevins, Ennis & Bushweller & Representatives Viola, Schooley, Mitchell,
J. Johnson, Bennett, Scott, Jaques, Hudson, D. Short, Hocker & Manolakos, before the House for consideration.

**SB 213 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DIVISION OF CHILD SUPPORT ENFORCEMENT.**

Representative Barbieri made comments.

The roll call on **SB 213** was taken and revealed:

YES: 39.

ABSENT: Representatives Manolakos & Oberle - 2.

Therefore, having received a constitutional majority, **SB 213** was returned to the Senate.

Representative Schwartzkopf deferred to Representative Bennett.


**SB 209 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE PROVIDING FOR AN EXTENSION OF THE HISTORIC PRESERVATION TAX CREDIT ACT. (F/N)**

Representative Bennett introduced and brought **HA 1 to SB 209** before the House for consideration.

The roll call on **SB 209 w/SA 1 & HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Manolakos - 1.

Therefore, having received a constitutional majority, **SB 209 w/SA 1 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Schwartzkopf deferred to Representative Cathcart.

Representative Cathcart brought **HB 320 w/HA 1 & 2 & SA 1**, jointly sponsored by Senator Ennis & Representatives Carson, Jaques, Q. Johnson, Mitchell, D. Short, Carey & Oberle & Senator Hall-Long & cosponsored by Representative Kovach, before the House for concurrence on **SA 1**.

**HB 320 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO TITLES AND CONVEYANCES.**

Representative Schwartzkopf made comments.

The roll call on **HB 320 w/HA 1 & 2 & SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Keeley & Manolakos - 2.

Therefore, having received a constitutional majority, **HB 320 w/HA 1 & 2 & SA 1** was sent to the Governor.


**HB 447 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO BREWERY-PUBS AND MICROBREWINA.**

Mr. Speaker Gilligan assigned **HB 447** to the Economic Development/Banking/Insurance & Commerce Committee.

Representative Longhurst deferred to Representative Kowalko.

Representative Kowalko introduced **HB 446**, jointly sponsored by Senator Hall-Long & Representatives Atkins, Bennett, Kovach & Lee & Senators Bonini, Booth, Bushweller & Katz.

**HB 446 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE NEWARK HOUSING AUTHORITY.**

Mr. Speaker Gilligan assigned **HB 446** to the Policy Analysis & Government Accountability Committee.

Representatives Kowalko and Scott made announcements.

Representative Schwartzkopf brought **HB 397**, jointly sponsored by Senator Bunting & Representatives Hocker, Jaques, Keeley, Longhurst & Wilson & cosponsored by Representatives Bennett & Walls, before the House for consideration.

**HB 397 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES. (3/5 bill)**

Representatives Schwartzkopf & Lavelle made comments.

Mr. Speaker Gilligan ruled that **HB 397** requires a three-fifths vote.

The roll call on **HB 397** was taken and revealed:

YES: 33.

NO: Representative Cathcart - 1.

NOT VOTING: Representatives Hudson, Lavelle, Outten, Ramone & B. Short - 5.

ABSENT: Representatives Hocker & Manolakos - 2.
Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 397 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.


HB 448 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE IMPLEMENTATION OF A STATEWIDE “BLUE ALERT” SYSTEM FOR THE SPEEDY APPREHENSION OF PERSONS ACCUSED OF KILLING OR SERIOUSLY INJURING LAW ENFORCEMENT OFFICERS.

Mr. Speaker Gilligan assigned HB 448 to the Public Safety & Homeland Security Committee.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Mitchell made an announcement.

The Majority Leader moved to adjourn at 2:02 p.m., thereby ending the current legislative day. The House reconvened at 2:03 p.m.

34th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session

June 8, 2010

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Lavelle & Plant - 2.

The House observed a moment of silence in memory of Ada Leigh Soles, former Representative, at the request of Mr. Speaker Gilligan.

A prayer was offered by Representative Teresa L. Schooley, Twenty-third Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted. The following prefiled legislation was introduced:


HB 450 - SCHWARTZKOPF & SENATOR ENNIS; REPRESENTATIVES ATKINS, BARBIERI, BENNETT, BRADY, CARSON, GILLIGAN, HUDSON, JAQUES, J. JOHNSON, Q. JOHNSON, KOWALKO, LEE, LONGHURST, MIRO, MITCHELL, OBERLE, SCHOOLEY, SCOTT, VIOLA, WALLS, D.P. WILLIAMS; SENATORS BUSHWELLER, HALL-LONG - PUBLIC SAFETY &
HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Special License or Registration Plates. (3/5 bill)

HB 451 - HUDSON & REPRESENTATIVE BARBIERI & SENATOR BLEVIN & SENATOR SORENSON; REPRESENTATIVES GEORGE, J. JOHNSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Family Court.

HB 452 - D.P. WILLIAMS & SENATOR ENNIS; REPRESENTATIVE WILLIAM - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 11 of the Delaware Code Related to Probation and Parole Officers.

HB 453 - B. SHORT & SENATOR BLEVIN; REPRESENTATIVES BARBIERI, Q. JOHNSON, KOVACH - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to the Conversion of a Mutual Insurer to a Stock Insurer.

HA 1 for HB 237 - VIOLA - Placed with the Bill.

HJR 10 - OBERLE & REPRESENTATIVE SCHOOLEY & REPRESENTATIVE KOWALKO - EDUCATION - Creating a Committee to Develop Curriculum for Instructing Students in the History of Organized Labor and the Collective Bargaining Process in America.


SB 210 w/SA 1 - MCBRIDE & REPRESENTATIVE HUDSON - TRANSPORTATION, LAND USE & INFRASTRUCTURE - An Act to Amend Title 17 of the Delaware Code Relating to Delaware Byways.

SB 236 - HALL-LONG & REPRESENTATIVE BARBIERI; SENATORS HENRY, SORENSON; REPRESENTATIVES MANOLAKOS, MITCHELL, JAQUES, KEELEY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to Qualifications of Psychologists.


SB 261 - SOKOLA & REPRESENTATIVE SCHOOLEY - EDUCATION - An Act to Amend Title 14 of the Delaware Code to Encourage Parents to Become Involved in Public Schools.

Repschwartzkopf deferred to Rep. J. Johnson. Representative J. Johnson requested and was granted personal privilege of the floor to introduce a guest. Mr. Speaker Gilligan reassigned HS 1 for HB 348 to the Judiciary Committee. Representative George made an announcement.

The Reading Clerk read the following communications into the record:

June 8, 2010
The Honorable Robert F. Gilligan
Speaker of the House
Legislative Hall
Dover, DE 19901

Dear Speaker Gilligan:

Please be advised that it is necessary for me to be absent from Legislative Session, Tuesday, June 8, 2010 and Wednesday, June 9, 2010, due to medical reasons.

Thank you for your understanding.

Sincerely,
Gregory F. Lavelle
State Representative
11th District

MEMORANDUM

TO: The Honorable Robert F. Gilligan
Speaker of the House of Representatives

FROM: Representative William A. Oberle, Jr.

RE: Absence from Session

DATE: June 8, 2010

Please be advised that I will be unable to attend session Wednesday and Thursday, June 9 and 10, 2010, due to personal business.

Thank you for your consideration in this matter.
The Senate wishes to inform the House that it has passed SB 261 & SB 210 w/SA1 and requests the concurrence of the House.

Representative Schwartzkopf requested and was granted privilege of the floor for Linda Pusey, Pageant Director, Miss Delaware Scholarship Program. The Miss Delaware 2010 contestants announced their names, titles and platforms for the record. Heather Lehman, Miss Delaware 2009 addressed the House and presented her official portrait.

Representative Longhurst requested and was granted privilege of the floor to make comments.

Representatives Walls, Wilson, Hocker & Schwartzkopf made comments.

Representative Atkins requested that he be marked present. Representative Hocker made a comment.

Representative Cathcart requested that he be marked present.

The Majority Leader moved to recess for caucus at 2:22 p.m.

The House reconvened at 4:44 p.m.

The Chief Clerk read the following committee report into the record:

NATURAL RESOURCES: HB 419 - 13M.

Mr. Speaker Gilligan reassigned HB 449 to the House Administration Committee.

Representative Thornburg requested and was granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf deferred to Representative Schooley.


HB 283 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE EDUCATION OF CHILDREN WHO ARE DEAF OR HARD OF HEARING.

Representatives Schooley, Kowalko & Q. Johnson made comments. Representative Q. Johnson announced that he would not be voting on HB 283 because of a possible conflict of interest.

The roll call on HB 283 was taken and revealed:

YES: 36.

NOT VOTING: Representative Q. Johnson - 1.

ABSENT: Representatives Cathcart, Lavelle, Plant & D. Short - 4.

Therefore, having received a constitutional majority, HB 283 was sent to the Senate for concurrence.

Representatives Oberle, B. Short, Viola, D.P. Williams & Kovach requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley brought HB 281, jointly sponsored by Senator Ennis & Representative Jaques, before the House for consideration.

HB 281 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.

Representative Keeley, Lee & Jaques made comments.

The roll call on HB 281 was taken and revealed:

YES: 38.

ABSENT: Representatives Lavelle, Plant & D. Short - 3.

Therefore, having received a constitutional majority, HB 281 was sent to the Senate for concurrence.

Representative Longhurst deferred to Representative Mitchell.

Representative Mitchell brought HB 408, jointly sponsored by Senator Henry & Representatives Atkins, Carson, Lee & D.P. Williams & Senators Cloutier, McBride & Sokola, before the House for consideration.

HB 408 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TOBACCO PRODUCT TAX.

Representatives Mitchell & Blakey made comments.

The roll call on HB 408 was taken and revealed:

YES: 37.

ABSENT: Representatives Keeley, Lavelle, Plant & D. Short - 4.

Therefore, having received a constitutional majority, HB 408 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought HB 415, jointly sponsored by Senator Ennis, before the House for consideration.

HB 415 - AN ACT TO AMEND CHAPTER 64A, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY.

Representative Mitchell introduced and brought HA 1 to HB 415 before the House for consideration. Representative Mitchell made a comment. HA 1 was adopted by voice vote. Representative Mitchell made comments.

The roll call on HB 415 w/HA 1 was taken and revealed:

YES: 39.
ABSENT: Representatives Lavelle & Plant - 2.

Therefore, having received a constitutional majority, **HB 415 w/HA 1** was sent to the Senate for concurrence.

Representative Mitchell introduced a guest & made comments.
Representative Schwartzkopf deferred to Representative George.
Representative George brought **SB 220**, sponsored by Senator Simpson & Representative D.P. Williams & Senator Booth & Representative Kowalko & cosponsored by Senator Blevins & Representative Bennett, before the House for consideration.

**SB 220 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXECUTION OF A CHATTLE JUDGMENT.**

Representative George made comments.
The roll call on **SB 220** was taken and revealed:
YES: 36.
ABSENT: Representatives Hocker, Lavelle, Miro, Oberle & Plant - 5.
Therefore, having received a constitutional majority, **SB 220** was returned to the Senate.
Representative Schwartzkopf deferred to Representative George.

**HB 410 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO DIVORCE AND ANNULMENT.**

Representative George made comments. Representative George introduced and brought **HA 1 to HB 410** before the House for consideration. Representative George introduced and brought **HB 410, HA 1 & HA 1 to HB 410** before the House for consideration. Representative George moved to place **HB 410, HA 1 & HA 1** to **HB 410** on the Speaker's Table. The motion was seconded by Representative Longhurst and adopted by voice vote.

Representative Longhurst deferred to Representative George.
Representative George brought **HB 423**, jointly sponsored by Senator Blevins & Representatives Keeley & Mitchell & Senator Cook, before the House for consideration.

**HB 423 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO DOMESTIC RELATIONS AND THIRD PARTY VISITATION.**

Representative George made comments.
The roll call on **HB 423** was taken and revealed:
YES: 39.
ABSENT: Representatives Lavelle & Plant - 2.
Therefore, having received a constitutional majority, **HB 423** was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative George.
Representative George brought **HB 433**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 433 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CHOICE OF LAW AND CHOICE OF FORUM.**

Representative George made comments.
The roll call on **HB 433** was taken and revealed:
YES: 39.
ABSENT: Representatives Lavelle & Plant - 2.
Therefore, having received a constitutional majority, **HB 433** was sent to the Senate for concurrence.
Mr. Speaker Gilligan made announcements.
Representative Schwartzkopf deferred to Representative Carson.
Representative Carson brought **SB 218**, jointly sponsored by Senator Henry & Senators Bushweller & Ennis & Representatives Mitchell & Bennett, before the House for consideration.

**SB 218 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COURT COSTS FOR CIVIL TRAFFIC OFFENSES.**

Representative Carson made comments.
The roll call on **SB 218** was taken and revealed:
YES: 39.
ABSENT: Representatives Lavelle & Plant - 2.
Therefore, having received a constitutional majority, **SB 218** was returned to the Senate.
Representative Schwartzkopf brought **Consent Agenda C** before the House for consideration.

**HB 402 - WALLS & SENATOR BUNTING & REPRESENTATIVES CAREY, CARSON, HOCKER, Q. JOHNSON, LEE, THORNBURG & WILSON & SENATORS ENNIS HALL-LONG & BOOTH - An Act to Amend Title 3 of the Delaware Code Relating to the Department of Agriculture.**

**HB 404 - WALLS & SENATOR BUNTING & REPRESENTATIVES CARSON & WILSON & SENATORS HALL-LONG & BOOTH - An Act to Amend Title 3 of the Delaware Code Relating to the Department Of Agriculture.**


The roll call on Consent Agenda C was taken and revealed:
YES: 39.
ABSENT: Representatives Lavelle & Plant - 2.
Therefore, having received a constitutional majority, HB 402, HB 404, HB 406 & HB 407 were sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri introduced HB 455, jointly sponsored by Representative Longhurst & Senator Henry & Representative Keeley & Senators Katz & Sorenson.

HB 455 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO DURABLE POWERS OF ATTORNEY AND ADDING A CHAPTER 49A THERETO RELATING TO DURABLE PERSONAL POWERS OF ATTORNEY.

Mr. Speaker Gilligan assigned HB 455 to the Judiciary Committee.
Representative Barbieri introduced HS 1 for HB 428, jointly sponsored by Representative Ramone & Senator Peterson & Representative Briggs King & Senator Henry & cosponsored by Representative Mitchell.

HB 428 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS, OFFENSES CONCERNING CERTAIN PERSONS AND THE CREATION OF A CIVIL CAUSE OF ACTION FOR INJURIES CAUSED BY CERTAIN PERSONS.

Mr. Speaker Gilligan assigned HS 1 for HB 428 to the Judiciary Committee.
Representative George made an announcement.
Representative Schwartzkopf deferred to Representative Kowalko.
Representative Kowalko introduced HB 454, jointly sponsored by Senator Hall-Long & Representatives Atkins, Bennett, Kovach & Lee & Senators Bonini, Booth, Bushweller & Katz.

HB 454 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT.

Mr. Speaker Gilligan assigned HB 454 to the Policy Analysis & Government Accountability Committee.
Representative Kowalko made an announcement.
Representative Schooley requested that HB 272 be stricken.
Representative Schooley made an announcement.
Representative Schwartzkopf deferred to Representative George.
Representative George moved to lift HB 410 from the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

HB 410 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO DIVORCE AND ANNULMENT.

Representative George requested that HA 1 to HA 1 to HB 410 be stricken. Representative George requested that HA 1 to HB 410 be stricken. Representative George introduced and brought HA 2 to HB 410 before the House for consideration. Representative George made a comment. HA 2 was adopted by voice vote. Representative George made comments.

The roll call on HB 410 w/HA 2 was taken and revealed:
YES: 38.
ABSENT: Representatives Lavelle, Plant & Ramone - 3.
Therefore, having received a constitutional majority, HB 410 w/HA 2 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Cathcart.
Representative Cathcart brought SB 122 w/SA 1, jointly sponsored by Senator Hall-Long & Senator Henry & Representative Barbieri & Senators Sorenson, Sokola, Blevins & Bushweller & Representatives Gilligan, Jaques, Viola, Oberle, Q. Johnson, Carson, D. Short, Hudson, Lavelle, Ramone, Scott, Keeley, Mitchell, Hocker & Kowalko & cosponsored by Representative J. Johnson, before the House for consideration.

SB 122 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CRIMINAL BACKGROUND CHECKS AND MANDATORY DRUG TESTING.

Representative Cathcart made comments.
The roll call on SB 122 w/SA 1 was taken and revealed:
YES: 39.
Therefore, having received a constitutional majority, SB 122 w/SA 1 was returned to the Senate. Representative Schooley requested that HB 277 be stricken. Representative Scott made an announcement.

The Majority Leader moved to recess to the call of the Chair at 5:44 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 9, 2010.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 259 w/SA 1 & 2.

SB 205 w/SA 1 & SB 246 and requests the concurrence of the House and it has passed HB 354 and is returning the same to the House.

The Senate wishes to inform the House that it has passed SB 260, SB 262 & SB 245 w/SA 1 and requests the concurrence of the House and the Senate wishes to inform the House that it has passed SB 184, SB 239 w/SA 1 & SB 250 w/SA 1 and requests the concurrence of the House and the Senate has passed HB 386, HB 387 & HB 359 and is returning the same to the House.

The Majority Leader moved to adjourn at 2:01 p.m., thereby ending the current legislative day. The House reconvened at 2:02 p.m.

35th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
June 9, 2010

The Chief Clerk called the roll.

Members Present: 34.


A prayer was offered by Representative John C. Atkins, Forty-first Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

HA 1 to HS 1 for HB 428 - BARBIERI - Placed with the Bill
HA 1 for HB 437 - JAQUES - Placed with the Bill.
HA 1 for HB 444 - BRIGGS KING - Placed with the Bill.
HA 1 for HB 447 - KEELEY - Placed with the Bill.

SB 184 - SOKOLA & REPRESENTATIVE KOWALKO; SENATORS BUSHWELLER, KATZ, BONINI, CONNOR; REPRESENTATIVES ATKINS, BENNETT, LEE, THORNBURG - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 26 of the Delaware Code Relating to the Public Service Commission.

SB 239 w/SA 1 - DELUCA & REPRESENTATIVE B. SHORT; SENATORS BUNTING, CONNOR, SOKOLA, COOK, KATZ; REPRESENTATIVES BENNETT, RAMONE, LAVELLE, KEELEY, GEORGE, VIOLA - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 12 of the Delaware Code Relating to Fiduciary Relations.

SB 245 w/SA 1 - SOKOLA & REPRESENTATIVE SCHOOLEY; SENATOR HENRY; REPRESENTATIVES BRIGGS KING, JAQUES, Q. JOHNSON, WILSON - EDUCATION - An Act to Amend Title 11 of the Delaware Code Relating to Criminal Background Checks for Student Teachers.

SB 250 w/SA 1 - MCBRIDE & REPRESENTATIVE KOWALKO; SENATORS BONINI, BUSHWELLER, HALL-LONG, KATZ; REPRESENTATIVES ATKINS, BENNETT - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Professional Engineers.


SB 262 - BLEVINS & REPRESENTATIVE GEORGE - JUDICIARY - An Act to Amend Title 10 and Title 11 of the Delaware Code Relating to Unsworn Foreign Declarations.

The Reading Clerk read the following communications into the record:

MEMORANDUM

TO: The Honorable Robert F. Gilligan
Speaker of the House of Representatives

FROM: Representative William A. Oberle, Jr.

RE: Absence from Session

DATE: June 9, 2010

Yesterday I notified you that I would be unable to attend session on Wednesday and Thursday, June 9 and 10, 2010. My circumstances have changed and I find that I am able to attend session on those dates.

Thank you for your consideration in this matter.

MEMORANDUM

TO: Speaker Robert F. Gilligan and Members of the 145th General Assembly
DATE: June 9, 2010

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RE: Wednesday June 9, 2010
Dear Mr. Speaker and member of the 145th General Assembly,
Due to a scheduling conflict; I will not be in Legislative Hall on the dates of June 9th and June 10th of this year. However, I will return as scheduled on June 15th. Please contact my office with any questions or concerns.

Sincerely,
Helene M. Keeley
State Representative
Third District

June 9, 2010

The Honorable Robert F. Gilligan
Speaker of the House
Legislative Hall
Dover, DE 19901

Dear Speaker Gilligan:
Please be advised that it is necessary for me to be absent from Legislative Session on Wednesday, June 9, 2010 due to a family medical issue.

Thank you for your understanding.

Sincerely,
Michael J. Ramone
State Representative
21st District

Representatives D.P. Williams & Walls requested that they be marked present.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #30

DATE: June 9, 2010
The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>cosponsors: Reps. Mitchell; Kowalko &amp; All Representatives</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>cosponsors: Reps. J. Johnson; Mulrooney; D.P. Williams &amp; All Representatives</td>
</tr>
<tr>
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<td></td>
<td></td>
<td>cosponsors: Reps. Schooley Carson; Jaques &amp; All Representatives</td>
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<tr>
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<td>cosponsors: Reps. Plant; M. Marshall; Barbieri &amp; All Representatives</td>
</tr>
<tr>
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<td></td>
<td></td>
<td>cosponsors: Reps. Scott; Longhurst, B. Short &amp; All Representatives</td>
</tr>
<tr>
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<td></td>
<td></td>
<td>cosponsors: Reps. Walls; Brady &amp; All Representatives</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>cosponsors: Reps. Viola, Schwartzkopf &amp; All Representatives</td>
</tr>
<tr>
<td>H145-612</td>
<td>Cathcart</td>
<td>6/24/2009</td>
<td>T</td>
<td>Lorraine Makone - 2009 Legislative Fellow</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>B. Short, cosponsors: Reps. Kovach; Lavelle; Hudson; Manolakos; Ramone; Miro; Oberle; Thornburg; Outten; Blakley; Wilson; Carey; Booth; Hocker; Lee &amp; All Representatives</td>
</tr>
</tbody>
</table>

HOUSE TRIBUTE ANNOUNCEMENT #31

DATE: June 9, 2010
The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>B. Short, cosponsors: Reps. Kovach; Lavelle; Hudson; Manolakos; Ramone; Miro; Oberle; Thornburg; Outten; Blakley; Wilson; Carey; Booth; Hocker; Lee &amp; All Representatives</td>
</tr>
<tr>
<td>H145-614</td>
<td>Carson</td>
<td>6/20/2009</td>
<td>T</td>
<td>James A. Mood - 75th Birthday</td>
</tr>
<tr>
<td>H145-615</td>
<td>Jaques;</td>
<td>6/23/2009</td>
<td>T</td>
<td>Scott Mason - Contributions to Performing Arts</td>
</tr>
<tr>
<td></td>
<td>D.E. Williams</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>B. Short</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H145-618</td>
<td>Schooley</td>
<td>6/23/2009</td>
<td>T</td>
<td>Dr. Jerome Lewis - 40 Years -</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>cosponsors: All Representatives</td>
</tr>
</tbody>
</table>

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This page contains information about tributes and memorials issued by the House of Representatives. The text is a list of announcements for various events and individuals, along with dates and descriptions. The format is as follows:

### HOUSE TRIBUTE ANNOUNCEMENT #33

**DATE: June 9, 2010**

The following Tributes and Memorials have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H145-655</td>
<td>Brady</td>
<td>5/21/2009</td>
<td>T</td>
<td>John &amp; Louise Myers - 60th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-656</td>
<td>Booth</td>
<td>7/19/2009</td>
<td>T</td>
<td>Darin James Troy - Eagle Scout -</td>
</tr>
</tbody>
</table>

The text continues with similar entries, each with a sponsor, date, type, and description. The descriptions range from retirement, 80th birthday, and various anniversaries to professional accolades and community recognitions.
The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

**HOUSE TRIBUTE ANNOUNCEMENT #34**

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H145-677</td>
<td>Atkins</td>
<td>7/25/2009</td>
<td>T</td>
<td>David &amp; Sharon Huselton - 40&lt;sup&gt;th&lt;/sup&gt; Wedding Anniversary</td>
</tr>
<tr>
<td>H145-678</td>
<td>Schwartzkopf</td>
<td>7/1/2009</td>
<td>T</td>
<td>Donald &amp; Helen Flood - 25&lt;sup&gt;th&lt;/sup&gt; Wedding Anniversary</td>
</tr>
<tr>
<td>H145-679</td>
<td>Schooley</td>
<td>7/30/2009</td>
<td>T</td>
<td>Stanley &amp; Jeanette Lehman - 65&lt;sup&gt;th&lt;/sup&gt; Wedding Anniversary</td>
</tr>
<tr>
<td>H145-680</td>
<td>Mitchell</td>
<td>6/18/2009</td>
<td>T</td>
<td>John &amp; Elvira Sarnecky - 60&lt;sup&gt;th&lt;/sup&gt; Wedding Anniversary</td>
</tr>
<tr>
<td>H145-681</td>
<td>Mitchell</td>
<td>6/27/2009</td>
<td>T</td>
<td>Lucy &amp; Paul Callahan - 50&lt;sup&gt;th&lt;/sup&gt; Wedding Anniversary</td>
</tr>
<tr>
<td>H145-682</td>
<td>Mitchell</td>
<td>6/20/2009</td>
<td>T</td>
<td>Leon &amp; Rita Minner - 50&lt;sup&gt;th&lt;/sup&gt; Wedding Anniversary</td>
</tr>
<tr>
<td>H145-683</td>
<td>Ramone</td>
<td>6/6/2009</td>
<td>T</td>
<td>Stanley &amp; Louise Rybienski - 50&lt;sup&gt;th&lt;/sup&gt; Anniversary</td>
</tr>
<tr>
<td>H145-685</td>
<td>Manolakos</td>
<td>6/13/2009</td>
<td>T</td>
<td>Edward &amp; Patricia Greenwood - 50&lt;sup&gt;th&lt;/sup&gt; Anniversary</td>
</tr>
<tr>
<td>H145-686</td>
<td>Cathcart</td>
<td>6/20/2009</td>
<td>T</td>
<td>Walter &amp; Brenda Hagelstein - 50&lt;sup&gt;th&lt;/sup&gt; Anniversary</td>
</tr>
<tr>
<td>H145-688</td>
<td>D.E. Williams</td>
<td>5/14/2009</td>
<td>T</td>
<td>Joe &amp; Eleanor Burns - 61&lt;sup&gt;st&lt;/sup&gt; Wedding Anniversary</td>
</tr>
<tr>
<td>H145-689</td>
<td>Outten;</td>
<td>8/1/2009</td>
<td>T</td>
<td>Roslyn McFaul - 80th Birthday</td>
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<tr>
<td></td>
<td>Carey</td>
<td></td>
<td></td>
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<tr>
<td>H145-690</td>
<td>Thornburg</td>
<td>7/14/2009</td>
<td>T</td>
<td>Edward &amp; Jo Ann Bowen - 30&lt;sup&gt;th&lt;/sup&gt; Wedding Anniversary</td>
</tr>
<tr>
<td>H145-692</td>
<td>Thornburg</td>
<td>7/24/2009</td>
<td>T</td>
<td>Larry Prince - Retirement - DelDOT</td>
</tr>
<tr>
<td>H145-693</td>
<td>J. Johnson</td>
<td>8/16/2009</td>
<td>T</td>
<td>Canaan Baptist Community Outreach Faith Based Substance Abuse Ministry - Day of Recovery</td>
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<tr>
<td>H145-694</td>
<td>Schwartzkopf</td>
<td>8/6/2009</td>
<td>T</td>
<td>Major Randall Hughes - Retirement - Delaware State Police</td>
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<tr>
<td>H145-695</td>
<td>Outten</td>
<td>7/12/2009</td>
<td>M</td>
<td>Edith Killen</td>
</tr>
<tr>
<td>H145-696</td>
<td>Outten</td>
<td>8/3/2009</td>
<td>T</td>
<td>Harrington Hurricane Cheerleading Squad – Outstanding Season</td>
</tr>
<tr>
<td>H145-697</td>
<td>Booth;</td>
<td>7/1/2009</td>
<td>T</td>
<td>Brooke Ward - Gymnastics Club - Championship</td>
</tr>
<tr>
<td></td>
<td>Atkins</td>
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**HOUSE TRIBUTE ANNOUNCEMENT #35**

**DATE: June 9, 2010**

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
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<tbody>
<tr>
<td>H145-699</td>
<td>Atkins</td>
<td>6/7/2009</td>
<td>T</td>
<td>Todd McCabe/Sussex 911 Dispatcher/Help Save a Life</td>
</tr>
<tr>
<td>H145-700</td>
<td>Jaques</td>
<td>7/16/2009</td>
<td>M</td>
<td>Carol Rogers</td>
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<tr>
<td>H145-701</td>
<td>Carson</td>
<td>7/31/2009</td>
<td>T</td>
<td>Linda York - Retirement - Dept. of Correction</td>
</tr>
<tr>
<td>H145-702</td>
<td>Scott</td>
<td>7/25/2009</td>
<td>T</td>
<td>Dr. Ruth Mitchell Laws - Birthday</td>
</tr>
<tr>
<td>H145-703</td>
<td>Outten</td>
<td>8/8/2009</td>
<td>T</td>
<td>John Short - 80th Birthday</td>
</tr>
<tr>
<td>H145-704</td>
<td>Booth</td>
<td>7/18/2009</td>
<td>M</td>
<td>James Monihan</td>
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<td>H145-705</td>
<td>Barbieri</td>
<td>7/22/2009</td>
<td>T</td>
<td>Edwin Grebe – Outstanding Credit Union Professional</td>
</tr>
<tr>
<td>H145-707</td>
<td>Carson</td>
<td>7/24/2009</td>
<td>T</td>
<td>Linda Riddagh - Retirement - Dept. of Correction</td>
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<tr>
<td>H145-708</td>
<td>D. Short</td>
<td>7/30/2009</td>
<td>T</td>
<td>The Guide - 50&lt;sup&gt;th&lt;/sup&gt; Anniversary</td>
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<tr>
<td>H145-709</td>
<td>Hocker</td>
<td>7/8/2009</td>
<td>T</td>
<td>Harold &amp; Nancy Palmatary - 50&lt;sup&gt;th&lt;/sup&gt; Anniversary</td>
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<tr>
<td>H145-711</td>
<td>Outten</td>
<td>7/30/2009</td>
<td>T</td>
<td>Delaware State Fair - 90&lt;sup&gt;th&lt;/sup&gt; Year</td>
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- cosponsor: Rep. Atkins
- cosponsors: Rep. Thornburg & All Representatives

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Representative Schwartzkopf deferred to Representative Atkins. Representative Atkins introduced guests. Representative Schwartzkopf deferred to Representative D. Short. Representative D. Short requested and was granted personal privilege to introduce guests. Representatives Scott & George requested that they be marked present.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:10 p.m.

Mr. Speaker Gilligan invited Air Force Staff Sergeant Michael Hinchee to lead those present in the pledge of allegiance to the American Flag.

A prayer was offered by Representative William J. Carson, Jr., Twenty-eighth Representative District.

Mr. Speaker Gilligan invited Air Force Staff Sergeant Michael Hinchee to lead those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

HB 456 - SCHWARTZKOPF & REPRESENTATIVE LONGHURST & SENATOR HENRY & SENATOR MCDOWELL; REPRESENTATIVES ATKINS, BARBIERI, BENNETT, BRADY, CARSON, GEORGE, GILLIGAN, JAQUES, J. JOHNSON, Q. JOHNSON, KEELEY, KOWALKO, MITCHELL, MULROONEY, PLANT, SCHOLEY, SCOTT, B. SHORT, VIOLA, WALLS, D.E. WILLIAMS, D.P. WILLIAMS, BRIGGS KING, CATHCART, HUDSON, OBERLE, D. SHORT, THORNBURG, BLAKEY, CAREY, HOCKER, KOVACH, LEE, MANOLAKOS, MIRO, OUTEN, RAMONE, WILSON; SENATORS BLEVINS, BUNTING, BUSHWELLER, COOK, DELUCA, ENNIS, HALL-

H145-712 Outten 7/31/2009 T Paul Chandler - 41 Years - State Fair
H145-713 D. Short 8/9/2009 T Wesley Scott - Eagle Scout
H145-714 Jaques 7/10/2009 T 9 Year Old Canal All Stars - District Champions
H145-715 Jaques 7/10/2009 T 8 Year Old Canal All Stars - District Champions
H145-716 Scott 7/1/2009 T Jane Leverage-O’Hara - Retirement - Family Court
H145-717 Outten 8/7/2009 T Cora Bonniwell - Retirement - DEDO
H145-718 Hocker 8/1/2009 T Fenwick Island Lighthouse - 150th Anniversary
H145-719 Thornburg 8/2/2009 M Donna Snell
cosponsor: Rep. Carson

The Reading Clerk read the following communications into the record:

The following committee reports were read into the record:

The minutes of the previous legislative day were approved as posted.

The House reconvened at 2:04 p.m.


HB 463 - KOWALKO & SENATOR HALL-LONG; REPRESENTATIVES ATKINS, BENNETT, KOVACH, LEE; SENATORS BONINI, BOOTH, BUSHWELLER, KATZ - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Massage and Bodywork.

HB 464 - KOWALKO & SENATOR HALL-LONG; REPRESENTATIVES ATKINS, BENNETT, LEE; SENATORS BONINI, BUSHWELLER, KATZ - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 16 of the Delaware Code Relating to Amusement Rides Safety Inspection and Insurance Act; Fire Prevention; Reporting of Burn Injuries and Wounds; and Reduced Ignition Propensity Cigarettes.


HJR 12 - D.E. WILLIAMS & SENATOR KATZ; REPRESENTATIVES HUDSON, KOVACH, LAVELLE, LONGHURST; SENATORS HENRY, SOKOLA - HOUSING & COMMUNITY AFFAIRS - Recommending that the County Recorder of Deeds No Longer be an Elected Office and that a Working Group be Established to Develop Recommendations for Creating a Single Statewide Recordation System, Thereby Making State and County Government More Effective and Efficient.

SB 223 w/SA 1 - BLEVINS & REPRESENTATIVE KEELEY; SENATORS DELUCA, HENRY, MCDOWELL - ECONOMIC DEVELOPMENT - BANKING, INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Relating to Insurance.

SB 264 w/SA 1 - MCDOWELL & REPRESENTATIVE BARBIERI; SENATORS BLEVINS, BUSHWELLER, CONNOR, SIMPSON; REPRESENTATIVES GEORGE, J. JOHNSON, WILSON, LEE - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Disposition of Children Pending Adjudication and Payment for Care.

The Reading Clerk read the following communication into the record:

June 10, 2010

The Honorable Robert F. Gilligan  
Speaker of the House  
Legislative Hall  
Dover, DE 19901

Dear Speaker Gilligan:

Please be advised that it is necessary for me to be absent from Legislative Session, Thursday June 10, 2010, due to medical reasons.

Thank you for your understanding.

Sincerely,

Gregory F. Lavelle  
State Representative  
11th District

Representative Schwartzkopf requested and was granted privilege of the floor for Captain John Miller, Chairman, Law Enforcement Torch Run for Special Olympics, who addressed the House and introduced law enforcement officers from agencies throughout the state.

Representative Jaques made comments.

Representative Gilligan introduced guests.

Representatives Oberle & D.E. Williams requested that they be marked present.

Representative Oberle introduced HB 461, jointly sponsored by Senator Sorenson & Representative Brady & Senators McDowell & Connor.

HB 461 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STUDENT ACADEMIC REWARD SCHOLARSHIP AT WILMINGTON UNIVERSITY.

Mr. Speaker Gilligan assigned HB 461 to the Education Committee.

Representative Wilson requested and was granted personal privilege of the floor to introduce a guest. Representative Briggs King made a comment. Representative Carson requested and was granted privilege of the floor to introduce a guest. Representative Cathcart requested that HB 430 be removed from Consent Agenda D. Representative Carson presented a House Tribute to Air Force Staff Sergeant Michael Hinchee, who addressed the House.

The Majority Leader moved to recess for caucus at 2:22 p.m.

The House reconvened at 4:35 p.m.

Representative Schwartzkopf deferred to Representative Walls.

Representative Walls brought HB 403, jointly sponsored by Senator Bunting & Representatives Carson, Hudson, Q. Johnson & Thornburg & Senator Ennis & cosponsored by Representative Wilson & Senator Booth, before the House for consideration.

HB 403 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF AGRICULTURE.

Representative Walls made comments.

The roll call on HB 403 was taken and revealed:

YES: 36.  
ABSENT: Representatives Cathcart, Q. Johnson, Keeley, Lavelle & D.P. Williams - 5.  

Therefore, having received a constitutional majority, HB 403 was sent to the Senate for concurrence.

Representatives Kovach, Manolakos, D. Short & Plant requested that they be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Walls.

Representative Walls brought HB 405, jointly sponsored by Senator Bunting & cosponsored by Representative Wilson & Senator Booth, before the House for consideration.

HB 405 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF AGRICULTURE.

Representative Walls made comments.

The roll call on HB 405 was taken and revealed:

YES: 37.  
ABSENT: Representatives Cathcart, Q. Johnson, Keeley & Lavelle - 4.  

Therefore, having received a constitutional majority, HB 405 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought HB 425, jointly sponsored by Senator Bunting, before the House for consideration.

HB 425 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

Representative Jaques made comments.

The roll call on HB 425 was taken and revealed:

267
YES: 36.
ABSENT: Representatives Briggs King, Cathcart, Q. Johnson, Keeley & Lavelle - 5.
Therefore, having received a constitutional majority, HB 425 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Kowalko.
Representative Kowalko brought HB 454, jointly sponsored by Senator Hall-Long & Representatives Atkins, Bennett, Kovach & Lee & Senators Bonini, Booth, Bushweller & Katz, before the House for consideration.
**HB 454** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT.
Representative Kowalko introduced and brought HA 1 to HB 454 before the House for consideration. Representative Kowalko made a comment. HA 1 was adopted by voice vote. Representative Kowalko made comments.
The roll call on HB 454 w/HA 1 was taken and revealed:
YES: 37.
ABSENT: Representatives Atkins, Cathcart, Keeley & Lavelle - 4.
Therefore, having received a constitutional majority, HB 454 w/HA 1 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Kowalko.
Representative Kowalko brought HB 446, jointly sponsored by Senator Hall-Long & Representatives Atkins, Bennett, Kovach & Lee & Senators Bonini, Booth, Bushweller & Katz, before the House for consideration.
**HB 446** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE NEWARK HOUSING AUTHORITY.
Representative Kowalko made comments.
The roll call on HB 446 was taken and revealed:
YES: 39.
ABSENT: Representatives Keeley & Lavelle - 2.
Therefore, having received a constitutional majority, HB 446 was sent to the Senate for concurrence.
Representative Schwartzkopf brought Consent Agenda D, which requires a two-thirds vote, before the House for consideration.
HB 439 - LEE & SENATOR VENABLES - An Act to Amend Chapter 288, Volume 64, Laws of Delaware, as Amended, the Charter of the Town of Laurel, to Allow the Town of Laurel to Finance the Eligible Costs of Qualifying Projects and Items for a Tax Increment Financing (TIF) District and a Special Development District Created by the Town of Laurel under Section 36a of the Charter, whether any such Project or Item will Ultimately be Owned by the Town of Laurel or by the State of Delaware or any Agency or Instrumentality Thereof, or any County, Local Political Subdivision, Instrumentality, Agency, Body Politic, Utility District, or Similar Entity within the State of Delaware. (2/3 bill)
HB 449 - SCHWARTZKOPF & SENATOR BUNTING & REPRESENTATIVES ATKINS, BRIGGS KING, CAREY, HOCKER, LEE, D. SHORT, WALLS & WILSON & SENATORS BOOTH & VENABLES - An Act to Amend Title 9 of the Delaware Code Relating to Planning & Zoning. The roll call on Consent Agenda D was taken and revealed:
YES: 39.
ABSENT: Representatives Keeley & Lavelle - 2.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 432, HB 439 & HB 449 were sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Viola.
**HB 237** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO EQUAL ACCOMMODATIONS. (F/N)
Representative Viola brought HA 1 to HB 237 before the House for consideration. Representatives Viola & Hudson made comments. HA 1 was adopted by voice vote. Representative Viola made a comment. The roll call on HB 237 w/HA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Keeley & Lavelle - 2.
Therefore, having received a constitutional majority, HB 237 w/HA 1 was sent to the Senate for concurrence.
Representative Schwartzkopf brought HB 447, jointly sponsored by Representative Briggs King & Senator DeLuca & Representatives Bennett, Carson, Hudson, Lavelle, Longhurst, Mitchell, Q. Johnson, Scott & B. Short & Senators Bunting, Sorenson, Venable & Booth, before the House for consideration.
HB 447 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO BREWERY-PUBS AND MICROBREWERIES.
Representative B. Short requested that HA 1 to HB 447 be stricken.
Representative Schwartzkopf moved to place HB 447 on the Speaker's Table. The motion was seconded by Representative Longhurst and adopted by voice vote.
Representative Schwartzkopf deferred to Representative George.
SB 113 - AN ACT TO AMEND TITLES 10, 29 AND 31 OF THE DELAWARE CODE RELATING TO EXTENDING THE JURISDICTION OF THE FAMILY COURT FOR ABUSED, DEPENDENT AND NEGLECTED CHILDREN.
Representative George deferred to Representative George.
SB 113 - AN ACT TO AMEND TITLES 10, 29 AND 31 OF THE DELAWARE CODE RELATING TO EXTENDING THE JURISDICTION OF THE FAMILY COURT FOR ABUSED, DEPENDENT AND NEGLECTED CHILDREN.
Representative George deferred to Representative George.
Representative George brought HB 396, jointly sponsored by Senator Sokola & Representatives Barbieri, Carson, Jaques, Q. Johnson, Lavelle, Longhurst, Mitchell, Hudson, Miro & Ramone & Senators Ennis & McDowell & cosponsored by Representatives Schwartzkopf, Manolakos & Scott, before the House for consideration.
HB 396 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION
Representative Schooley brought HA 1 to HB 396 before the House for consideration.
Representative Schooley made a comment. HA 1 was adopted by voice vote. Representative Schooley made comments.
The roll call on HB 396 w/HA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Keeley & Lavelle - 2.
Therefore, having received a constitutional majority, SB 113 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Schooley.
Representative Schooley brought HB 396, jointly sponsored by Senator Sokola & Representatives Barbieri, Carson, Jaques, Q. Johnson, Lavelle, Longhurst, Mitchell, Hudson, Miro & Ramone & Senators Ennis & McDowell & cosponsored by Representatives Schwartzkopf, Manolakos & Scott, before the House for consideration.
HB 396 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION
Representative Schooley deferred to Representative J. Johnson.
Representative J. Johnson brought HB 438, jointly sponsored by Senator Peterson, before the House for consideration.
HB 438 - AN ACT TO AMEND TITLE 11, § 4217 OF THE DELAWARE CODE RELATING TO RELEASE OF INMATES FOR DEMONSTRATED REHABILITATION.
Representative J. Johnson introduced and brought HA 1 to HB 438 before the House for consideration. Representative J. Johnson made a comment. HA 1 was adopted by voice vote. Representative J. Johnson made comments.
The roll call on HB 438 w/HA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Keeley & Lavelle - 2.
Therefore, having received a constitutional majority, HB 396 w/HA 1 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative J. Johnson.
Representative J. Johnson brought HB 438, jointly sponsored by Senator Peterson, before the House for consideration.
HB 438 - AN ACT TO AMEND TITLE 11, § 4217 OF THE DELAWARE CODE RELATING TO RELEASE OF INMATES FOR DEMONSTRATED REHABILITATION.
Representative J. Johnson introduced and brought HA 1 to HB 438 before the House for consideration. Representative J. Johnson made a comment. HA 1 was adopted by voice vote. Representative J. Johnson made comments.
The roll call on HB 438 w/HA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Keeley & Lavelle - 2.
Therefore, having received a constitutional majority, HB 396 w/HA 1 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative J. Johnson.
Representative J. Johnson introduced and brought HB 438, jointly sponsored by Senator Peterson, before the House for consideration.
HB 438 - AN ACT TO AMEND TITLE 11, § 4217 OF THE DELAWARE CODE RELATING TO RELEASE OF INMATES FOR DEMONSTRATED REHABILITATION.
Representative J. Johnson introduced and brought HA 1 to HB 438 before the House for consideration. Representative J. Johnson made a comment. HA 1 was adopted by voice vote. Representative J. Johnson made comments.
The roll call on HB 438 w/HA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Keeley & Lavelle - 2.
Therefore, having received a constitutional majority, HB 396 w/HA 1 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative J. Johnson.
Representative J. Johnson introduced and brought HB 438, jointly sponsored by Senator Peterson, before the House for consideration.
HB 438 - AN ACT TO AMEND TITLE 11, § 4217 OF THE DELAWARE CODE RELATING TO RELEASE OF INMATES FOR DEMONSTRATED REHABILITATION.
Representative J. Johnson introduced and brought HA 1 to HB 438 before the House for consideration. Representative J. Johnson made a comment. HA 1 was adopted by voice vote. Representative J. Johnson made comments.
The roll call on HB 438 w/HA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Keeley & Lavelle - 2.
Therefore, having received a constitutional majority, HB 396 w/HA 1 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative J. Johnson.
Representative J. Johnson introduced and brought HB 438, jointly sponsored by Senator Peterson, before the House for consideration.
HB 438 - AN ACT TO AMEND TITLE 11, § 4217 OF THE DELAWARE CODE RELATING TO RELEASE OF INMATES FOR DEMONSTRATED REHABILITATION.
Representative J. Johnson introduced and brought HA 1 to HB 438 before the House for consideration. Representative J. Johnson made a comment. HA 1 was adopted by voice vote. Representative J. Johnson made comments.
The roll call on HB 438 w/HA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Keeley & Lavelle - 2.
Therefore, having received a constitutional majority, HB 396 w/HA 1 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative J. Johnson.
Representative J. Johnson introduced and brought HB 438, jointly sponsored by Senator Peterson, before the House for consideration.
HB 438 - AN ACT TO AMEND TITLE 11, § 4217 OF THE DELAWARE CODE RELATING TO RELEASE OF INMATES FOR DEMONSTRATED REHABILITATION.
Representative J. Johnson introduced and brought HA 1 to HB 438 before the House for consideration. Representative J. Johnson made a comment. HA 1 was adopted by voice vote. Representative J. Johnson made comments.
The roll call on HB 438 w/HA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Keeley & Lavelle - 2.
Therefore, having received a constitutional majority, HB 396 w/HA 1 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative J. Johnson.
Representative D. Short brought **HB 358**, jointly sponsored by Representative Bennett & Representative Hudson & Representative Kovach & Senator Bunting & Representatives Cathcart, Briggs King, Carey, Hocker, Lavelle, Lee, Miro, Ramone, Wilson, Carson, Keeley & B. Short & Senators Simpson, Sorenson, Bonini, Booth & Cloutier & cosponsored by Representative Walls, before the House for consideration.

**HB 358** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FISCAL PROJECTIONS.

Representative D. Short introduced and brought **HA 1 to HB 358** before the House for consideration. Representative D. Short made comments. **HA 1** was adopted by voice vote. Representatives D. Short & Kowalko made comments.

The roll call on **HB 358 w/HA 1** was taken and revealed:

**YES:** 39.

**ABSENT:** Representatives Keeley & Lavelle - 2.

Therefore, having received a constitutional majority, **HB 358 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf moved to lift **HB 447** from the Speaker's Table.

The motion was seconded by Representative Longhurst and adopted by voice vote.


**HB 447** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO BREWERY-PUBS AND MICROBREWERIES.

Representative B. Short introduced and brought **HA 2 to HB 447**, jointly sponsored by Representative Keeley, before the House for consideration. Representative B. Short made comments. **HA 2** was adopted by voice vote. Representatives Schwartzkopf & Briggs King made comments.

The roll call on **HB 447 w/HA 2** was taken and revealed:

**YES:** 39.

**ABSENT:** Representatives Keeley & Lavelle - 2.

Therefore, having received a constitutional majority, **HB 447 w/HA 2** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.


**HB 448** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE IMPLEMENTATION OF A STATEWIDE “BLUE ALERT” SYSTEM FOR THE SPEEDY APPREHENSION OF PERSONS ACCUSED OF KILLING OR SERIOUSLY INJURING LAW ENFORCEMENT OFFICERS.

Representative Schooley introduced and brought **HA 1 to HB 448** before the House for consideration. Representative Schooley made a comment. **HA 1** was adopted by voice vote. Representative Schooley made comments.

The roll call on **HB 448 w/HA 1** was taken and revealed:

**YES:** 38.

**ABSENT:** Representatives Atkins, Keeley & Lavelle - 3.

Therefore, having received a constitutional majority, **HB 448 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf deferred to Representative Wilson.

Representative Kovach announced that he will not be voting on **HB 430** because of a possible conflict of interest.


**HB 430** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS, SECONDHAND DEALERS AND SCRAP METAL PROCESSORS.

Representatives Wilson, Schwartzkopf, J. Johnson, Hocker, Jaques, Schwartzkopf, D.E. Williams, Schwartzkopf, Mulrooney, Wilson, Hocker & Wilson made comments.

The roll call on **HB 430** was taken and revealed:

**YES:** 37.

**NOT VOTING:** Representative Kovach - 1.

**ABSENT:** Representatives Atkins, Keeley & Lavelle - 3.

Therefore, having received a constitutional majority, **HB 430** was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Briggs King.

HB 437 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING, AND FISHING LICENSES.

Representative Jaques brought HA 1 to HB 437 before the House for consideration. Representative Jaques made a comment. HA 1 was adopted by voice vote. Representatives Briggs King, Cathcart, Schwartzkopf, Kowalko, Briggs King, Jaques, Schwartzkopf, Kowalko & Briggs King made comments.

The roll call on HB 437 w/HA 1 was taken and revealed:
YES: 38.
ABSENT: Representatives Atkins, Keeley & Lavelle - 3.
Therefore, having received a constitutional majority, HB 437 w/HA 1 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative George.
Representative George introduced HB 468, jointly sponsored by Senator Katz & Representatives Barbieri, Hudson, Kovach, Lavelle, Longhurst, Schooley & D.E. Williams & Senator Sorenson.

HB 468 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, ARTICLE IV, AND THE SCHEDULE OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE REGISTER OF WILLS. (2/3 bill)
Mr. Speaker Gilligan assigned HB 468 to the House Administration Committee.

Representative George made an announcement.

Representative George introduced HJR 13, jointly sponsored by Senator Katz & Representatives Barbieri, Hudson, Kovach, Lavelle, Longhurst, Schooley & D.E. Williams & Senator Sorenson.

HJR 13 - RECOMMENDING THAT THE COUNTY REGISTER OF WILLS NO LONGER BE AN ELECTED OFFICE AND THAT A WORKING GROUP BE ESTABLISHED TO DEVELOP RECOMMENDATIONS TO TRANSFER THE DUTIES OF THE REGISTER OF WILLS TO THE COURT OF CHANCERY, THEREBY MAKING STATE AND COUNTY GOVERNMENT MORE EFFECTIVE AND EFFICIENT.

Mr. Speaker Gilligan assigned HJR 13 to the House Administration Committee.

Representative George introduced HB 466, jointly sponsored by Representative Jaques & Senator Blevins & cosponsored by Representative Plant.

HB 466 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO DOGS.
Mr. Speaker Gilligan assigned HB 466 to the Housing & Community Affairs Committee.

Representative Schwartzkopf deferred to Representative Carson.


HB 357 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LIMITING THE AUTHORITY OF PUBLIC BODIES TO REGULATE ARMS.
Mr. Speaker Gilligan assigned HS 1 for HB 357 to the House Administration Committee.

Representative Schwartzkopf made an announcement.

The Majority Leader moved to recess to the call of the Chair at 6:12 p.m.
Mr. Speaker Gilligan called the House to order at 2:01 p.m. on June 15, 2010.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 263 w/SA 1 and requests the concurrence of the House and the Senate has passed HB 393 w/SA 1 & HB 394 & is returning the same to the House.

The Majority Leader moved to adjourn at 2:02 p.m., thereby ending the current legislative day. The House reconvened at 2:03 p.m.

37th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
June 15, 2010

The Chief Clerk called the roll.
Members Present: 41.
A prayer was offered by Representative Ruth Briggs King, Thirty-seventh Representative District.
The House observed a moment of silence in memory of Ann C. Spence, mother of former Speaker of the House Terry R. Spence, at the request of Mr. Speaker Gilligan.
Mr. Speaker Gilligan invited David Marvel, Boys State Speaker of the House and Shakeem Nottingham, Boys State Auditor to lead those present in the pledge of allegiance to the American Flag.

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The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:

**HB 467** - BLAKEY & REPRESENTATIVE CATHCART & REPRESENTATIVE CARSON & SENATOR SIMPSON; REPRESENTATIVES BRIGGS KING, HOCKER, OBERLE, WILSON; SENATORS BUSHWELLER, HENRY, BOOTH - JUDICIARY - An Act to Amend the Laws of Delaware Relating to Naming the Kent County Family Court Building in Honor of Retired Judge David P. Buckson.


**HB 470** - SCHOOLEY & SENATOR SOKOLA & SENATOR SORENSON; REPRESENTATIVES GEORGE, JAQUES, J. JOHNSON, Q. JOHNSON, KOWALKO, RAMONE, BARBIERI, BRIGGS KING, MITCHELL, VIOLA; SENATORS BLEVINS, CLOUTIER, CONNOR - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Early Childhood Education.

**HB 471** - GEORGE & SENATOR BLEVINS - JUDICIARY - An Act to Amend Title 12 of the Delaware Code Relating to Escheats.

**HB 472** - OUTTEN & REPRESENTATIVE WILSON & SENATOR BOOTH & SENATOR CONNOR & SENATOR BUNTING; REPRESENTATIVES CATHCART, BRIGGS KING, HOCKER, HUDSON, LAVELLE, OBERLE, CARSON, GEORGE, KOWALKO, Q. JOHNSON, WALLS, BENNETT, LONGHURST, SCHWARTZKOPF, SCOTT, B. SHORT; SENATORS COOK, PETERSON, SORENSON, BUSHWELLER, CLOUTIER - HOUSE ADMINISTRATION - An Act to Amend Title 1 of the Delaware Code Establishing a Vietnam Veterans Day.

**HB 473** - B. SHORT & SENATOR BLEVINS; SENATOR ENNIS - ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code Requiring Property and Casualty Insurers to Annually Submit a Statement of Actuarial Opinion.


**HB 476** - B. SHORT & SENATOR KATZ; REPRESENTATIVES HOCKER, Q. JOHNSON, KOVACH, LAVELLE, MITCHELL - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Fees Chargeable in Connection with Stormwater Discharge.


**HB 480** - D.E. WILLIAMS & REPRESENTATIVE MULROONEY & SENATOR MCBRIDE; REPRESENTATIVES BARBIERI, JAQUES, Q. JOHNSON, KOVACH, KOWALKO, LONGHURST, MITCHELL; SENATORS CONNOR, SORENSON - NATURAL RESOURCES - An Act to Amend Titles 3, 7, and 29 of the Delaware Code Relating to the Department of Natural Resources and Environmental Control.

**HB 481** - KOWALKO & SENATOR HALL-LONG; REPRESENTATIVES ATKINS, BENNETT, KOVACH, LEE; SENATORS BONINI, BOOTH, BUSHWELLER, KATZ - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 Chapter 11 of the Delaware Code Relating to the Board of Dental Examiners.

**SB 263 w/SA 1** - SOKOLA & REPRESENTATIVE SCHOOLEY; SENATORS BUNTING, SORENSON; REPRESENTATIVES JAQUES, MIRO, SCOTT, BRIGGS KING, Q. JOHNSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Teacher Notice and Hearing Protections.

Representatives Atkins, Miro, D. Short, Plant & B. Short requested that they be marked present. Mr. Speaker Gilligan & Representatives Lavelle & Kowalko made comments. Mr. Speaker Gilligan introduced
guests. Representative Schwartzkopf deferred to Representative Miro. Representative Miro requested and was granted personal privilege of the floor to introduce guests.

The Reading Clerk read the following communications into the record:

June 11, 2010

LEGISLATIVE ADVISORY #43

Governor Jack A. Markell signed the following legislation on the date indicated: 6/8/10 - SB 234 aab SA 1 & SA 3; 6/10/10 - SB 203, SB 213, SB 214, SB 216, HB 185 aab HA 1, HB 189, HS 1 for HB 247 aab HA 1, HA 2 & HA 4, HB 320 aab HA 1 & HA 2 & SA 1, HB 321 aab HA 2, HB 345, HB 354, HB 372, HB 373, HB 374 & HB 375 aab HA 1.

Representative Schwartzkopf deferred to Representative Kowalko.

Representatives D.P. Williams & Mitchell requested that they be marked present.

Representative Kowalko introduced HB 482, jointly sponsored by Senator Hall-Long & Representatives Atkins, Bennett, Kovach & Lee & Senators Bonini, Booth, Bushweller & Katz.

HB 482 - AN ACT TO AMEND TITLE 14 AND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HIGHER EDUCATION COMMISSION.

Mr. Speaker Gilligan assigned HB 482 to the Policy Analysis & Government Accountability Committee.

Representative Kowalko made an announcement. Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst made an announcement. Representative Keeley requested that she be marked present. Representative Keeley introduced a guest. Representative D.E. Williams requested that he be marked present. Representative George & Mr. Speaker Gilligan made announcements.

The Majority Leader moved to recess for caucus at 2:18 p.m.

The House reconvened at 4:56 p.m.

Representatives Lee, Kovach, Manolakos & Bennett requested that they be marked present.

Representative Schwartzkopf introduced and brought HR 50, jointly sponsored by Representative Gilligan & Representative Cathcart & Representative Longhurst & Representative D. Short on behalf of all Representatives, before the House for consideration.

HR 50 - RECOGNIZING TUESDAY, JUNE 15, 2010 AS STAFF APPRECIATION DAY IN THE HOUSE OF REPRESENTATIVES.

WHEREAS, it is a well known fact that without the dedicated, hard working staff of the Delaware House of Representatives, Legislative Hall would not run smoothly or efficiently; and

WHEREAS, they are often working late only to come in the next morning and do it all again, our dedicated legislative staff are always willing to go the extra mile for their bosses; and

WHEREAS, legislative staff sometimes handle difficult behind-the-scenes work with skill, optimism and enthusiasm, providing necessary support without complaint; and

WHEREAS, whether it be bill stampers, pages, secretaries, legal staff, or full-time staffers, legislative employees each serve a unique role, which blend to make this very fine institution run; and

WHEREAS, legislative staff is such an integral part of the legislative process that this Resolution would not be possible without them.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 145th General Assembly of the State of Delaware that we hereby proclaim the greatness of our legislative staff and extend from the bottoms of our hearts, our deepest, most sincere gratitude for all of their hard work and dedication.

BE IT FURTHER RESOLVED that a suitably prepared copy of this resolution NOT be prepared for our dedicated staff because that would be too much work.

Representative Schwartzkopf made comments.

HR 50 was adopted by voice vote.

Representatives Longhurst, D. Short, Lavelle, Schwartzkopf, Cathcart & D.P Williams, Mr. Speaker Gilligan & Representative Schwartzkopf made comments. Representative Schwartzkopf deferred to Representative Longhurst.

Representative Scott requested that he be marked present.

Representative Longhurst introduced and brought HCR 53, sponsored on behalf of all Representatives & jointly sponsored by Senator Hall-Long & Senator Marshall on behalf of all Senators, before the House for consideration.

HCR 53 - RECOGNIZING JUNE 15, 2010, AS DELAWARE ELDER ABUSE AWARENESS DAY.

Representative Longhurst made comments.

HCR 53 was adopted by voice vote and was sent to the Senate for concurrence.

Representative Longhurst brought HS 1 for HB 348, jointly sponsored by Senator Hall-Long & Representatives Barbieri, Bennett, Carson, Hudson, J. Johnson, Q. Johnson, Keeley, Mitchell, Mulrooney, Plant, Schooley & Schwartzkopf & Senators Henry & Peterson, before the House for consideration.

HB 348 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (2/3 bill) (F/N)
Representative Longhurst brought **HA 1 to HS 1 for HB 348** before the House for consideration. Representative Longhurst requested that **HA 1** be stricken. Representative Longhurst brought **HA 2 to HS 1 for HB 348** before the House for consideration. Representative Longhurst requested that **HA 2** be stricken.

Representative Longhurst introduced and brought **HA 3 to HS 1 for HB 348** before the House for consideration. Representatives Longhurst & Lavelle made comments. Representative Longhurst requested and was granted privilege of the floor for James Nutter, Majority House Attorney. Representative Lavelle made comments. Representative Longhurst requested and was granted privilege of the floor for Marsha J. White, Deputy Attorney General. **HA 3** was adopted by voice vote. Representatives Longhurst & Lavelle made comments. Representative Longhurst requested and was granted privilege of the floor for Susan DelPesco, Director, Division of Long Term Care, Department of Health & Social Services. Representatives Lavelle, Longhurst, Lavelle, Briggs King & Longhurst made comments. Representative Longhurst requested and was granted privilege of the floor for Marsha J. White, Deputy Attorney General.

Representative Briggs King made comments.

The roll call on **HS 1 for HB 348 w/HA 3** was taken and revealed:

- YES: 40,
- NO: Representative Thornburg - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HS 1 for HB 348 w/HA 3** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Longhurst.

**HB 392** - **AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES.**

Representatives Longhurst, Kovach, Miro, Longhurst, B. Short, Oberle, Longhurst, Cathcart, Hudson, Carson, Oberle & B. Short made comments.

The roll call on **HB 392** was taken and revealed:

- YES: 21,
- NO: Representatives Brady, Kovach, Lavelle, Miro, Oberle, Ramone, B. Short & Viola - 8.

Therefore, having received a constitutional majority, **HB 392** was sent to the Senate for concurrence. Representative Schwartzkopf deferred to Representative George.

Representative George brought **HB 443**, jointly sponsored by Senator Ennis, before the House for consideration.

**HB 443** - **AN ACT TO AMEND TITLES 10, 11, 16 AND 21 OF THE DELAWARE CODE RELATING TO DRUG LAWS, CRIMES AND CRIMINAL PROCEDURE, SENTENCING ACCOUNTABILITY, COURTS AND JUDICIAL PROCEDURE, AND MOTOR VEHICLES.**

Representative George made comments & introduced guests. Representative George introduced and brought **HA 1 to HB 443** before the House for consideration. Representatives George, Cathcart, George, Schwartzkopf, Cathcart & Hudson made comments.

The roll call on **HA 1 to HB 443** was taken and revealed:

- YES: 22,
- NO: Representatives Briggs King, Lee, Outten, D.P. Williams & Wilson - 5.


ABSENT: Representative Q. Johnson - 1.

Therefore, having received a constitutional majority, **HA 1 to HB 443** was declared passed.

Representative Kovach introduced and brought **HA 2 to HB 443** before the House for consideration. Representative Kovach made comments. Representative George requested and was granted privilege of the floor for Richard Andrews, State Prosecutor, Department of Justice.

The roll call on **HA 2 to HB 443** was taken and revealed:

- YES: 41,
- THEREFORE, having received a constitutional majority, **HA 2 to HB 443** was declared passed.

Representative Kovach introduced and brought **HA 3 to HB 443** before the House for consideration. Representative Kovach made comments. Representative Kovach requested that **HA 3** be stricken.

Representative Lavelle made comments. Representative George requested and was granted privilege of the floor for Richard Andrews, State Prosecutor, Department of Justice. Representatives Lavelle, Manolakos, D.P. Williams, Ramone & Briggs King made comments. Representative George requested and was granted privilege of the floor for Richard Andrews, State Prosecutor, Department of Justice. Representatives Briggs King & George made comments.

The roll call on **HB 443 w/HA 1 & 2** was taken and revealed:
YES: 31.
NO: Representatives Atkins, Bennett, Carson, Walls & Wilson - 5.
NOT VOTING: Representatives Briggs King, Carey, Cathcart & Hocker - 4.
ABSENT: Representative Schwartzkopf - 1.
Therefore, having received a constitutional majority, HB 443 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative George & Mr. Speaker Gilligan made comments.
Representative Longhurst deferred to Representative Cathcart.
Representative Cathcart brought HB 41, jointly sponsored by Senator Hall-Long & Representatives J. Johnson, Plant, Booth & Manolakos, before the House for consideration.
HB 41 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE CREATING A COMMUNITY MENTAL HEALTH TREATMENT ACT.
Representative Cathcart brought HA 1 to HB 41 before the House for consideration. Representative Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for Russ Larson, Controller General. Representative Cathcart & Mr. Speaker Gilligan made comments.
Representative Cathcart requested and was granted privilege of the floor for Deborah Gottschalk, Chief Policy Advisor, Department of Health & Social Services. Representative Cathcart made comments. HA 1 was adopted by voice vote. Representatives Cathcart & J. Johnson made comments.
The roll call on HB 41 w/HA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Plant & D.P. Williams - 2.
Therefore, having received a constitutional majority, HB 41 w/HA 1 was sent to the Senate for concurrence.

Representative Cathcart made comments.
Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri brought HB 455, jointly sponsored by Representative Longhurst & Senator Henry & Representative Keeley & Senators Katz & Sorenson, before the House for consideration.
HB 455 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO DURABLE POWERS OF ATTORNEY AND ADDING A CHAPTER 49A THERETO RELATING TO DURABLE PERSONAL POWERS OF ATTORNEY.
Representatives Barbieri & Kovach made comments.
The roll call on HB 455 was taken and revealed:
YES: 39.
ABSENT: Representatives Plant & D.P. Williams - 2.
Therefore, having received a constitutional majority, HB 455 was sent to the Senate for concurrence.
Representative Barbieri requested and was granted personal privilege of the floor to introduce a guest. Representatives Longhurst & Schwartzkopf made comments.
Representative Schwartzkopf deferred to Representative Blakey.
Representative Blakey brought HB 431, jointly sponsored by Senator Bushweller, before the House for consideration.
HB 431 - AN ACT TO AMEND CHAPTER 189, VOLUME 43, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CHARTER OF THE TOWN OF WYOMING. (2/3 bill)
Representative Blakey made comments. Representative Blakey introduced and brought HB 431 before the House for consideration. Representative Blakey introduced and brought HB 431 before the House for consideration. Representative Blakey made comments. HB 431 was adopted by voice vote. Representative Blakey made comments. HB 431 was adopted by voice vote. Representatives Blakey, Schwartzkopf, Oberle, Blakey & Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for Ron Smith, Minority House Attorney. Representatives Cathcart & Oberle made comments.
The roll call on HB 431 w/HA 1 & HA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Plant & D.P. Williams - 2.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 431 w/HA 1 & HA 1 to HA 1 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Kowalko.
Representative Kowalko brought SB 44 w/SA 1, jointly sponsored by Senator Sokola & Senators Bonini, Bushweller, Connor & Katz & Representatives Atkins, Bennett, Lee & Thornburg, before the House for consideration.
SB 44 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CONFIDENTIALITY OF PERSONAL HEALTH INFORMATION.
Representative Kowalko made comments.
The roll call on SB 44 w/SA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Plant & D.P. Williams - 2.
Therefore, having received a constitutional majority, SB 44 w/SA 1 was returned to the Senate. Representative Schwartzkopf deferred to Representative Scott. Representative Scott brought HB 420, jointly sponsored by Senator Blevins & Representatives Jaques, Q. Johnson, Keeley, Mitchell, B. Short & D. Short & Senators Bushweller, Ennis, Hall-Long & Henry & cosponsored by Representatives Briggs King, Cathcart, Hocker, Kovach & Outten, before the House for consideration.

HB 420 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE
Representative Scott introduced and brought HA 1 to HB 420 before the House for consideration. Representative Scott made comments. HA 1 was adopted by voice vote. Representatives Scott, Oberle, D. Short & Scott made comments.

The roll call on HB 420 w/HA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Plant & D.P. Williams - 2.

Therefore, having received a constitutional majority, HB 420 w/HA 1 was sent to the Senate for concurrence.

Mr. Speaker Gilligan reassigned HJR 12 to the House Administration Committee. Mr. Speaker Gilligan assigned HB 441 to the Appropriations Committee. Representatives Schwartzkopf, Mulrooney, Mitchell & Viola made announcements. Representative Keeley requested that HB 315 be stricken. Representative Kowalko requested that HB 474 be stricken. Representative B. Short requested that HB 377 be stricken. Representative B. Short made comments regarding HB 377. Representative Kowalko made an announcement.

Representative Schwartzkopf deferred to Representative Q. Johnson. Representative Q. Johnson introduced HS 1 for HB 435, jointly sponsored by Representative Cathcart & Senator Hall-Long & Senator Ennis & Representatives Carson, George, Keeley, Lee, Miro & B. Short & Senators Blevins, Connor, Peterson & Sorenson. HB 435 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF CHIROPRACTIC.

Mr. Speaker Gilligan assigned HS 1 for HB 435 to the Economic Development/Banking/Insurance & Commerce Committee. Representatives B. Short & Schooley made announcements. Representative Schwartzkopf deferred to Representative Carson.


Mr. Speaker Gilligan assigned HB 483 to the Veterans Affairs Committee. The Majority Leader moved to recess to the call of the Chair at 7:22 p.m.
Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 16, 2010. The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 266 w/SA 1 & 2 & SB 269 and requests the concurrence of the House and the Senate has passed HB 317 w/H A 1 aab HA 1 & 2 & SA 3 and is returning the same to the House.

June 15, 2010

The Honorable Robert F. Gilligan
Speaker of the House
Legislative Hall
Dover, DE 19901
Dear Speaker Gilligan:

I am writing to request that I be removed from House Bill 465.
Thank you for your assistance and attention to this request.

Sincerely,
Gregory F. Lavelle
State Representative
11th District

WITHDRAWAL OF SPONSORSHIP REQUEST
I, Gregory F. Lavelle, do hereby request that my name be removed as co-sponsor of HB 465.

Date: 6/15/10

Signed: Gregory F. Lavelle

WITHDRAWAL OF SPONSORSHIP REQUEST
I, Thomas H. Kovach, do hereby request that my name be removed as co-sponsor of HB 465.
WITHDRAWAL OF SPONSORSHIP REQUEST

I, D. Hudson, do hereby request that my name be removed as co-sponsor of HB 465.

Date: 6/15/10
Signed: D. Hudson

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Margaret Rose Henry, do hereby request that my name be removed as co-sponsor of HB 465.

Date: 6/15/10
Signed: Margaret Rose Henry

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Sen. P. Blevins, do hereby request that my name be removed as co-sponsor of HB 475.

Date: 6/15/10
Signed: Blevins

The Majority Leader moved to adjourn at 2:02 p.m., thereby ending the current legislative day. The House reconvened at 2:03 p.m.

38th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
June 16, 2010

The Chief Clerk called the roll.
Members Present: 40.
Member Absent: Representative Carey - 1.
A prayer was offered by Representative Bryon H. Short, Seventh Representative District.
Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following prefiled legislation was introduced:
HA 1 to SS 1 for SB 171 - Schooley - Placed with the Bill.
HA 2 to SS 1 for SB 171 - Schooley - Placed with the Bill.
HA 1 to SB 260 - George - Placed with the Bill.
SB 269 - Sokola & Representative Barbieri; Senator Bunting; Representatives Bennett, Carson, Hudson, Jaques, Miro, Brady, Schooley, D. Short, Walls - Public Safety & Homeland Security - An Act to Amend Title 21 of the Delaware Code Relating to Careless or Inattentive Driving.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #36

DATE: June 16, 2010

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
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<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
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<tr>
<td>H145-721</td>
<td>Scott</td>
<td>8/15/2009</td>
<td>T</td>
<td>Andrew Jesse Davis - Eagle Scout</td>
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<tr>
<td>H145-722</td>
<td>Walls</td>
<td>7/30/2009</td>
<td>T</td>
<td>Ellen Younghans - 75th Birthday</td>
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<td>cosponsors: All Representatives</td>
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<td>H145-723</td>
<td>Gilligan</td>
<td>4/26/2009</td>
<td>T</td>
<td>Joseph &amp; Sadie Walling - 60th Wedding Anniversary</td>
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<td>H145-724</td>
<td>Walls; Wilson</td>
<td>6/7/2009</td>
<td>T</td>
<td>George Davis - 100th Birthday</td>
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<tr>
<td>H145-726</td>
<td>Carey</td>
<td>6/6/2009</td>
<td>T</td>
<td>Strokers Nine - Pool Title Winners</td>
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<td>cosponsors: Reps. Wilson, Atkins, Booth, Schwartzkopf, Hocker, B. Short &amp; Lee</td>
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<td>H145-727</td>
<td>D. Short</td>
<td>8/6/2009</td>
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<td>Tyler Donald Justice - Eagle Scout</td>
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<td>H145-728</td>
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<td>10/3/2009</td>
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<td>Preston Godfrey III - Eagle Scout</td>
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<td>William Parker</td>
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<td>H145-734</td>
<td>Walls</td>
<td>8/11/2009</td>
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<td>Clarence Calhoun - 80th Birthday</td>
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<td>H145-735</td>
<td>Plant</td>
<td>8/16/2009</td>
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<td>Virginia Lucas - 100th Birthday</td>
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<td>H145-736</td>
<td>Barbieri</td>
<td>8/13/2009</td>
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<td>Rigney Family - Signing of SB 90</td>
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<td>H145-737</td>
<td>Bennett</td>
<td>7/23/2009</td>
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<td>Jack &amp; Nancy Lewis - 60th Wedding Anniversary</td>
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<td>H145-738</td>
<td>Bennett</td>
<td>5/29/2009</td>
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<td>Gilbert &amp; Gladys Hutchins - 60th Anniversary</td>
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<td>Brian Christopher Poore</td>
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<td>8/11/2009</td>
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<td>H145-749</td>
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<td>8/31/2009</td>
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<td>John Tigner, Jr. - Retirement- DelDOT</td>
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<td>Thornburg</td>
<td>8/14/2009</td>
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<td>Ruth Melson</td>
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<td>Blaney</td>
<td>8/16/2009</td>
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<td>William Dawson</td>
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<td>H145-752</td>
<td>Jaques</td>
<td>8/15/2009</td>
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<td>Dr. Edward Malin</td>
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<td>H145-753</td>
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<td>8/15/2009</td>
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<td>9/14/2009</td>
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<td>Norris Wooters</td>
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<td>H145-759</td>
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<td>9/1/2009</td>
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<td>9/1/2009</td>
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<td>Hudson</td>
<td>8/10/2009</td>
<td>M</td>
<td>Jodi Harrington</td>
</tr>
<tr>
<td>H145-764</td>
<td>Bennett</td>
<td>8/23/2009</td>
<td>M</td>
<td>Lloyd Sidney Kent</td>
</tr>
<tr>
<td>H145-765</td>
<td>Bennett</td>
<td>8/16/2009</td>
<td>M</td>
<td>Natalie Wible Collin</td>
</tr>
<tr>
<td></td>
<td>Oberle</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H145-767</td>
<td>Hudson;</td>
<td>8/22/2009</td>
<td>T</td>
<td>Robert &amp; Sandra Moser - 50th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-768</td>
<td>Outten</td>
<td>8/26/2009</td>
<td>M</td>
<td>William Dale Hammond</td>
</tr>
</tbody>
</table>

DATE: June 16, 2010

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<tr>
<td>H145-769</td>
<td>Schwartzkopf</td>
<td>8/28/2009</td>
<td>M</td>
<td>Donald Mitchell</td>
</tr>
<tr>
<td>H145-770</td>
<td>Walls</td>
<td>8/28/2009</td>
<td>M</td>
<td>George Davis</td>
</tr>
<tr>
<td>H145-771</td>
<td>Hocker</td>
<td>7/30/2009</td>
<td>T</td>
<td>George &amp; June Grise - 60th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-772</td>
<td>Plant</td>
<td>9/6/2009</td>
<td>T</td>
<td>Louise Singleton - Golden Girl's</td>
</tr>
<tr>
<td>H145-773</td>
<td>Plant</td>
<td>9/6/2009</td>
<td>T</td>
<td>Nellie Comb - Golden Girl's</td>
</tr>
<tr>
<td>H145-774</td>
<td>D. Short</td>
<td>9/12/2009</td>
<td>T</td>
<td>R. Glen Mears - 100th Birthday</td>
</tr>
<tr>
<td>H145-775</td>
<td>Cathcart</td>
<td>9/5/2009</td>
<td>T</td>
<td>Robert and Dorothy Willoughby -</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>cosponsor: Rep. Thornburg</td>
</tr>
<tr>
<td>H145-776</td>
<td>Carson;</td>
<td>9/23/2009</td>
<td>T</td>
<td>SAMS Club 6330 - National Hispanic Heritage Month</td>
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</tr>
<tr>
<td>H145-777</td>
<td>Gilligan</td>
<td>9/1/2009</td>
<td>M</td>
<td>Patrolman Chad E. Spicer</td>
</tr>
<tr>
<td>H145-778</td>
<td>Carey</td>
<td>8/1/2009</td>
<td>T</td>
<td>Paul &amp; Alice Hanke - 50th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-779</td>
<td>Cathcart</td>
<td>9/1/2009</td>
<td>T</td>
<td>Cpl. John Andrew Lloyd - Trooper of the Year</td>
</tr>
<tr>
<td>H145-781</td>
<td>Mulrooney</td>
<td>9/9/2009</td>
<td>M</td>
<td>Mildred Freel</td>
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**Description**

**Sponsor**

**Date**

**Type**

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<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H145-793</td>
<td>B. Short</td>
<td>11/15/2009</td>
<td>T</td>
<td>Christopher Skrobot - Eagle Scout</td>
</tr>
<tr>
<td>H145-794</td>
<td>Outten</td>
<td>9/28/2009</td>
<td>T</td>
<td>Mike Twining - Service to Kent Co. Agriculture</td>
</tr>
<tr>
<td>H145-795</td>
<td>Carey</td>
<td>10/3/2009</td>
<td>T</td>
<td>Deerfield Farms – Sussex Family Farm of the Year</td>
</tr>
<tr>
<td>H145-797</td>
<td>Schooley</td>
<td>10/1/2009</td>
<td>T</td>
<td>Bruce &amp; Erika Schrim - 50th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-803</td>
<td>Kovach</td>
<td>8/31/2009</td>
<td>M</td>
<td>Daniel Harkins III</td>
</tr>
<tr>
<td>H145-804</td>
<td>Schwartzkopf; Outten</td>
<td>9/18/2009</td>
<td>M</td>
<td>Joyce Rickards</td>
</tr>
<tr>
<td>H145-807</td>
<td>Lee</td>
<td>9/20/2009</td>
<td>T</td>
<td>Town of Delmar - 150th Anniversary</td>
</tr>
<tr>
<td>H145-808</td>
<td>Cathcart</td>
<td>4/15/2009</td>
<td>T</td>
<td>Keith Mussoni - Eagle Scout</td>
</tr>
<tr>
<td>H145-809</td>
<td>Kovach</td>
<td>8/20/2009</td>
<td>T</td>
<td>Mr. Pasta - 50th Anniversary</td>
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<tr>
<td>H145-811</td>
<td>Briggs King</td>
<td>9/13/2009</td>
<td>T</td>
<td>Toby &amp; Carol Givens - 50th Wedding Anniversary</td>
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<tr>
<td>H145-812</td>
<td>Ramone</td>
<td>9/26/2009</td>
<td>T</td>
<td>Bob Mattson - Dedication of Pool - DE Swim and Fitness Center</td>
</tr>
<tr>
<td>H145-817</td>
<td>Kovach</td>
<td>10/20/2009</td>
<td>T</td>
<td>Robert Meader - 75th Anniversary - Boy Scouts</td>
</tr>
<tr>
<td>H145-821</td>
<td>Carson</td>
<td>10/7/2009</td>
<td>T</td>
<td>Guy Mentzer Edmondson - 90th Birthday</td>
</tr>
<tr>
<td>H145-823</td>
<td>Kovach</td>
<td>6/14/2009</td>
<td>T</td>
<td>Joseph &amp; Miriam Elman - 50th Wedding Anniversary</td>
</tr>
</tbody>
</table>

**DATE:** June 16, 2010
H145-824  Hoeker  9/12/2009  T  Howard & Margaret Smith - 50th Anniversary
H145-826  Hudson  9/12/2009  T  William & Mary Lou Boyce - 50th Anniversary
H145-827  Outten  10/5/2009  T  Raymond Blanchette - Heroic Firefighter of the Year
H145-828  Outten  10/5/2009  T  Ralph Tucker - Heroic Firefighter of the Year
H145-829  Outten  10/5/2009  T  Robbie Brode - Heroic Firefighter of the Year
H145-830  Outten  10/5/2009  T  Jason Brode - Heroic Firefighter of the Year
H145-831  Outten  10/5/2009  T  Kenny Brode - Heroic Firefighter of the Year
H145-832  Outten  10/5/2009  T  Cody Rash - Heroic Firefighter of the Year
H145-833  Outten  10/5/2009  T  Aguado Garcia - Heroic Firefighter of the Year
H145-834  Outten  10/5/2009  T  Fred Chase - Heroic Firefighter of the Year
H145-835  Outten  10/5/2009  T  Scott Freeman - Heroic Firefighter of the Year
H145-836  Walls  10/5/2009  T  Billy Baker - Heroic Firefighter of the Year
cosponsor: Rep. Outten
H145-837  Outten  10/5/2009  T  Danny Washinski - Heroic Firefighter of the Year
cosponsors: Reps. Walls & Outten
H145-838  Carey  10/5/2009  T  Mark Devoe - Heroic Firefighter of the Year

DATE: June 16, 2010

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</thead>
<tbody>
<tr>
<td>H145-839</td>
<td>Carey</td>
<td>10/5/2009</td>
<td>T</td>
<td>Mike Noble - Heroic Firefighter of the Year</td>
</tr>
</tbody>
</table>
cosponsors: Rep. Walls & Outten
| H145-840 | Carey | 10/5/2009 | T | Wayne Whitney - Heroic Firefighter of the Year |
cosponsors: Reps. Walls & Outten
| H145-842 | Gilligan | 10/10/2009 | T | 2009 National Celebration Day |
cosponsors: Reps. Miro & D.E. Williams
| H145-844 | Scott | 10/1/2009 | M | Anita Cole |
| H145-845 | Bennett | 9/30/2009 | M | Ann Scott |
| H145-847 | D.E. Williams | 10/10/2009 | T | Pastor Sean Gibson |
| H145-848 | Outten | 10/5/2009 | T | Robert Scott - Heroic Firefighter of the Year |
| H145-851 | D.E. Williams | 10/1/2009 | M | Richard VanRyper |
cosponsor: Rep. Hudson
| H145-852 | Longhurst | 10/18/2009 | T | National Healthcare Quality Week |

T - Tribute
M - Memoriam

Representative Longhurst deferred to Representative Oberle. Representative Oberle made comments. Representative Oberle requested that HB 461 be stricken.

Representative Longhurst deferred to Representative Thornburg. Representative Thornburg deferred to Representative Cathcart. Representative Cathcart requested and was granted privilege of the floor to present a House Tribute to Representative William R. Outten on the occasion of his retirement from Delmarva Power. Representative Outten addressed the House. Representatives Walls, Mr. Speaker Gilligan, Representatives Thornburg, J. Johnson & Kowalko made comments.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed HS 1 for HB 229 w/HA 2, 3 & 4 & SA 1 aab SA 1 & SA 3 and is returning the same to the House.

Mr. Speaker Gilligan assigned HB 418 to the Veterans Affairs Committee.

The Majority Whip moved to recess for committee meetings and to the call of the Chair at 2:17 p.m.
Pursuant to a procedure authorized by Speaker Robert F. Gilligan, the following members were marked present by the Chief Clerk after the House recessed at 2:18 p.m.: Representatives Lavelle, Barbieri, Mulrooney & Atkins.

Mr. Acting Speaker D.P. Williams called the House to order at 2:03 p.m. on June 17, 2010.

The Reading Clerk read the following communications into the record:

June 16, 2010

Richard Puffer
Chief Clerk of the House
Legislative Hall
Dover, DE 19901

Dear Mr. Puffer,

Please be advised that I will be unable to attend Legislative Session on Thursday, June 17, 2010. In my absence, I hereby appoint Rep. Dennis P. Williams to perform the duties of the Speaker of the House. If Rep. Dennis P. Williams is unavailable for any reason, then in such case, Rep. Helene M. Keeley shall perform the duties of the Speaker of the House.

Thank you.

Sincerely,

Robert F. Gilligan
Speaker of the House

The Senate wishes to inform the House that it has passed SB 286 and requests the concurrence of the House and the Senate has passed HB 368 & HB 379 w/HA 1 and is returning the same to the House.

June 16, 2010

LEGISLATIVE ADVISORY # 44

Governor Jack A. Markell signed the following legislation on the date indicated: 6/11/10 - HB 349; 6/15/10 - SB 122 aab SA 1, SB 215, SB 218, SB 220, HB 323 aab HA 1, HB 337 aab HA 1, HB 340 & HB 359.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Senator Marshall, do hereby request that my name be removed as co-sponsor of HB 477.

Date: 6-16-2010
Signed: R. Marshall

Representative Carey requested that he be marked present for the current Legislative Day.

The Chief Clerk read the following committee reports into the record:

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: HB 463 - 2F,1M; HB 464 - 2F,1M; HB 481 - 2F,1M; HB 482 - 2F,1M; SB 184 - 2F,1M;

SB 250 w/SA 1 - 2F, 1M; SB 268 - 2F, 1M.

NATURAL RESOURCES: HB 480 - 2F, 5M, 2U.

JUDICIARY: HB 451 - 6M; HB 471 - 6M; HB 475 - 6M;

SS 1 for SB 171 w/SA 1 & 2 - 6M; SB 260 - 6M; SB 262 - 6M; SB 264 w/SA 1 - 6M.

ECONOMIC DEVELOPMENT/BANKING/INSURANCE/COMMERCE:

HB 422 - 1F, 5M, 1U; HS 1 for HB 435 - 5F, 4M; HB 453 - 5F, 4M; SB 239 w/SA 1 - 2F, 4M.

EDUCATION: HB 470 - 1F, 10M; SB 245 w/SA 1 - 10M; SB 261 - 7M, 1U;

SB 263 w/SA 1 - 2F, 9M.

PUBLIC SAFETY & HOMELAND SECURITY: HB 217 - 9M; HB 450 - 8M; HB 452 - 9M; HB 457 - 8M; HB 462 - 8M; HB 478 - 9M; HB 479 - 8M; SB 205 w/SA 1 - 6M.

HOUSE ADMINISTRATION: HS 1 for HB 357 - 5M; HB 366 - 4M; HB 369 - 5M; HB 472 - 4M.

HEALTH & HUMAN DEVELOPMENT: HB 459 - 1F, 8M; HB 458 - 7M; HB 456 - 4F, 3M; SB 259 w/SA 1 & 2 - 9M; SB 236 - 1F, 8M.

The Majority Leader moved to adjourn at 2:09 p.m., thereby ending the current legislative day. The House reconvened at 2:10 p.m.

39th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
June 17, 2010

The Chief Clerk called the roll.
Members Present: 39.


A prayer was offered by Representative Earl G. Jaques, Jr., Twenty-seventh Representative District.

Mr. Acting Speaker D.P. Williams led those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.

The following prefilled legislation was introduced:

HA 5 to HS 1 for HB 229 - BRIGGS KING - Placed with the Bill.

HA 1 to HB 466 - GEORGE - Placed with the Bill.

SB 249 w/SA 1 - SIMPSON & REPRESENTATIVE BRIGGS KING - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Board of Public Works of the City of Lewes, to Expand the Period of Time for Nominations to the Board of Public Works and to Modify the Procedures for the Board to Cease to Operate, Sell, Lease, Abandon or Dispose of Any Public Property.

SB 275 w/SA 2 - MARSHALL & SENATOR SIMPSON & REPRESENTATIVE KEELEY & REPRESENTATIVE BRIGGS KING; SENATORS BOOTH, BUSHWELLER, ENNIS, HENRY, BUNTING, PETERSON; REPRESENTATIVES HOCKER, HUDSON, Q. JOHNSON, KOVACH - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Coder Relating to Health Care Practices.

SB 286 - HALL-LONG & SENATOR KATZ & REPRESENTATIVE BARBIERI; SENATORS VENABLES, BUNTING, COOK, ENNIS, HENRY; REPRESENTATIVES WALLS, D. SHORT, MITCHELL, JAQUES, KEELEY - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Delaware Board of Nursing.

SJR 3 w/SA 1 - HENRY & REPRESENTATIVE BARBIERI; SENATORS BLEVINS, HALL-LONG, SIMPSON; REPRESENTATIVES SCHOOLEY, BLAKEY, BRIGGS KING - HEALTH & HUMAN DEVELOPMENT - Calling for the Designation of the Entire State of Delaware as a Healthcare Innovation Zone.

Representative George requested and was granted personal privilege of the floor to introduce guests.

The Reading Clerk read the following communications into the record:

June 17, 2010

The Honorable Robert F. Gilligan
Speaker of the House
Legislative Hall
Dover, DE 19901
Dear Speaker Gilligan:

Please be advised that it is necessary for me to be absent from Legislative Session on Thursday, June 17, 2010 because of unexpected obligations at work.

Thank you for your understanding.

Sincerely,
Nick T. Manolakos
State Representative
20th District

WITHDRAWAL OF SPONSORSHIP REQUEST
I, Pamela Thornburg, do hereby request that my name be removed as co-sponsor of SB 119.

Date: 6-17-2010
Signed: Pamela J. Thornburg

WITHDRAWAL OF SPONSORSHIP REQUEST
I, Bob Walls, do hereby request that my name be removed as co-sponsor of SB 119.

Date: 6/17/2010
Signed: Bob Walls

Representative Schwartzkopf introduced and brought HCR 54, jointly sponsored by Representative Longhurst & Representative Cathcart & Representative D. Short on behalf of all Representatives & Senator DeLuca & Senator Blevins & Senator Henry & Senator Simpson & Senator Sorenson on behalf of all Senators, before the House for consideration.

HCR 54 - HONORING THE YOUNG MEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2010 SESSION OF DELAWARE'S BOYS' STATE.

Representative Schwartzkopf made a comment.

HCR 54 was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf requested and was granted privilege of the floor for Lyman Brenner, American Legion Boys’ State Chairman. Representative Schwartzkopf, Mr. Acting Speaker D.P. Williams & Representatives Oberle, Ramone & Longhurst made comments. Boys’ State participants announced their names, schools and offices held for the record. Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley requested and was granted privilege of the floor to present a House Tribute to Holly Firlein, Youth Governor, YMCA Youth in Government, who addressed the House. Representative D.E. Williams requested that he be marked present.

The Majority Leader moved to recess at 2:40 p.m.

The House reconvened at 2:46 p.m.

Representative Schwartzkopf introduced and brought SCR 36, jointly sponsored by Senator Sorenson & Senator DeLuca on behalf of all Senators & Representative Kovach on behalf of all Representatives, before the House for consideration.
SCR 36 - COMMENDING THE CLASS OF 2009-2010 EAGLE SCOUTS FOR HAVING ATTAINED SCOUTING’S HIGHEST RANK AND CELEBRATING THE 100TH ANNIVERSARY OF THE BOY SCOUTS OF AMERICA.

Representative Schwartzkopf made comments.

SCR 36 was adopted by voice vote and was returned to the Senate.

Representative Schwartzkopf deferred to Representative Kovach. Representative Kovach requested and was granted privilege of the floor to present a House Tribute to Patrick Sterrett, Scout Executive, Boy Scouts, Delmarva Council who addressed the House. Representatives Mitchell & Representative Briggs King requested and were granted personal privilege of the floor to make comments. Representatives Miro & Schwartzkopf made comments. The Eagle Scouts announced their names, troops and hometowns for the record. Representative Mulrooney requested that he be marked present.

The Majority Leader moved to recess for caucus at 3:04 p.m.

The House reconvened at 5:02 p.m.

The Chief Clerk read the following committee reports into the record:

REVENUE & FINANCE: HB 477 - 2F, 5M.
HOUSING & COMMUNITY AFFAIRS: HB 466 - 7M.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson brought HB 427, jointly sponsored by Senator Ennis & Representatives Bennett, Carson, Mitchell, Scott & Walls & Senators Bunting & Hall-Long, before the House for consideration.

HB 427 - AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO COMBATIVE SPORTS AND COMBATIVE SPORTS ENTERTAINMENT.

Representative Q. Johnson introduced and brought HA 1 to HB 427 before the House for consideration. Representative Q. Johnson made comments.

HA 1 was adopted by voice vote. Representative Q. Johnson made comments.

The roll call on HB 427 w/HA 1 was taken and revealed:

YES: 38.
ABSENT: Representatives Gilligan, Manolakos & Plant - 3.

Therefore, having received a constitutional majority, HB 427 w/HA 1 was sent to the Senate for concurrence.

Representatives Atkins, Cathcart, Hudson, Lavelle & Thornburg requested that they be marked present during the roll call.

Representative Blakey introduced a guest. Representative Carson requested & was granted personal privilege of the floor to make comments and to introduce a guest.

Representative Schwartzkopf deferred to Representative Schooley.


HB 470 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EARLY CHILDHOOD EDUCATION.

Representative Schooley made comments.

The roll call on HB 470 was taken and revealed:

YES: 38.
ABSENT: Representatives Gilligan, Manolakos & Plant - 3.

Therefore, having received a constitutional majority, HB 470 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought HB 453, jointly sponsored by Senator Blevins & Representatives Barbieri, Q. Johnson & Kovach, before the House for consideration.

HB 453 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE CONVERSION OF A MUTUAL INSURER TO A STOCK INSURER.

The roll call on HB 453 was taken and revealed:

YES: 38.
ABSENT: Representatives Gilligan, Manolakos & Plant - 3.

Therefore, having received a constitutional majority, HB 453 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative B. Short.

Representative B. Short brought HS 1 for HB 390, jointly sponsored by Senator Katz & Representatives Bennett, Briggs King, Gilligan, Hocker, Q. Johnson, Kovach, Lavelle, Ramone, Scott, D. Short & Wilson & Senators Booth & Henry & cosponsored by Representative Cathcart, before the House for consideration.

HB 390 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE REGULATORY FLEXIBILITY ACT AND THE ADMINISTRATIVE PROCEDURES ACT. (F/N)

Representatives B. Short & D. Short made comments.
The roll call on **HS 1 for HB 390** was taken and revealed:
- YES: 37.
Therefore, having received a constitutional majority, **HS 1 for HB 390** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri brought **SB 254 w/SA 1**, jointly sponsored by Senator Henry & Senators Blevins, Marshall, McDowell, Ennis, Peterson & Sorenson & Representatives Schooley, Viola & Hudson, before the House for consideration.

**SB 254 - AN ACT TO AMEND TITLE 16 AND TITLE 29 OF THE DELAWARE CODE RELATING TO NURSING FACILITIES AND SIMILAR FACILITIES.**

Representative Barbieri made comments.
The roll call on **SB 254 w/SA 1** was taken and revealed:
- YES: 37.
Therefore, having received a constitutional majority, **SB 254 w/SA 1** was returned to the Senate.
Representative Schwartzkopf deferred to Representative Carson.
Representative Carson brought **HB 421**, jointly sponsored by Senator Peterson & Representatives Bennett & Mitchell & Senators Booth, Bushweller & Ennis & cosponsored by Representative Briggs King & Senator Cloutier, before the House for consideration.

**HB 421 - AN ACT AMENDING TITLE 17 OF THE DELAWARE CODE RELATING TO REFORESTATION ACTIVITIES OF THE DEPARTMENT OF TRANSPORTATION.**

Representative Carson introduced and brought **HA 1 to HB 421** before the House for consideration. Representative Carson made a comment. **HA 1** was adopted by voice vote. Representative Carson made comments.
The roll call on **HB 421 w/HA 1** was taken and revealed:
- YES: 37.
Therefore, having received a constitutional majority, **HB 421 w/HA 1** was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri brought **HB 440**, jointly sponsored by Senator Henry & Representatives George, Hudson, Jaques, Mitchell, Schooley & Scott & Senators Hall-Long & Sorenson, before the House for consideration.

**HB 440 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO INFORMED CONSENT AND CONFIDENTIALITY.**

Representative Barbieri made comments.
The roll call on **HB 440** was taken and revealed:
- YES: 37.
Therefore, having received a constitutional majority, **HB 440** was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative B. Short.
Representative B. Short brought **SB 239 w/SA 1**, sponsored by Senator DeLuca & Senators Bunting, Connor, Sokola, Cook & Katz & Representatives Bennett, Ramone, Lavelle, Keeley, George & Viola, before the House for consideration.

**SB 239 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO FIDUCIARY RELATIONS.**

Representative B. Short made comments.
The roll call on **SB 239 w/SA 1** was taken and revealed:
- YES: 37.
Therefore, having received a constitutional majority, **SB 239 w/SA 1** was returned to the Senate.

**HB 450- AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES. (3/5 bill)**

Representatives Schwartzkopf, Oberle & Kovach made comments.
The roll call on **HB 450** was taken and revealed:
- YES: 37.
Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 450** was sent to the Senate for concurrence.
Mr. Acting Speaker D.P Williams appointed Representative Keeley as Acting Speaker. Madam Acting Speaker Keeley made an announcement.
Representative Schwartzkopf deferred to Representative D.P. Williams.
Representative D.P. Williams brought HB 452, jointly sponsored by Senator Ennis & cosponsored by Representative Wilson, before the House for consideration.
**HB 452 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATED TO PROBATION AND PAROLE OFFICERS.**
Representative D.P. Williams made comments.
The roll call on HB 452 was taken and revealed:
YES: 36.
ABSENT: Representatives Atkins, Gilligan, Lavelle, Manolakos & Plant - 5.
Therefore, having received a constitutional majority, HB 452 was sent to the Senate for concurrence.
Madam Acting Speaker Keeley introduced a guest. Representative Schwartzkopf deferred to Representative Jaques. Representatives Jaques & Kowalko made announcements.
The Majority Leader moved to recess to the call of the Chair at 5:49 p.m.
Mr. Speaker Gilligan resumed the Chair.
Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 22, 2010.
The Reading Clerk read the following communications into the record:
**WITHDRAWAL OF SPONSORSHIP REQUEST**
I, Senator J. Booth, do hereby request that my name be removed as co-sponsor HB 469.
Date: 6-15-10
Signed: Joseph W. Booth
The Senate wishes to inform the House that it has passed SB 281, SB 267 w/SA 2 & SB 270 w/SA 1 and requests the concurrence of the House and the Senate wishes to inform the House that it has passed SCR 36 and requests the concurrence of the House. The Senate wishes to inform the House that it has passed HB 388 and is returning the same to the House & the Senate wishes to inform the House that it has passed HCR 54 and is returning the same to the House.
Mr. Speaker Gilligan requested that he be marked present for the current Legislative Day.
The Majority Leader moved to adjourn at 2:02 p.m., thereby ending the current legislative day. The House reconvened at 2:03 p.m.

**40th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session**
**June 22, 2010**
The Chief Clerk called the roll.
Members Present: 40.
Member Absent: Representative Plant - 1.
A prayer was offered by Representative Darryl M. Scott, Thirty-first Representative District.
Mr. Speaker Gilligan invited Representative Pamela J. Thornburg to lead those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following prefilled legislation was introduced:
**HA 1 to HB 456 - SCHWARTZKOPF - Placed with the Bill.**
**HA 1 to HB 463 - KOWALKO - Placed with the Bill.**
**HA 1 to HB 481 - KOWALKO - Placed with the Bill.**
**SB 267 w/SA 2 - MCDOWELL & SENATOR SIMPSON & REPRESENTATIVE D.E. WILLIAMS & REPRESENTATIVE MULROONEY; SENATORS KATZ, HENRY; REPRESENTATIVES BRADY, KEELEY, GILLIGAN, KOWALKO, B. SHORT, KOVACH, OBERLE, HOCKER - ENERGY - An Act to Amend Title 26 of the Delaware Code Relating to Net Energy Metering.**
**SB 270 w/SA 1 - BOOTH & REPRESENTATIVE CAREY - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Ellendale, Relating to the Town Election Laws, Annexation, Rate of Taxation, Amount of Money That Can Be Borrowed Against Bonds and Short Term Borrowing Limits.**
**SB 281 - BLEVINS & REPRESENTATIVE D.P. WILLIAMS; SENATORS ENNIS, SORENSON; REPRESENTATIVES MITCHELL, LEE, WILSON - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Proof of Automobile Insurance.**
Representative Briggs King requested that she be marked present.
The Chief Clerk read the following committee report into the record:
VETERANS AFFAIRS: HB 483 - 7F, 3M.
The Reading Clerk read the following communications into the record:
June 21, 2010

LEGISLATIVE ADVISORY #45
Governor Jack A. Markell signed the following legislation on the date indicated: 6/16/10 - HB 380; 6/17/10 - HB 328 aab HA 1.

To: Rich Puffer, Chief Clerk, House of Representatives
From: Legislative Aide Nancy Hickman on behalf of Rep. Robert Walls
Date: June 21, 2010
Subject: HB 441
Rep. Robert Walls has requested that he be removed as a co-sponsor of HB 441.
WITHDRAWAL OF SPONSORSHIP REQUEST
I, Bob Walls, do hereby request that my name be removed as co-sponsor HB 441.
Date: 6-21-10
Signed: Bob Walls

Representatives Cathcart & Manolakos requested that they be marked present.

Mr. Speaker Gilligan appointed Representative D.P. Williams as Acting Speaker.
Representative Gilligan invited the members of House leadership and Representative Pamela J. Thornburg to join him at the front of the Chamber. Representative Gilligan made comments. Representative Gilligan presented a gift to Representative Pamela J. Thornburg on the occasion of her retirement from the House of Representatives. Representative Cathcart presented a House Tribute to Representative Thornburg and made comments. Representatives Schwartzkopf, D. Short, Longhurst, Mr. Acting Speaker D.P. Williams & Representative Gilligan made comments. Representative Oberle requested that he be marked present and made comments. Representatives J. Johnson, George, Kowalko, Carson, Hudson, Walls, Carey, Miro, Manolakos & Wilson made comments. Representative Atkins requested that he be marked present and made comments. Representative Thornburg addressed the House and introduced guests. Mr. Acting Speaker D.P. Williams made comments.

Mr. Speaker Gilligan resumed the Chair.

Representatives Mitchell, Kovach & Schooley requested that they be marked present.
Representative Schwartzkopf made comments.
The Majority Leader moved to recess for caucus at 2:36 p.m.
The House reconvened at 5:09 p.m.
The Chief Clerk read the following committee report into the record:
AGRICULTURE: SB 240 - 7M.

The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 272 w/SA 1 and requests the concurrence of the House and the Senate has passed SB 283 w/SA 1 and requests the concurrence of the House. The Senate wishes to inform the House that it has passed SB 300, SB 282, SB 296 w/SA 1 and requests the concurrence of the House and the Senate wishes to inform the House that it has passed SB 297 w/SA 1, SB 298 & SS 1 for SB 119 and requests the concurrence of the House.

Mr. Speaker Gilligan requested that SS 1 for SB 119, sponsored by Senator McDowell & Representative D.E. Williams & Representative Kowalko & Senators Bushweller, Cloutier, Hall-Long, Katz, Marshall, McBride & Sorenson & Representatives Brady, Schooley, Mulrooney, Longhurst & Oberle be given its first reading.

SB 119 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE RENEWABLE ENERGY PORTFOLIO STANDARDS.
Representative Kowalko made an announcement.
Mr. Speaker Gilligan assigned SS 1 for SB 119 to the Energy Committee.
Representative Schwartzkopf deferred to Representative Carson. Representative Carson introduced guests. Representative Schwartzkopf requested and was granted personal privilege of the floor to introduce a guest. Representative Schwartzkopf deferred to Representative Keeley. Representative Keeley requested that he be marked present. The House observed a moment of silence in memory of Wendell Howell at the request of Representative Keeley. Representative Briggs King requested and was granted personal privilege of the floor to introduce a guest. Representative Lavelle requested that he be marked present.

Representative Schwartzkopf deferred to Representative Brady.
Representative Brady introduced and brought HCR 48, jointly sponsored by Representative Atkins & Representative Jaques on behalf of all Representatives & Senator Bunting on behalf of all Senators, before the House for consideration.

HCR 48 - WELCOMING HOME THE MEMBERS OF THE DELAWARE ARMY NATIONAL GUARD’S 262nd COMPONENT REPAIR COMPANY AND EXPRESSING THE GENERAL ASSEMBLY’S SINCERE APPRECIATION FOR THEIR HEROIC SERVICE IN IRAQ.
Representative Brady made comments.

HCR 48 was adopted by voice vote and was sent to the Senate for concurrence.

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Representative Brady requested and was granted privilege of the floor for himself and Captain Gary
J. Nelson, Commander, 262nd Component Repair Company and First Sergeant Richard D. Hitchens, 262nd
Component Repair Company. Captain Nelson & Sergeant Hitchens addressed the House. Representative
Brady made comments. Representative Jaques requested and was granted personal privilege of the floor to
make comments and to introduce a guest. Mr. Speaker Gilligan, Representatives Hocker, Atkins, Walls &
Schwartzkopf made comments.

Representative Schwartzkopf brought the following prefiled Consent Calendar #18 before the
House for consideration.

HR 47 - BRIGGS KING & REPRESENTATIVE CAREY - Requesting DELDOT Conduct a Feasibility Study to Facilitate the Creation of a Road Connection from State Route One to New Road, Lewes.

HCR 51 - KOVACH & SENATOR CLOUTIER & SENATOR CONNOR & REPRESENTATIVES CATHCART, J. JOHNSON, LONGHURST, MULROONEY, PLANT & D.E. WILLIAMS & SENATOR ENNIS - Requesting that the Delaware Department of Natural Resources and Environmental Control (DNREC) Work with Delaware's U.S. Congressional Delegation, as Well as the U.S. National Parks Service and State Officials in New Jersey and Pennsylvania, to Facilitate the Creation of a Tidal Delaware River National Recreation Area.

HCR 52 - GILLIGAN ON BEHALF OF ALL REPRESENTATIVES & SENATOR DELUCA ON BEHALF OF ALL SENATORS - Designating October 2010 as "Blindness Awareness Month" in Delaware.

Consent Calendar #18 was adopted by voice vote and HR 47 was declared passed & HCR 51 & HCR 52 were sent to the Senate for concurrence.

Representative Schwartzkopf brought Consent Agenda E before the House for consideration.


SB 250 w/SA 1 - MCBRIDE & REPRESENTATIVE KOWALKO & SENATORS BONINI, BUSHWELLER, HALL-LONG & KATZ & REPRESENTATIVES ATKINS & BENNETT - An Act to Amend Title 24 of the Delaware Code Relating to Professional Engineers.

SB 263 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TEACHER NOTICE AND HEARING PROTECTIONS.

The roll call on Consent Agenda E was taken and revealed:

YES: 39.
ABSENT: Representatives Oberle & Plant - 2.
Therefore, having received a constitutional majority, HB 482 was sent to the Senate for concurrence
and SB 184, SB 250 w/SA 1 & SB 262 were returned to the Senate.
Representative Mulrooney requested that he be marked present during the roll call.
Representative Schwartzkopf deferred to Representative Schooley.
Representative Schooley brought SB 263 w/SA 1, jointly sponsored by Senator Sokola & Representatives Miro, Jaques & Scott & Senators Bunting & Sorenson & cosponsored by Representatives Briggs King & Q. Johnson, before the House for consideration.

SB 263 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TEACHER NOTICE AND HEARING PROTECTIONS.

The roll call on SB 263 w/SA 1 was taken and revealed:

YES: 39.
ABSENT: Representatives Oberle, Plant - 2.
Therefore, having received a constitutional majority, SB 263 w/SA 1 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Outten.

HB 472 - AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE ESTABLISHING A VIETNAM VETERANS DAY.

Representative Jaques introduced and brought HA 1 to HB 472 before the House for consideration.
Representatives Jaques & J. Johnson made comments. HA 1 was adopted by voice vote. Representative Outten made comments.
The roll call on HB 472 w/HA 1 was taken and revealed:
YES: 40.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, HB 472 w/HA 1 was sent to the Senate for concurrence.
Representative Outten requested and was granted privilege of the floor for Paul Davis, State President, Council of Vietnam Vets of America and Joseph G. Startt, Jr., Kent County President, Chapter 850 of Vietnam Veterans who addressed the House. Representatives Oberle & Blakey made comments.
Representative George brought HB 475, cosponsored by Senator Hall-Long, before the House for consideration.
HB 475 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNIFORM COMMON INTEREST OWNERSHIP ACT AND THE UNIT PROPERTY ACT.
Representative George introduced and brought HA 1 to HB 475 before the House for consideration. Representative George made comments. HA 1 was adopted by voice vote. Representative George made a comment.
The roll call on HB 475 w/HA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Plant & D.P. Williams - 2.
Therefore, having received a constitutional majority, HB 475 w/HA 1 was sent to the Senate for concurrence.
Representative Kowalko made comments.
Representative Schwartzkopf deferred to Representative Keeley.
HB 459 - AN ACT TO AMEND TITLES 24 AND 29 OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICE ACT, THE BOARD OF MEDICAL PRACTICE AND THE DEPARTMENT OF STATE.
Representative Keeley introduced and brought HA 1 to HB 459 before the House for consideration. Representative Keeley made comments. HA 1 was adopted by voice vote. Representatives Keeley & Lavelle made comments. Representative Keeley requested and was granted privilege of the floor for James Collins, Director, Division of Professional Regulation. Representative Lavelle made comments.
The roll call on HB 459 w/HA 1 was taken and revealed:
YES: 40.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, HB 459 w/HA 1 was sent to the Senate for concurrence.
HB 458 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO REGISTRATION TO PRACTICE MEDICINE.
Representatives Schwartzkopf, Kovach, Schwartzkopf & Kovach made comments. They roll call on HB 458 was taken and revealed:
YES: 40.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, HB 458 was sent to the Senate for concurrence. Representative Schwartzkopf deferred to Representative Briggs King.
HB 457 - AN ACT TO AMEND TITLES 11, 24 AND 29 OF THE DELAWARE CODE RELATING TO TRAINING ON CHILD SEXUAL AND PHYSICAL ABUSE, EXPLOITATION AND DOMESTIC VIOLENCE AND THE MANDATORY REPORTING THEREOF.
Representative Briggs King made comments.
The roll call on HB 457 was taken and revealed:
YES: 40.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, HB 457 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Kowalko.
Representative Kowalko brought HB 481, jointly sponsored by Senator Hall-Long & Representatives Atkins, Bennett, Kovach & Lee & Senators Bonini, Booth, Bushweller & Katz, before the House for consideration.

HB 481 - AN ACT TO AMEND TITLE 24 CHAPTER 11 OF THE DELAWARE CODE RELATING THE BOARD OF DENTAL EXAMINERS
Representative Kowalko brought HA 1 to HB 481 before the House for consideration.
Representative Kowalko made comments. HA 1 was adopted by voice vote. Representatives Kowalko, Lavelle & Oberle made comments.
The roll call on HB 481 w/HA 1 was taken and revealed:
YES: 40.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, HB 481 w/HA 1 was sent to the Senate for concurrence.

HB 229 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.
Representative Briggs King brought HA 5 to HS 1 for HB 229 before the House for consideration.
Representatives Briggs King, Scott, Kovach, Scott, Miro & Briggs King made comments.
The roll call on HA 5 was taken and revealed:
YES: Representatives Atkins, Blakey, Briggs King, Carey, Carson, Cathcart, Hocker, Hudson, Kovach, Lavelle, Lee, Manolakos, Outten, Ramone, Schooley, Schwartzkopf, B. Short & Walls & Senators Blevins, Bunting, Bushweller, Ennis, Henry & Sokola and cosponsored by Senator Cloutier, before the House for concurrence on SA 1, SA 1 to SA 1 & SA 3.
NO: 20.
ABSENT: Representatives Oberle & Plant - 2.
Therefore, not having received a constitutional majority, HA 5 was declared defeated.
Representatives Scott, Hudson, Atkins, Kovach & Scott made comments.
The roll call on HS 1 for HB 229 w/HA 2, 3 & 4 & SA 1, SA 1 to SA 1 & SA 3 was taken and revealed:
NO: 6.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, HS 1 for HB 229 w/HA 2, 3 & 4 & SA 1, SA 1 to SA 1 & SA 3 was sent to the Governor.

SB 260 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.
Representative Briggs King brought HA 5 to HS 1 for HB 229 before the House for consideration.
Representatives Briggs King, Scott, Kovach, Scott, Miro & Briggs King made comments.
The roll call on HA 5 was taken and revealed:
NO: 20.
ABSENT: Representatives Oberle & Plant - 2.
Therefore, not having received a constitutional majority, HA 5 was declared defeated.
Representatives Scott, Hudson, Atkins, Kovach & Scott made comments.
The roll call on HS 1 for HB 229 w/HA 2, 3 & 4 & SA 1, SA 1 to SA 1 & SA 3 was taken and revealed:
YES: 34.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, HS 1 for HB 229 w/HA 2, 3 & 4 & SA 1, SA 1 to SA 1 & SA 3 was sent to the House for concurrence.
Representative Schwartzkopf made an announcement. Mr. Speaker Gilligan made comments and announcements. Representative Lavelle made comments. Representative Keeley made an announcement.
Representative Schwartzkopf deferred to Representative George.
Representative George brought SB 260, jointly sponsored by Senator Blevins, before the House for consideration.

SB 260 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT.
Representative George brought HA 1 to SB 260 before the House for consideration. Representative George made comments. HA 1 was adopted by voice vote. Representative George made comments.
The roll call on SB 260 w/HA 1 was taken and revealed:
YES: 40.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, SB 260 w/HA 1 was returned to the Senate for concurrence on HA 1.
Representative Schwartzkopf deferred to Representative Oberle.
Representative Oberle brought HB 462, jointly sponsored by Representative Mitchell & Senator Cook & Representatives D. Short, Hocker, Miro, Outten, Q. Johnson, Kowalko & Viola and cosponsored by Representative Wilson, before the House for consideration.
HB 462 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR VIOLATIONS OF REQUIRED MOTOR VEHICLE INSURANCE, INCLUDING FICTITIOUS PROOFS OF INSURANCE.

Representative Oberle introduced and brought HA 1 to HB 462 before the House for consideration. Representative Oberle made a comment. HA 1 was adopted by voice vote. Representative Oberle made comments.

The roll call on HB 462 w/HA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Keeley & Plant - 2.
Therefore, having received a constitutional majority, HB 462 w/HA 1 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Oberle.
Representative Oberle brought HJR 10, jointly sponsored by Representative Schooley & Representative Kowalko, before the House for consideration.

HJR 10 - CREATING A COMMITTEE TO DEVELOP CURRICULUM FOR INSTRUCTING STUDENTS IN THE HISTORY OF ORGANIZED LABOR AND THE COLLECTIVE BARGAINING PROCESS IN AMERICA.

Representatives Oberle, Kowalko, Lavelle, Schooley & Oberle made comments.
The roll call on HJR 10 was taken and revealed:
YES: 30.
ABSENT: Representatives Atkins, Hudson, Kovach & Plant - 4.
Therefore, having received a constitutional majority, HJR 10 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Atkins.

HB 357 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LIMITING THE AUTHORITY OF PUBLIC BODIES TO REGULATE ARMS.

Representative D.P. Williams introduced and brought HA 1 to HS 1 for HB 357, jointly sponsored by Representative. Keeley & Representative J. Johnson & Representative Mitchell & Representative Brady, before the House for consideration. Representatives D.P. Williams, Atkins, Keeley, J. Johnson, Atkins & D.P. Williams made comments.
The roll call on HA 1 was taken and revealed:
NO: 25.
NOT VOTING: Representatives Blakey & Carey - 2.
ABSENT: Representatives Oberle & Plant - 2.
Therefore, not having received a constitutional majority, HA 1 was declared defeated.

Representative George introduced and brought HA 2 to HS 1 for HB 357 before the House for consideration.

Representatives George, Kovach, Atkins & Lavelle made comments. Representative Atkins requested and was granted privilege of the floor for William G. Bush IV, Majority House Attorney. Representatives Lavelle, Oberle, George, D. Short, Ramone & J. Johnson made comments. Representative George moved to place HA 2 on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative George introduced and brought HA 3 to HS 1 for HB 357 before the House for consideration.

Representatives George, D.P. Williams & Schwartzkopf made comments. Representative Kovach requested and was granted privilege of the floor for William G. Bush IV, Majority House Attorney. Representatives Kovach & Kowalko made comments. Representative Atkins requested and was granted privilege of the floor for John Thompson, President, Delaware State Sportsmen’s Association. Representatives Atkins, George, Kowalko, Kovach & D.P. Williams made comments. Representative George requested and was granted privilege of the floor for Lewis D. Schiliro, Secretary, Department of Public Safety and Homeland Security. Representatives George, Atkins, Schwartzkopf & Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for William G. Bush IV, Majority House Attorney. Representatives Cathcart, George, D.P. Williams & George made comments.
The roll call on HA 3 was taken and revealed:
YES: 21.

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ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, HA 3 was declared passed.
Representative Atkins made comments. Representative D.P. Williams requested and was granted privilege of the floor for John Thompson, President, Delaware State Sportsmen’s Association.
Representatives D.P. Williams, Kowalko, Keeley & D.P. Williams made comments.
The roll call on HS 1 for HB 357 w/HA 3 was taken and revealed:
YES: 31.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, HS 1 for HB 357 w/HA 3 was sent to the Senate for concurrence.
Representative Schwartzkopf introduced HB 488, jointly sponsored by Senator Cook & cosponsored by Representative Barbieri.
HB 488 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PLUMBING PERMITS.
Mr. Speaker Gilligan assigned HB 488 to the Health & Human Development Committee.
Representative Barbieri made an announcement.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 265 w/SA 1, SB 277, SB 292 & SB 278 and requests the concurrence of the House and the Senate wishes to inform the House that it has passed SB 280 w/SA 2 & SB 271 w/SA 1 and requests the concurrence of the House.
Mr. Speaker Gilligan requested that HB 278, sponsored by Senator Bunting & Representative Hoeker, be given its first reading.
SB 278 - AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW. (2/3 bill)
Mr. Speaker Gilligan assigned SB 278 to the House Administration Committee.
Representative Atkins introduced HB 487, jointly sponsored by Representatives Schwartzkopf, Carson, Gilligan, Q. Johnson, Kowalko, Mitchell & Mulrooney.
HB 487 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY GOVERNMENTS.
Mr. Speaker Gilligan assigned HB 487 to the Housing & Community Affairs Committee.
The Majority Leader moved to recess to the call of the Chair at 8:09 p.m.
Mr. Speaker Gilligan called the House to order at 2:04 p.m. on June 23, 2010.
The Reading Clerk read the following communications into the record:
WITHDRAWAL OF SPONSORSHIP REQUEST
I, Debbie Hudson, do hereby request that my name be removed as co-sponsor of HB 422.
Date: June 22
Signed: Deborah Hudson
WITHDRAWAL OF SPONSORSHIP REQUEST
I, Gerald W. Hocker, do hereby request that my name be removed as co-sponsor of HB 422.
Date: 6/22/10
Signed: Gerald W. Hocker
WITHDRAWAL OF SPONSORSHIP REQUEST
I, Michael Ramone, do hereby request that my name be removed as co-sponsor of HB 422.
Date: 6/22/10
Signed: Michael Ramone
Mr. Speaker Gilligan requested that SB 296 w/SA 1, jointly sponsored by Senator Blevins & Representative Schwartzkopf & Representative Keeley & All Senators & All Representatives be given its first reading.
SB 296 - AN ACT TO AMEND THE DELAWARE CODE RELATING TO THE BOARD OF MEDICAL PRACTICE.
Mr. Speaker Gilligan assigned SB 296 w/SA 1 to the Health & Human Development Committee.
Mr. Speaker Gilligan requested that SB 297 w/SA 1, jointly sponsored by Senator Bunting & Representative Schwartzkopf & Senators Blevins, Bushweller, Cook, DeLuca, Ennis, Hall-Long, Henry, Katz, Marshall, McBride, McDowell, Peterson, Venables, Sokola, Booth, Simpson, Sorenson, Connor & Cloutier & All Representatives be given its first reading.
SB 297 w/SA 1 - AN ACT TO AMEND TITLES 16 AND 24 OF THE DELAWARE CODE RELATING TO THE REPORTING OF ABUSE AND UNPROFESSIONAL PRACTICE.
Mr. Speaker Gilligan assigned SB 297 w/SA 1 to the Health & Human Development Committee.
Mr. Speaker Gilligan requested that SB 298, jointly sponsored by Senator Sokola & Representative Schwartzkopf & All Senators & All Representatives be given its first reading.
SB 298 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE IMPOSITION OF FINES BY THE BOARD OF MEDICAL PRACTICE.
Mr. Speaker Gilligan assigned SB 298 to the Health & Human Development Committee.
Representative Barbieri made an announcement.
Representative Schwartzkopf deferred to Representative Thornburg.
Representative Thornburg introduced and brought **HCR 56**, jointly sponsored by Senator Cook, before the House for consideration.

**HCR 56** - CREATING A TASK FORCE TO REVIEW DELAWARE’S AGRICULTURAL OUTLOOK.
Representatives Thornburg & Mr. Speaker Gilligan made comments.
HCR 56 was adopted by voice vote and was sent to the Senate for concurrence.
Mr. Speaker Gilligan introduced guests.
Representative George introduced and brought **HCR 55**, jointly sponsored by Senator Blevins, before the House for consideration.

**HCR 55** - PROCLAIMING THE WEEK OF OCTOBER 24 - 30, 2010 AS "DELAWARE'S PRO BONO CELEBRATION WEEK”
Representative George made comments.
HCR 55 was adopted by voice vote and was sent to the Senate for concurrence.
Representative Kowalko requested and was granted personal privilege of the floor to make an announcement. Representative George requested and was granted personal privilege of the floor to introduce a guest. Representative Viola made an announcement.

The Majority Leader moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

**41st LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session**
**June 23, 2010**

The Chief Clerk called the roll.
Members Present: 39.
Members Absent: Representatives Lavelle & Plant - 2.
The House observed a moment of silence in memory of Alberta “Bert” Melloy at the request of Representative Brady.
A prayer was offered by Representative Gerald L. Brady, Fourth Representative District.
Mr. Speaker Gilligan invited Josh Bennett & Andrew Longhurst to join him in leading those present in the pledge of allegiance to the American Flag.
The minutes of the previous legislative day were approved as posted.
The following prefiled legislation was introduced:
**HB 489** - KOVACH & RERPRESENTATIVE LAVELLE & SENATOR BONINI; REPRESENTATIVE MITCHELL; SENATOR SOKOLA - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Special License or Registration Plates for Flyers Charities.
**HB 473** - HOCKER - Placed with the Bill.
**SB 265** w/SA 1 - VENABLES & REPRESENTATIVE WALLS; SENATORS BUNTING, COOK, ENNIS; REPRESENTATIVES ATKINS, CARSON, Q. JOHNSON, LONGHURST, HOCKER - AGRICULTURE - An Act to Amend the Delaware Code Relating to the Right to Farm and Public and Private Nuisance Actions.
**SB 271** w/SA 1 - ENNIS & REPRESENTATIVE MITCHELL; SENATORS HALL-LONG, BUSHELLER, CONNOR; REPRESENTATIVES CARSON, WALLS, CATHCART, D. SHORT - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend All Titles of the Delaware Code Relating to the Delaware Volunteer Firefighter’s Association and to Amend Title 18 Relating to the Responsibilities of the Delaware Volunteer Firefighter’s Association.
**SB 272** w/SA 1 - DELUCA & REPRESENTATIVE GILLIGAN; SENATORS BLEVINS, HENRY, VENABLES, COOK, SIMPSON, SORENSON; REPRESENTATIVES SCHWARTZKOPF, LONGHURST, KEELEY, D.P. WILLIAMS, VIOLA - REVENUE & FINANCE - An Act to Amend Chapter 11 of Title 12 of the Delaware Code Relating to Escheats.
**SB 277** - BUSHELLER & REPRESENTATIVE MITCHELL; SENATOR BUNTING; REPRESENTATIVE D. SHORT - PUBLIC SAFETY & HOMELAND SECURITY - An Act to Amend Title 21 of the Delaware Code Relating to Regulation of Vehicle Speeds in School Zones.
**SB 280** w/SA 1 - BLEVINS & REPRESENTATIVE GEORGE; SENATORS BUSHELLER, ENNIS, HENRY, PETERSON, SIMPSON, SORENSON; REPRESENTATIVES GILLIGAN, HUDSON, JAQUES, KEELEY, MITCHELL, OBERLE, SCHOOLEY, B. SHORT - JUDICIARY - An Act to Amend Title 3 of the Delaware Code Relating to Animals Held in Shelter.
**SB 282** - DELUCA & REPRESENTATIVE B. SHORT; SENATORS BUNTING, BONINI; REPRESENTATIVES BENNETT, BRADY, VIOLA, HOCKER - ECONOMIC
DEVELOPMENT/BANKING/INSURANCE & COMMERCE - An Act to Amend Title 12 of the Delaware Code Relating to Trusts.


SB 292 - VENABLES & REPRESENTATIVE SCHWARTZKOPF; REPRESENTATIVE HOCKER - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to County Government and County Administrators.


HA 1 to SB 246 - MITCHELL - Placed with the Bill.
HA 1 to SB 261 - HOCKER - Placed with the Bill.

Representative Cathcart requested and was granted personal privilege of the floor to make a comment.

The Reading Clerk read the following communications into the record:

June 23, 2010

The Honorable Robert F. Gilligan
Speaker of the House
Legislative Hall
Dover, DE 19901

Dear Speaker Gilligan:

Please be advised that it is necessary for me to be absent from Legislative Session, Wednesday, June 23, 2010, due to personal obligations.

Thank you for your understanding.

Sincerely,
Gregory F. Lavelle
State Representative
11th District

The Chief Clerk read the following committee reports into the record:

HEALTH & HUMAN DEVELOPMENT: HB 488 - 8M; SJR 3 w/SA 1 - 7M;

ENERGY: SS 1 for SB 119 - 2F, 8M; SB 266 w/SA 1 & 2 - 3F, 8M;

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY:

SB 286 - 1F, 2M.

Speaker Gilligan appointed Representative Mulrooney as Acting Speaker.

Representative Gilligan invited the members of House leadership and Representative V. George Carey to join him at the front of the Chamber.

Representatives Gilligan & Carey made comments.

Representative Gilligan presented a gift to Representative V. George Carey on the occasion of his retirement from the House of Representatives. Representative Daniel B. Short presented a House Tribute to Representative Carey and made comments. Representatives Cathcart, Schwartzkopf, Longhurst, Walls & Carson made comments. Representative Keeley requested that she be marked present and made comments. Representative Hudson requested that she be marked present and made comments. Representative Carey requested that Mrs. Carey join him at the podium and introduced a guest. Representative J. Johnson made comments. Representative Oberle requested that he be marked present and made comments. Representatives Blakey, Jaques, Hocker & Thornburg made comments. Representative Kovach requested that he be marked present and made comments. Representatives Wilson & Carey made comments.

Mr. Speaker Gilligan resumed the Chair.

Mr. Speaker Gilligan introduced a guest. Representative Longhurst requested and was granted personal privilege of the floor to make an announcement. Representatives Mitchell, Atkins & Schooley requested that they be marked present. Representative Briggs King requested and was granted personal privilege of the floor to introduce a guest.

The Majority Leader moved to recess for caucus at 2:58 p.m.

The House reconvened at 5:05 p.m.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 227 and requests the concurrence of the House and the Senate wishes to inform the House that it has passed SB 24, SB 219 w/SA 1, SB 285 & SB 311 and requests the concurrence of the House.
Representative D.P. Williams requested that he be marked present.
Mr. Speaker Gilligan appointed Representative D.P. Williams as Acting Speaker.
Representative Gilligan moved to suspend the rules which interfere with introduction of and action on SB 227. The motion was seconded by Representative J. Johnson and adopted by voice vote.
Representative Gilligan introduced and brought SB 227, jointly sponsored by Senator DeLuca & All Senators & All Representatives, before the House for consideration.

SB 227 - AN ACT TO RENAME THE GEORGETOWN STATE SERVICE CENTER IN HONOR OF THE HONORABLE THURMAN ADAMS, JR.
Representative Gilligan made comments.
The roll call on SB 227 was taken and revealed:
YES: 38.
ABSENT: Representatives Cathcart, Lavelle & Plant - 3.
Therefore, having received a constitutional majority, SB 227 was returned to the Senate.
Representatives Manolakos requested that he be marked present during the roll call.
Representative Gilligan requested and was granted privilege of the floor for Lynn Kokjohn and Polly Mervine, daughters of the late Senator Thurman G. Adams, Jr. who addressed the House and introduced guests.
Mr. Speaker Gilligan resumed the Chair.

The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 231 w/SA 1 and requests the concurrence of the House and the Senate wishes to inform the House that it has passed SB 324 w/SA 1, SB 325 & SB 304 and requests the concurrence of the House.

The Chief Clerk read the following committee reports into the record:
PUBLIC SAFETY & HOMELAND SECURITY: HB 485 - 6M; SB 269 - 3M, 3U; SB 281 - 5M.
ECONOMIC DEVELOPMENT/BANKING/INSURANCE & COMMERCE: HB 473 - 6M; SB 223 w/SA 1 - 6M.

Representative Schwartzkopf deferred to Representative Longhurst.
Representative Longhurst requested and was granted privilege of the floor for herself.
Representative Carey & Representative Walls to present a House Tribute to Kayla Martell, Miss Delaware 2010, who addressed the House. Representatives Walls & Carey made comments.
Mr. Speaker Gilligan appointed Representative D.P. Williams as Acting Speaker.
Representative Keeley requested and was granted personal privilege of the floor to make comments.
Representative Gilligan resumed the Chair.
Representative Hocker made comments.
Representative Schwartzkopf requested and was granted privilege of the floor for Amanda Lamar, Communications Coordinator, who presented House Tributes to Katie Anderson, Amy Clark, Morgan DiGravini, Trevor Felix, Jordan Fischer, Chris Lang & Kaylynn Palao, Legislative Fellows. Pam Price, Minority Chief of Staff, addressed the House. Representative D. Short presented House Tributes to Legislative Fellows Kira Paul & Ted Briggs.
Representatives Schwartzkopf, Lee, Schooley, Kowalko, J. Johnson, George, Viola, Mulrooney, Barbieri, Jaques, Walls, B. Short, Longhurst, Mitchell, Scott, Mr. Speaker Gilligan & Representative Keeley made comments.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 231 w/SA 1 and requests the concurrence of the House and the Senate wishes to inform the House that it has passed SB 324 w/SA 1, SB 325 & SB 304 and requests the concurrence of the House.

The Chief Clerk read the following committee reports into the record:
HOUSE ADMINISTRATION: SB 249 w/SA 1 - 3M; SB 270 w/SA 1 - 4M;
SB 278 - 4M.
Representative Schwartzkopf deferred to Representative B. Short.
Representative B. Short brought HB 317 w/HA 1, HA 1 & 2 to HA 1 & SA 3, jointly sponsored by Senator Katz & Representatives Brady, Carey, Carson, Q. Johnson, Kowalko, Lavelle, Miro, Mitchell, Oberle, Schooley & Viola, before the House for concurrence on SA 3.

HB 317 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO HOME SOLICITATION AND DOOR TO DOOR SALES. (2/3 bill)
Representatives B. Short & Kovach made comments.
The roll call HB 317 w/HA 1, HA 1 & 2 to HA 1 & SA 3 was taken and revealed:
YES: 22.
ABSENT: Representatives Brady, Cathcart, Lavelle & Plant - 4.
Therefore, not having received a constitutional majority of at least two-thirds Members of the House, HB 317 w/HA 1, HA 1 & 2 to HA 1 & SA 3 was declared defeated.
Representative Schwartzkopf deferred to Representative Kowalko.
Representative Kowalko brought HB 464, jointly sponsored by Senator Hall-Long & Representatives Atkins, Bennett & Lee & Senators Bonini, Bushweller & Katz, before the House for consideration.

HB 464 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO AMUSEMENT RIDES SAFETY INSPECTION AND INSURANCE ACT; FIRE PREVENTION; REPORTING OF BURN INJURIES AND WOUNDS; AND REDUCED IGNITION PROPENSITY CIGARETTES.

Representative Lee introduced and brought HA 1 to HB 464 before the House for consideration. Representatives Lee & Kowalko made comments. HA 1 was adopted by voice vote. Representative Kowalko made comments.

The roll call on HB 464 w/HA 1 was taken and revealed:
YES: 37.
ABSENT: Representatives Brady, Cathcart, Lavelle & Plant - 4.
Therefore, having received a constitutional majority, HB 464 w/HA 1 was sent to the Senate for concurrence.

Representative Lee requested and was granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf deferred to Representative Kowalko.

Representative Kowalko brought HB 463, jointly sponsored by Senator Hall-Long & Representatives Atkins, Bennett, Kovach & Lee & Senators Bonini, Booth, Bushweller & Katz, before the House for consideration.

HB 463 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO MASSAGE AND BODYWORK.

Representative Kowalko brought HA 1 to HB 463 before the House for consideration. Representative Kowalko made comments. HA 1 was adopted by voice vote. Representative Kowalko made comments.

The roll call on HB 463 w/HA 1 was taken and revealed:
YES: 37.
ABSENT: Representatives Brady, Cathcart, Lavelle & Plant - 4.
Therefore, having received a constitutional majority, HB 463 w/HA 1 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative George.

Representative George brought HB 466, jointly sponsored by Representative Jaques & Senator Blevins & cosponsored by Representative Plant, before the House for consideration.

HB 466 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO DOGS.

Representative George made comments. Representative George requested and was granted privilege of the floor for Anne Gryczon, Executive Director, Safe Haven Animal Sanctuary of Sussex County. Representative George made comments. Representative George brought HA 1 to HB 466 before the House for consideration. Representatives George, Blakey & Carson made comments. HA 1 was adopted by voice vote. Representative George requested and was granted privilege of the floor for Meredith Stewart, Majority House Attorney. Representatives Blakey, Kovach, George, Carson, D. Short, George, Blakey, Oberle, George & Hudson made comments.

Representative George moved to place HB 466 w/HA 1 on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.


HB 483 - AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO THE DELAWARE NATIONAL GUARD.

Representative Carson made comments. The roll call on HB 483 was taken and revealed:
YES: 37.
ABSENT: Representatives Brady, Cathcart, Lavelle & Plant - 4.
Therefore, having received a constitutional majority, HB 483 was sent to the Senate for concurrence.

Representative Carson made comments.

The roll call on SB 245 w/SA 1 was taken and revealed:
YES: 37.
ABSENT: Representatives Brady, Cathcart, Lavelle & Plant - 4.
Therefore, having received a constitutional majority, HB 483 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Schooley.

Representative Schooley brought SB 245 w/SA 1, jointly sponsored by Senator Sokola & Senator Henry & Representatives Briggs King & Jaques & cosponsored by Representatives Q. Johnson & Wilson, before the House for consideration.

SB 245 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL BACKGROUND CHECKS FOR STUDENT TEACHERS.

Representative Schooley made comments. The roll call on SB 245 w/SA 1 was taken and revealed:
YES: 37.
ABSENT: Representatives Brady, Cathcart, Lavelle & Plant - 4.
Therefore, having received a constitutional majority, SB 245 w/SA 1 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Q. Johnson.
Representative Q. Johnson brought SB 259 w/SA 1 & 2, jointly sponsored by Senator Hall-Long & Senator Blevins & Senator Henry & Representative Barbieri & Senator Sorenson & Representatives Hudson & Manolakos & cosponsored by Representative Oberle, before the House for consideration.

SB 259 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO LICENSING OF GENETIC COUNSELORS.
Representative Q. Johnson made comments.
The roll call on SB 259 w/SA 1 & 2 was taken and revealed:
YES: 37.
ABSENT: Representatives Brady, Cathcart, Lavelle & Plant - 4.
Therefore, having received a constitutional majority, SB 259 w/SA 1 & 2 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri brought SB 236, jointly sponsored by Senator Hall-Long & Senators Henry, Sorenson & Ennis & Representatives Manolakos, Mitchell, Jaques & Keeley, before the House for consideration.

SB 236 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO QUALIFICATIONS OF PSYCHOLOGISTS.
Representative Barbieri made comments.
The roll call on SB 236 was taken and revealed:
YES: 24.
NOT VOTING: Representative Oberle - 1.
ABSENT: Representatives Brady, Cathcart, Lavelle & Plant - 4.
Therefore, having received a constitutional majority, SB 236 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri brought SB 264 w/SA 1, jointly sponsored by Senator McDowell & Senators Blevins, Bushweller, Connor & Simpson & Representatives George, J. Johnson, Wilson & Lee, before the House for consideration.

SB 264 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO DISPOSITION OF CHILDREN PENDING ADJUDICATION AND PAYMENT FOR CARE.
Representative Barbieri made comments.
The roll call on SB 264 w/SA 1 was taken and revealed:
YES: 37.
ABSENT: Representatives Brady, Cathcart, Lavelle & Plant - 4.
Therefore, having received a constitutional majority, SB 264 w/SA 1 was returned to the Senate.

HB 456 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE TREATMENT OF MINORS BY PHYSICIANS UNDER THE MEDICAL PRACTICE ACT.
Representative Schwartzkopf brought HA 1 to HB 456, jointly sponsored by Representative Longhurst, before the House for consideration.
Representative Kovach introduced and brought HA 1 to HB 456, jointly sponsored by Representatives Cathcart, D. Short, Blaley, Briggs King, Carey, Hocker, Hudson, Lavelle, Lee, Manolakos, Miro, Oberle, Outten, Ramone, Thornburg & Wilson, before the House for consideration. Representative Kovach moved to place HA 1 to HB 456 on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote. Representative Schwartzkopf moved to place HB 456 on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote. Representative Blaley introduced and brought HA 2 to HB 456 before the House for consideration. Representative Blaley made comments. Representative Blaley moved to place HB 456 on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote. Representative Schwartzkopf moved to place HB 456 on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

The Majority Leader moved to recess at 6:50 p.m.
The House reconvened at 7:19 p.m.
Representative Schwartzkopf moved to lift HB 456 from the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.


HB 456 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE TREATMENT OF MINORS BY PHYSICIANS UNDER THE MEDICAL PRACTICE ACT.

Representative Schwartzkopf introduced and brought HB 456, jointly sponsored by Representative Longhurst & All Representatives, before the House for consideration.

Representatives Schwartzkopf, Kovach, Ramone & Schwartzkopf made comments.

HA 3 was adopted by voice vote. Representative Blakey introduced and brought HA 4 to HB 456 before the House for consideration. Representatives Blakey, Jaques & Schwartzkopf made comments.

HB 456 w/HA 3 & 4 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought SB 205 w/SA 1, jointly sponsored by Senator Bushweller & Senator Ennis & Representative Carson & Representative Bennett & Representative Jaques & Senators Hall-Long & Bunting & Representatives Keeley, M. Marshall, Q. Johnson, Hudson, Schooley, Scott, Walls & D. Short & cosponsored by Representative Wilson, before the House for consideration.

SB 205 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO AUTHORIZED EMERGENCY VEHICLES.

Representative Mitchell made comments.

The roll call on SB 205 w/SA 1 was taken and revealed:

YES: 36.
ABSENT: Representatives Brady, Cathcart, Lavelle, Miro, Plant - 5.
Therefore, having received a constitutional majority, SB 205 w/SA 1 was returned to the Senate.


HB 490 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF STATE ECONOMIC DEVELOPMENT.

Mr. Speaker Gilligan assigned HB 490 to the Economic Development/Banking/Insurance & Commerce Committee.

Mr. Speaker Gilligan reassigned HB 487 to the House Administration Committee.

The Majority Leader moved to recess to the call of the Chair at 7:38 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 291 w/SA 1, SB 303 & SB 317 and requests the concurrence of the House. The Senate wishes to inform the House that it has passed HB 446, HB 454 w/HA 1, HB 237 w/HA 1, HB 143 w/HA 1, HB 382, HB 423, HB 365, HB 408 & HB 438 w/HA 1 and is returning the same to the House.

The Chief Clerk read the following committee report into the record:

HOUSE ADMINISTRATION: HB 487 - 3M.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #42

DATE: June 23, 2010

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H145-855</td>
<td>Schooley; Kowalko</td>
<td>10/24/2009</td>
<td>T</td>
<td>Newark Lions Club - 80th Anniversary</td>
</tr>
</tbody>
</table>
cosponsors: Reps. Miro, Oberle & Ramone

H145-856  Scott  11/7/2009  T  Chief Apostle Kim Warfield - 50th Birthday
H145-857  D. Short  10/8/2009  T  Honorable Ruth Briggs King – DelTech Distinguished Alumni Award
H145-858  D. Short  10/8/2009  T  Tracy Morris – DelTech Distinguished Alumni Award
H145-859  D. Short  10/8/2009  T  Charles O’Brien, Jr. - DelTech Distinguished Alumni Award
H145-860  Atkins  10/23/2009  T  Red Ribbon Week
H145-861  Briggs King  9/24/2009  T  Eugene Dvornick, Jr. - Town Manager of the Year
H145-862  Walls; Carey  10/14/2009  T  Byler’s Store – Supported Employment Award - KSI
H145-863  Walls; Carey  10/14/2009  T  Veterans Home – Supported Employment Award - KSI
H145-864  Carey; Walls  10/14/2009  T  Dollar Tree – Supported Employment Award - KSI
H145-865  Walls; Carey  10/14/2009  T  Interret/Schering-Plough – Industrial Work Crew Award - KSI
H145-866  Walls; Carey  10/14/2009  T  Kraft Foods - Industrial Work Crew Award - KSI
H145-867  Walls; Carey  10/14/2009  T  Orthopedic Associates of Southern Delaware - KSI Cartridge Service Award
H145-868  Walls; Carey  10/14/2009  T  Div. of Developmental Disabilities Services – Woodbrook – KSI Cartridge Service Award
H145-869  Carey; Walls  10/14/2009  T  CHEER, Inc. - KSI Cartridge Award
H145-870  Carey; Walls  10/14/2009  T  Playtex - Sub-Contract Award - KSI
H145-871  Walls; Carey  10/14/2009  T  Mohawk Electrical Systems - Sub-Contract Award - KSI
H145-872  Carey; Walls  10/14/2009  T  Fastenal Co. - Sub-Contract Award - KSI
H145-873  Walls; Carey  10/14/2009  T  B & G Foods - Sub-Contract Award - KSI
H145-874  Walls; Carey  10/14/2009  T  Dentsply/Caulk - Sub-Contract Award - KSI
H145-875  Carey; Walls  10/14/2009  T  Procter & Gamble - The Dover Wipes Company – Partnership Award - KSI
H145-876  Carey; Walls  10/14/2009  T  Abbott’s Mill - Associations Award - KSI
H145-877  Carey; Walls  10/14/2009  T  Food Bank of Delaware - Associations Award - KSI
H145-878  Carey; Walls  10/14/2009  T  Kiwanis Club of Dover - Associations Award - KSI
H145-879  Carey; Walls  10/14/2009  T  L & W Insurance – Associations Award - KSI

HOUSE TRIBUTE ANNOUNCEMENT #43

DATE: June 23, 2010

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>H145-880</td>
<td>Brady</td>
<td>10/8/2009</td>
<td>M</td>
<td>Most Reverend Michael A. Saltarelli, DD</td>
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<tr>
<td>H145-881</td>
<td>Outten</td>
<td>10/7/2009</td>
<td>M</td>
<td>Lillian Alveda Boone Sennett</td>
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<tr>
<td>H145-882</td>
<td>Hocker</td>
<td>9/12/2009</td>
<td>T</td>
<td>Joseph &amp; Margaret Leonard - 50th Anniversary</td>
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<tr>
<td>H145-884</td>
<td>Outten</td>
<td>10/7/2009</td>
<td>M</td>
<td>Angel Samuel Rodriguez</td>
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<tr>
<td>H145-886</td>
<td>B. Short</td>
<td>10/10/2009</td>
<td>M</td>
<td>Marie Marshall</td>
</tr>
</tbody>
</table>

Sponsor: Rep. D.E. Williams

H145-887  Hudson  10/19/2009  T  Prestige Academy
H145-888  Hudson  10/12/2009  T  Odyssey Charter School
H145-889  Walls  10/17/2009  T  Frank Eicherly IV - Induction Maritime Hall of Fame
H145-890  Walls  10/17/2009  T  James White - Induction Maritime Hall of Fame
H145-892  Outten; Scott  10/13/2009  M  Margaret Nichols
H145-893  Thornburg | 10/10/2009 | M | Ethel Duke
H145-894  Wilson; D. Short  | 10/22/2009 | T | Ralph Scott III - Business Person of the Year - Seaford
H145-895  D. Short; Wilson  | 10/22/2009 | T | Seafood Community Food Closet - Community Service Award
H145-896  D. Short; Wilson  | 10/22/2009 | T | VFW Sunrise Cafe - Greater Seafood Chamber of Commerce Award
H145-897  D. Short; Wilson  | 10/22/2009 | T | William Messenger - Volunteer of Year - Seafood Chamber of Commerce
H145-898  Outten, Wilson  | 10/20/2009 | T | Butler Farm - Century Farm
H145-899  Wilson  | 10/20/2009 | T | Warrington Farm - 2009 Century Farm
H145-900  Atkins  | 10/20/2009 | T | Boyce Farm - 2009 Century Farm

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### HOUSE TRIBUTE ANNOUNCEMENT #44

**DATE:** June 23, 2010

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

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<tr>
<td>H145-905</td>
<td>Schwartzkopf</td>
<td>8/8/2009</td>
<td>T</td>
<td>Lawrence &amp; Jane Hance - 50th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-906</td>
<td>B. Short</td>
<td>9/5/2009</td>
<td>T</td>
<td>Robert &amp; Louise Orlowsky - 50th Anniversary</td>
</tr>
<tr>
<td>H145-907</td>
<td>Outten</td>
<td>10/18/2009</td>
<td>M</td>
<td>Catherine Shockley-Robb</td>
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<tr>
<td>H145-908</td>
<td>Carson</td>
<td>10/12/2009</td>
<td>M</td>
<td>William Whicker</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>cosponsor: Rep. Briggs King</td>
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<tr>
<td>H145-911</td>
<td>Carey</td>
<td>10/18/2009</td>
<td>M</td>
<td>Arthur Tucker</td>
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<td>H145-912</td>
<td>Schwartzkopf</td>
<td>10/25/2009</td>
<td>T</td>
<td>Cape Henlopen High School</td>
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<td></td>
<td></td>
<td></td>
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<td>cosponsor: Rep. Briggs King</td>
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<td>H145-913</td>
<td>Thorburn; Miro</td>
<td>10/31/2009</td>
<td>T</td>
<td>Jeffrey Adam Kempista - Marriage</td>
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<tr>
<td>H145-914</td>
<td>Blakey; Scott</td>
<td>10/17/2009</td>
<td>T</td>
<td>The Approaching Storm Marching Band - Delaware State University</td>
</tr>
<tr>
<td>H145-915</td>
<td>Carson</td>
<td>10/23/2009</td>
<td>T</td>
<td>Delaware Vietnam Veterans of America - Chapter 850</td>
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<tr>
<td>H145-916</td>
<td>Lee</td>
<td>10/28/2009</td>
<td>T</td>
<td>John Layton - Delmar Citizen of the Year</td>
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<tr>
<td>H145-917</td>
<td>Lee</td>
<td>11/04/2009</td>
<td>T</td>
<td>Melinda Tingle - Laurel Business Person of the Year</td>
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<tr>
<td>H145-918</td>
<td>Cathcart;</td>
<td>11/21/2009</td>
<td>T</td>
<td>Benjamin DeWhirst - Eagle Scout</td>
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<td></td>
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<td></td>
<td></td>
<td>cosponsor: Rep. Briggs King</td>
</tr>
<tr>
<td>H145-920</td>
<td>D.E. Williams</td>
<td>9/12/2009</td>
<td>T</td>
<td>Edward &amp; Bonita Wise - 50th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-921</td>
<td>Jaques</td>
<td>7/18/2009</td>
<td>T</td>
<td>Chester &amp; Jean Pasapane - 50th Wedding Anniversary</td>
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<tr>
<td>H145-922</td>
<td>Ramone</td>
<td>8/22/2009</td>
<td>T</td>
<td>Edward &amp; Mary Wirth - 50th Wedding Anniversary</td>
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<tr>
<td>H145-923</td>
<td>Schwartzkopf</td>
<td>9/5/2009</td>
<td>T</td>
<td>Charles &amp; Arlene Cavanaugh - 50th Anniversary</td>
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<tr>
<td>H145-924</td>
<td>Cathcart</td>
<td>8/22/2009</td>
<td>T</td>
<td>A. Rodney &amp; Jane Daniels - 50th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-925</td>
<td>Manolakos</td>
<td>8/1/2009</td>
<td>T</td>
<td>Robert &amp; Constance Starr - 50th Wedding Anniversary</td>
</tr>
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<td>cosponsors: Reps. Schwartzkopf, Lee Atkins Delaware State Police</td>
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<td></td>
<td></td>
<td>cosponsors: Reps. Schwartzkopf &amp; Atkins Retirement Delaware State Police</td>
</tr>
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### HOUSE TRIBUTE ANNOUNCEMENT #45

**DATE:** June 23, 2010

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
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<tbody>
<tr>
<td>H145-929</td>
<td>Outten</td>
<td>10/21/2009</td>
<td>T</td>
<td>Helen Maloney - 50 Years - Milford Memorial Hospital</td>
</tr>
<tr>
<td>H145-930</td>
<td>Hudson</td>
<td>11/5/2009</td>
<td>T</td>
<td>Marbrook Elementary School - Blue Ribbons of Excellence</td>
</tr>
<tr>
<td></td>
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<td></td>
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<td>cosponsor: Rep. Ramone</td>
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<tr>
<td>H145-931</td>
<td>Mulrooney</td>
<td>11/7/2009</td>
<td>T</td>
<td>Doris Hall - 50 Years Dedicated Service - Musician</td>
</tr>
<tr>
<td>H145-932</td>
<td>Brady</td>
<td>11/7/2009</td>
<td>T</td>
<td>Georgianna Dodd/53 Years Dedicated Service - Musician</td>
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<td></td>
<td></td>
<td></td>
<td>cosponsor: Rep. Briggs King</td>
</tr>
<tr>
<td>H145-933</td>
<td>D.P. Williams</td>
<td>11/7/2009</td>
<td>T</td>
<td>Vivian Saunders/50 Years Dedicated Service/Musician</td>
</tr>
<tr>
<td>H145-934</td>
<td>Plant</td>
<td>11/7/2009</td>
<td>T</td>
<td>Betty Jervy - 60 Years - Dedicated Service - Musician</td>
</tr>
<tr>
<td>H145-935</td>
<td>Outten</td>
<td>10/22/2009</td>
<td>M</td>
<td>Teresa Deford</td>
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<tr>
<td>H145-936</td>
<td>Outten</td>
<td>10/06/2009</td>
<td>M</td>
<td>Billy Morris</td>
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<tr>
<td>H145-937</td>
<td>Brady</td>
<td>10/28/2009</td>
<td>T</td>
<td>Gary Linarducci - President - Highlands Community</td>
</tr>
<tr>
<td>H145-938</td>
<td>Mitchell</td>
<td>10/18/2009</td>
<td>M</td>
<td>Angeline Petrucci</td>
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<td>H145-940</td>
<td>B. Short</td>
<td>9/29/2009</td>
<td>T</td>
<td>Brian and Toni Wilson</td>
</tr>
<tr>
<td>H145-942</td>
<td>Brady</td>
<td>7/14/2009</td>
<td>T</td>
<td>Francis &amp; Addie Cole - 25th Wedding Anniversary</td>
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<tr>
<td>H145-944</td>
<td>Schwartzkopf</td>
<td>9/5/2009</td>
<td>T</td>
<td>Earl &amp; Arlene Werkheiser - 45th Wedding Anniversary</td>
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The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

<table>
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<tr>
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<tr>
<td>H145-953</td>
<td>Bennett</td>
<td>10/25/2009</td>
<td>M</td>
<td>Betty Barcus</td>
</tr>
<tr>
<td>H145-954</td>
<td>B. Short</td>
<td>12/20/2009</td>
<td>T</td>
<td>Alzheimer's Association - National Alzheimer's Month</td>
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<tr>
<td>H145-956</td>
<td>D.P. Williams</td>
<td>11/27/2009</td>
<td>T</td>
<td>Mary Pinkston - Teacher of the Year</td>
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<tr>
<td>H145-957</td>
<td>Briggs King</td>
<td>12/24/2009</td>
<td>T</td>
<td>Richard Kearney - Retirement -</td>
</tr>
<tr>
<td>H145-958</td>
<td>D.E. Williams</td>
<td>12/20/2009</td>
<td>T</td>
<td>Department of Correction</td>
</tr>
<tr>
<td>H145-960</td>
<td>D.P. Williams; 11/13/2009</td>
<td>T</td>
<td>Gloria Jean Folks - Service</td>
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<td>Keeley - Lutheran Neighborhood Center</td>
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<tr>
<td>H145-961</td>
<td>Schwartzkopf; 11/14/2009</td>
<td>T</td>
<td></td>
<td>James Prettyman Marvel, Jr., M.D. - Briggs King</td>
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<td>Beebe Medical Center Orthopaedic Unit Dedication</td>
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<td>H145-962</td>
<td>Walls</td>
<td>11/14/2009</td>
<td>T</td>
<td>Bessie Kemp Sherwood McCracken - 100th Birthday</td>
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<tr>
<td>H145-964</td>
<td>Keeley</td>
<td>11/14/2009</td>
<td>T</td>
<td>Wilmington Turners - 150th Anniversary</td>
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<tr>
<td>H145-965</td>
<td>Carson</td>
<td>10/31/2009</td>
<td>M</td>
<td>Diane Shaner</td>
</tr>
<tr>
<td>H145-966</td>
<td>Hudson</td>
<td>11/2/2009</td>
<td>M</td>
<td>Robert Manning</td>
</tr>
<tr>
<td>H145-969</td>
<td>Carey</td>
<td>11/6/2009</td>
<td>M</td>
<td>Lionel Shockley</td>
</tr>
<tr>
<td>H145-970</td>
<td>Cathcart</td>
<td>11/7/2009</td>
<td>T</td>
<td>The Honorable Steven H. Amick -</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
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<td>cosponsors: Reps. Kovach, Lavelle, Colonial Region Awards Dinner</td>
</tr>
<tr>
<td>H145-971</td>
<td>Briggs King</td>
<td>11/15/2009</td>
<td>T</td>
<td>Jeremy King - Eagle Scout</td>
</tr>
</tbody>
</table>

DATE: June 23, 2010

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<th>Type</th>
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<tr>
<td>H145-972</td>
<td>Q. Johnson</td>
<td>9/20/2009</td>
<td>T</td>
<td>Brian Hill- Police Chief of the Year - DLLG</td>
</tr>
<tr>
<td>H145-973</td>
<td>Blakely; Scott</td>
<td>10/27/2009</td>
<td>T</td>
<td>Delaware State University Flying - NIFA Competition - Region VII</td>
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<td>Hornets - NIFA Competition - Region VII</td>
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<tr>
<td>H145-974</td>
<td>Blakely; Scott</td>
<td>11/10/2009</td>
<td>T</td>
<td>Dr. Curtis Powell &amp; the DSU Choir</td>
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<tr>
<td>H145-975</td>
<td>Blakely; Scott</td>
<td>11/10/2009</td>
<td>T</td>
<td>Mrs. Marva Thomas – Sunday Concert</td>
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<td>Briggs King - Enforcement Order of the Purple Heart</td>
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<tr>
<td>H145-977</td>
<td>Blakely</td>
<td>12/15/2009</td>
<td>T</td>
<td>Sandra Correll - Retirement - OMB</td>
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<tr>
<td>H145-978</td>
<td>Carey</td>
<td>10/10/2009</td>
<td>T</td>
<td>Bill &amp; Connie Fisher - 50th Wedding Anniversary</td>
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<tr>
<td>H145-979</td>
<td>Carson</td>
<td>9/19/2009</td>
<td>T</td>
<td>Brooks &amp; Ruth Banta - 50th Wedding Anniversary</td>
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<tr>
<td>H145-980</td>
<td>Carson</td>
<td>11/9/2009</td>
<td>T</td>
<td>Rosemarie Williams/Promotion/Major/National Guard</td>
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<tr>
<td>H145-981</td>
<td>Scott</td>
<td>11/14/2009</td>
<td>T</td>
<td>Zeta Amicae of Dover - 30th Anniversary of Service</td>
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<tr>
<td>H145-982</td>
<td>Wilson</td>
<td>12/12/2009</td>
<td>T</td>
<td>Bridgeville Fire Company - 100th Anniversary</td>
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<tr>
<td>H145-983</td>
<td>Carson</td>
<td>11/19/2009</td>
<td>T</td>
<td>Ronald Crouch - Retirement -</td>
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<td>cosponsors: Reps. Brady, D. P. Williams Wilmington State Parks</td>
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<td>H145-984</td>
<td>Walls</td>
<td>11/20/2009</td>
<td>T</td>
<td>Ronald Graelski, Sr., - Retirement - DelDOT</td>
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<tr>
<td>H145-986</td>
<td>Hudson; 11/15/2009</td>
<td>M</td>
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<td>Geraldine Donovan Fleming</td>
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300
The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

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<tr>
<th>Number</th>
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<th>Type</th>
<th>Description</th>
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<tr>
<td>H145-994</td>
<td>Scott</td>
<td>11/20/2009</td>
<td>M</td>
<td>Frederick Franz, Sr.</td>
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<td>H145-995</td>
<td>Mitchell</td>
<td>11/16/2009</td>
<td>M</td>
<td>Rosemarie Casapulla</td>
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<td>H145-996</td>
<td>Hocker</td>
<td>11/9/2009</td>
<td>T</td>
<td>Violet Hudson - 100th Birthday</td>
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<td>H145-997</td>
<td>Q. Johnson</td>
<td>11/30/2009</td>
<td>T</td>
<td>Nancy Wilson, Ph.D., - Retirement - Schloey</td>
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<tr>
<td>H145-998</td>
<td>Outtten</td>
<td>12/3/2009</td>
<td>T</td>
<td>Amanda Fabi - Youth Ambassador - Kent Farm Bureau</td>
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<td>H145-999</td>
<td>Wilson</td>
<td>12/3/2009</td>
<td>T</td>
<td>Keith &amp; Rebecca Johnson - Young Farmers Award</td>
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<td>H145-1000</td>
<td>Blakley</td>
<td>12/3/2009</td>
<td>T</td>
<td>G. Wallace Caulk, Jr. - Retirement - DE Farm Bureau</td>
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<td>H145-1002</td>
<td>Briggs King</td>
<td>11/28/2009</td>
<td>T</td>
<td>Rosalie Walls - 75th Birthday</td>
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<td>H145-1004</td>
<td>Briggs King</td>
<td>12/18/2009</td>
<td>T</td>
<td>Kenneth Stevens - Retirement - DelDOT</td>
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<tr>
<td>H145-1006</td>
<td>Blakley</td>
<td>11/30/2009</td>
<td>T</td>
<td>Bishop Thomas Lee Holsey - Church of God in Christ</td>
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<td>H145-1008</td>
<td>Lavelle; B. Short</td>
<td>12/3/2009</td>
<td>T</td>
<td>Gail Antoine O'Sullivan - 95th Birthday</td>
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<td>H145-1009</td>
<td>Bennett</td>
<td>11/25/2009</td>
<td>M</td>
<td>George Burd</td>
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<td>H145-1010</td>
<td>Schwartzkopf</td>
<td>09/12/2009</td>
<td>T</td>
<td>Robert &amp; Felice Stone - 50th Wedding Anniversary</td>
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<td>H145-1011</td>
<td>Kowalko</td>
<td>08/22/2009</td>
<td>T</td>
<td>Hugh &amp; Joan Ferguson - 50th Wedding Anniversary</td>
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<td>H145-1012</td>
<td>Scott; Bennett</td>
<td>12/1/2009</td>
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<td>George Frick</td>
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<td>H145-1015</td>
<td>Gilligan</td>
<td>11/14/2009</td>
<td>T</td>
<td>William &amp; Frances Ziegler - 50th Anniversary</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>T Tribute</td>
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M - Memoriam

The Majority Leader moved to adjourn at 2:03 p.m., thereby ending the current legislative day. The House reconvened at 2:04 p.m.

42nd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
June 24, 2010

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Plant - 1.

A prayer was offered by Representative Michael Ramone, Twenty-first Representative District.

A moment of silence was observed in memory of those men and women who have served in the House of Representatives with Representative Oberle and have gone before us at the request of Mr. Speaker Gilligan.

Mr. Speaker Gilligan invited Oliver Townsend, grandson of Representative Schwartzkopf, to lead those present in the pledge of allegiance to the American Flag.

The following prefilled legislation was introduced:

**HB 491 - D. SHORT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to the Division of Child Support Enforcement and Confidentiality of Records.**

SB 24 - DELUCA & SENATOR ADAMS; SENATOR SIMPSON; REPRESENTATIVES GILLIGAN, SCHWARTZKOPF, LEE; SENATORS CONNOR, SOKOLA - HOUSE ADMINISTRATION - An Act Concurring in a Proposed Amendment to Article IV of the Delaware Constitution of 1897, as Amended, Relating to the Judiciary and the Chief Magistrate of the Justice of the Peace Court. (2/3 bill) (F/N)

SB 219 w/SA 1 - BUNTING & REPRESENTATIVE WALLS; SENATORS ENNIS, SIMPSON; REPRESENTATIVES OUTTEN, ATKINS, CAREY, HOCKER, CARSON, Q. JOHNSON - AGRICULTURE - An Act to Amend Title 6 of the Delaware Code Relating to Retail Gasoline Station Compliance.

SB 231 w/SA 1 - BUSHWELLER & SENATOR KATZ & REPRESENTATIVE KOWALKO & REPRESENTATIVE BARBIERI & REPRESENTATIVE SCOTT; SENATORS DELUCA, BLEVINS, COOK, HALL-LONG, SOKOLA, MCDOWELL, CLOUTIER, BUNTING, SIMPSON; REPRESENTATIVES B. SHORT, BENNETT, KOVACH - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 16 of the Delaware Code Relating to the Delaware Health Information Network.


SB 303 - MARSHALL & REPRESENTATIVE BARBIERI - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to the Division of Long Term Care Residents Protection.


SB 311 - PETERSON & REPRESENTATIVE GILLIGAN; SENATORS BLEVINS, CONNOR, SOKOLA - NATURAL RESOURCES - An Act to Amend Title 7 of the Delaware Code Relating to Natural Resources and Environmental Control.

SB 317 - ENNIS & HALL-LONG & REPRESENTATIVE Q. JOHNSON; REPRESENTATIVES JAQUES, CARSON, WALLS, ATKINS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Thefts from Cemeteries.

SB 324 w/SA 1 - COOK & REPRESENTATIVE D.P. WILLIAMS; SENATORS DELUCA, SIMPSON; REPRESENTATIVES SCHWARTZKOPF, OBERLE - HOUSE ADMINISTRATION - An Act to Amend Title 11 of the Delaware Code Relating to the Delaware County and Municipal Police/Firefighter Pension Plan.

SB 325 - COOK & REPRESENTATIVE D.P. WILLIAMS; SENATORS DELUCA, SIMPSON; REPRESENTATIVES SCHWARTZKOPF, OBERLE - HOUSE ADMINISTRATION - An Act to Amend Titles 11 and 29 of the Delaware Code Relating to the State Employees’ Pension Plan, the County and Municipal Employees’ Pension Plan, the County and Municipal Police/Firefighter Pension Plan, the State Judiciary Pension Plan, the State Police Pension Plan, and Pensions.

Mr. Speaker Gilligan introduced guests and welcomed former Members of the House to the Chamber. Mr. Speaker Gilligan invited the Members of House Leadership and Representative William A. Oberle, Jr. to join him at the front of the Chamber. Representative Gilligan presented a gift to Representative William A. Oberle, Jr. on the occasion of his retirement from the House of Representatives. Mr. Speaker Gilligan made comments. Representative Cathcart presented a House Tribute to Representative William A. Oberle, Jr. Representative Cathcart made comments. Mr. Speaker Gilligan read notes from former Governor Pete DuPont and Senator Tom Carper. Representatives Schwartzkopf, D. Short, Longhurst, Blakey, Mulrooney, Kowalko, Carey, Schooley, Mitchell & Miro made comments. Representative Lavelle requested that he be marked present and made comments. Representatives Bennett, Kovach, Thornburg, George, Hocker, Ramone, J. Johnson, Brady, D.E. Williams, Atkins & D.P. Williams made comments. Mr. Speaker Gilligan granted privilege of the floor to Former Representative John Burris who made comments. Representatives Keeley & Carson made comments. Mr. Speaker Gilligan made comments. Representative Oberle addressed the House and introduced guests.

The Majority Leader moved to recess to the call of the Chair at 3:24 p.m.

The House reconvened at 3:56 p.m.

The Chief Clerk read the following committee reports into the record:

PUBLIC SAFETY & HOMELAND SECURITY: HB 489 - 7M.
HOUSE ADMINISTRATION: SB 283 w/SA 1 - 3M.
JUDICIARY: SB 280 w/SA 2 - 6M.
HEALTH & HUMAN DEVELOPMENT: SB 296 w/SA 1 - 7M; SB 297 w/SA 1 - 7M; SB 298 - 7M; SB 300 - 7M.
AGRICULTURE: SB 107 - 6M.

Representative Schwartzkopf brought Consent Agenda E, which requires a 2/3 vote, before the House for consideration.

SB 183 w/SA 1 - MCBRIDE & SENATORS BUNTING, ENNIS, VENABLES; REPRESENTATIVES ATKINS, BOOTH, CARSON, MULROONEY, OBERLE, WALLS - An Act to Amend Title 7, Chapter 5 of the Delaware Code Relating to Game Preserves.

SB 210 w/SA 1 - MCBRIDE & REPRESENTATIVE HUDSON - An Act to Amend Title 17 of the Delaware Code Relating to Delaware Byways.

SB 240 - SIMPSON & REPRESENTATIVE KEELEY; SENATOR PETERSON - An Act to Amend Title 7 of the Delaware Code Relating to Dangerous and Potentially Dangerous Dogs. (2/3 bill)

SB 249 w/SA 1 - SIMPSON & REPRESENTATIVE BRIGGS KING - An Act to Amend the Charter of the Board of Public Works of the City of Lewes, to Expand the Period of Time for Nominations to the Board of Public Works and to Modify the Procedures for the Board to Cease to Operate, Sell, Lease, Abandon or Dispose of any Public Utility. (2/3 bill)

SB 270 w/SA 1 - BOOTH & REPRESENTATIVE CAREY - An Act to Amend the Charter of the Town of Ellendale, Relating to the Town Election Laws, Annexation, Rate of Taxation, Amount of Money that can be Borrowed Against Bonds and Short Term Borrowing Limits. (2/3 bill)

SB 278 - BUNTING & REPRESENTATIVE HOCKER - An Act to Reincorporate the Town of Ocean View. (2/3 bill)

Representative Schwartzkopf made a comment.

Representative Schwartzkopf deferred to Representative Briggs King.

Representative Briggs King requested and was granted personal privilege of the floor to present a House Tribute to Ryan Faucett who saved the life of an automobile accident victim. Representatives D. Short & Ramone made comments.

The roll call on SB 235 w/SA 2 was taken and revealed:
YES: 38.
NO: Representative Briggs King - 1.

Therefore, having received a constitutional majority, SB 235 w/SA 2 was returned to the Senate.

Representative Mitchell made comments.

Representative Schwartzkopf deferred to Representative Q. Johnson.

Representative Q. Johnson introduced HA 1 to HS 1 for HB 435. HA 1 was placed with the bill.

**SB 242 - AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO POWERS AND DUTIES OF THE DELAWARE TRANSIT CORPORATION.**

Representatives Scott & Lavelle made comments.
The roll call on SB 242 was taken and revealed:
**YES:** 39.
**ABSENT:** Representatives Manolakos & Plant - 2.
Therefore, having received a constitutional majority, SB 242 was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell brought SB 268, jointly sponsored by Senator Peterson, before the House for consideration.

**SB 268 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE ADOPTION AND ENFORCEMENT OF A UNIFIED HEATING, VENTILATION, AIR CONDITIONING, AND REFRIGERATION CODE, THE INTERNATIONAL MECHANICAL CODE, AND THE INTERNATIONAL FUEL GAS CODE.**

Representatives Mitchell & Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for Hal Godwin, Deputy Administrator, Sussex County. Representative Cathcart made comments. Representative Mitchell requested and was granted privilege of the floor for James Collins, Director, Division of Professional Regulation. Representatives Cathcart & Mitchell made comments. Representative Cathcart requested and was granted privilege of the floor for Phil Corrozi, representing Associated Builders & Contractors. Representatives Cathcart, Carson & Oberle made comments. Representative Carson requested and was granted privilege of the floor for James Collins, Director, Division of Professional Regulation.

Representatives Carson, Oberle, Miro, D. Short & Cathcart made comments.
Representative Mitchell moved to place SB 268 on the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Longhurst deferred to Representative Schooley.

Representative Schooley brought SS 1 for SB 171 w/SA 1 & 2, jointly sponsored by Senator Ennis & Senators Hall-Long, Bonini & McDowell & Representatives Bennett, Carson, Keeley & Ramone, before the House for consideration.

**SB 171 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTAGE.**

Representative Schooley requested that HA 1 to SS 1 for SB 171 be stricken. Representative Schooley brought HA 2 to SS 1 for SB 171 before the House for consideration. Representative Schooley made a comment. HA 2 was adopted by voice vote. Representative Schooley introduced and brought HA 3 to SS 1 for SB 171 before the House for consideration. Representatives Schooley & Kovach made comments. HA 3 was adopted by voice vote. Representative Schooley made comments.
The roll call on SS 1 for SB 171 w/SA 1 & 2 & HA 2 & 3 was taken and revealed:
**YES:** 39.
**ABSENT:** Representatives Kowalko & Plant - 2.
Therefore, having received a constitutional majority, SS 1 for SB 171 w/SA 1 & 2 & HA 2 & 3 was returned to the Senate for concurrence on HA 2 & 3.
Representative Manolakos requested that he be marked present during the roll call.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell moved to lift SB 268 from the Speaker's Table. The motion was seconded by Representative Jaques and adopted by voice vote.
Representative Mitchell brought SB 268, jointly sponsored by Senator Peterson, before the House for consideration.

**SB 268 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE ADOPTION AND ENFORCEMENT OF A UNIFIED HEATING, VENTILATION, AIR CONDITIONING, AND REFRIGERATION CODE, THE INTERNATIONAL MECHANICAL CODE, AND THE INTERNATIONAL FUEL GAS CODE.**

Representative Mitchell requested and was granted privilege of the floor for James Collins, Director, Division of Professional Regulation. Representative Cathcart made comments. Representative Carson requested and was granted privilege of the floor for David Baker, Administrator, Sussex County.

Representatives Carson, Schwartzkopf & D. Short made comments.
The roll call on SB 268 was taken and revealed:
**YES:** 30.
**NO:** Representatives Briggs King, Hocker, Schwartzkopf, D. Short & Wilson - 5.
**NOT VOTING:** Representatives Carey, Carson & Thornburg - 3.
**ABSENT:** Representatives Atkins, Plant & Schooley - 3.
Therefore, having received a constitutional majority, **SB 268** was returned to the Senate.
Representative Schwartzkopf deferred to Representative George.
Representative George brought **HB 471**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 471 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO ESCHEATS.**
Representatives George & Cathcart made comments.
Representative George requested and was granted privilege of the floor for Mike Migliore, Majority House Attorney.
Representatives Cathcart & George made comments.
Representative George requested and was granted privilege of the floor for Mike Barlow, Chief Legal Counsel, Office of the Governor.
The roll call on **HB 471** was taken and revealed:
YES: 39.
ABSENT: Representatives Brady & Plant - 2.
Therefore, having received a constitutional majority, **HB 471** was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Keeley.
Representative Keeley moved to suspend the rules which interfere with action on **SB 296 w/SA 1**.
The motion was seconded by Representative J. Johnson and adopted by voice vote.
Representative Keeley brought **SB 296 w/SA 1**, jointly sponsored by Senator Blevins & Representative Schwartzkopf & All Senators & All Representatives, before the House for consideration.

**SB 296 - AN ACT TO AMEND THE DELAWARE CODE RELATING TO THE BOARD OF MEDICAL PRACTICE.**
Representative Keeley made comments.
The roll call on **SB 296 w/SA 1** was taken and revealed:
YES: 40.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, **SB 296 w/SA 1** was returned to the Senate.
Representative Schwartzkopf moved to suspend the rules which interfere with action on **SB 297 w/SA 1**. The motion was properly seconded and adopted by voice vote.

**SB 297 - AN ACT TO AMEND TITLES 16 AND 24 OF THE DELAWARE CODE RELATING TO THE REPORTING OF ABUSE AND UNPROFESSIONAL PRACTICE.**
Representatives Schwartzkopf & Lavelle made comments.
Representative Schwartzkopf requested and was granted privilege of the floor for Mike Barlow, Chief Legal Counsel, Office of the Governor.
The roll call on **SB 297 w/SA 1** was taken and revealed:
YES: 39.
ABSENT: Representatives Plant & Thornburg - 2.
Therefore, having received a constitutional majority, **SB 297 w/SA 1** was returned to the Senate.
Mr. Speaker Gilligan introduced guests.
Representative Oberle & Mr. Speaker Gilligan made comments.
Representative Schwartzkopf moved to suspend the rules which interfere with action on **SB 298**.
The motion was seconded by Representative Jaques and adopted by voice vote.
Representative Schwartzkopf brought **SB 298**, jointly sponsored by Senator Sokola & All Senators & All Representatives, before the House for consideration.

**SB 298 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE IMPOSITION OF FINES BY THE BOARD OF MEDICAL PRACTICE.**
Representative Schwartzkopf made comments. Representative Cathcart made an announcement.
Representative Lavelle made comments. Representative Schwartzkopf requested and was granted privilege of the floor for Mike Barlow, Chief Legal Counsel, Office of the Governor. Representative Lavelle made comments.
The roll call on **SB 298** was taken and revealed:
YES: 37.
ABSENT: Representatives Carey, Hocker, Plant & D. Short - 4.
Therefore, having received a constitutional majority, **SB 298** was returned to the Senate.
Representative Schwartzkopf deferred to Representative Mitchell.
Representative Mitchell brought **HB 485**, jointly sponsored by Representative Schwartzkopf & Senator Bushweller & All Representatives & Senators Booth, Cloutier, Sorenson, Blevins, Bunting, Cook,
HB 485 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE.

Representative Mitchell made comments.

The roll call on HB 485 was taken and revealed:

YES: 39.

ABSENT: Representatives Carey & Plant - 2.

Therefore, having received a constitutional majority, HB 485 was sent to the Senate for concurrence.

Representative Cathcart made an announcement.

Representative Schwartzkopf brought HB 488, jointly sponsored by Senator Cook, & cosponsored by Representative Barbieri, before the House for consideration.

HB 488 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PLUMBING PERMITS.

Representative Schwartzkopf made comments. Representative Wilson introduced and brought HA 1 to HB 488 before the House for consideration. Representatives Cathcart, Wilson & Schwartzkopf made comments.

The roll call on HA 1 to HB 488 was taken and revealed:

NO: 22.


ABSENT: Representatives Atkins, Carey & Plant - 3.

Therefore, not having received a constitutional majority, HA 1 was declared defeated.

Representative Schwartzkopf introduced and brought HA 2 to HB 488 before the House for consideration. Representative Schwartzkopf made comments. HA 2 was adopted by voice vote.

Representative Schwartzkopf made comments.

The roll call on HB 488 w/HA 2 was taken and revealed:


ABSENT: Representatives Atkins, Carey & Plant - 3.

Therefore, having received a constitutional majority, HB 488 w/HA 2 was sent to the Senate for concurrence.

Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins moved to suspend the rules which interfere with action on HB 487. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Atkins brought HB 487, jointly sponsored by Representatives Schwartzkopf, Carson, Gilligan, Q. Johnson, Kowalko, Mitchell & Mulrooney, before the House for consideration.

HB 487 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY GOVERNMENTS.

Representative D. Short introduced and brought HA 1 to HB 487 before the House for consideration. Representatives Atkins & D. Short made comments.

The roll call on HA 1 to HB 487 was taken and revealed:

NO: 22.


ABSENT: Representatives Barbieri, Carey, Oberle & Plant - 4.

Therefore, not having received a constitutional majority, HA 1 was declared defeated.

Representative Atkins made comments. Representative Lee requested and was granted privilege of the floor for David Baker, Administrator, Sussex County. Representatives Lee, Schwartzkopf, Thornburg, Cathcart, Ramone & Atkins made comments. Representative Hocker requested and was granted privilege of the floor for David Baker, Administrator, Sussex County. Representatives Hocker, Thornburg, Cathcart, Jaques, Manolakos, Atkins, Wilson, Cathcart & Briggs King made comments.

The Reading Clerk read the following communication into the record at the request of Representative Atkins:

March 29, 2010

The Honorable Vance C. Phillips
President, Sussex County Council
2 The Circle, P.O. box 989
Georgetown, DE 19947
Dear Councilman Phillips:

I write in reference to a Sussex County government policy of which I have recently become aware, and which I believe may be unnecessarily restrictive in light of important public policy considerations. It is my understanding that, pursuant to § 2607 of the Sussex County Code, an employee of Sussex County who
retires and subsequently becomes an elected official for Sussex County must either serve as an elected official without pay or waive the employee’s county pension.

After researching this issue, I have concluded that neither Kent County nor New Castle County has adopted such a broad restriction on an elected official’s right to receive a pension to which the official was otherwise entitled based on prior service in the county government. Instead, the Kent County and New Castle County codes each contain less restrictive versions of the same policy, each providing, in essence, that a former county employee who subsequently becomes a county elected official does not have to give up vested pension benefits, but if the elected official chooses not to forego the previously vested pension benefits, that official is not eligible for additional years of service or vested benefits. See New Castle County Code Art. IV, § 26.04.122 (Exempting elected and appointed officials from county pension restriction); Kent County Code § 83-20 (“Former employees receiving retirement benefits under this article who are elected or appointed to a statutorily defined County office shall continue to receive retirement benefits, but shall be ineligible for additional years of service or vested benefits, unless the elected or appointed official chooses to cease his/her retirement benefits, during the term of office.”). In other words, the official may keep his or her previous benefits but may not, in essence, collect double benefits from the county pension system.

In the context of state judicial pensions, the Delaware Supreme Court has noted that “it is the fundamental intent and purpose of the State pension plan to encourage qualified individuals to enter and remain in public service.” State of Delaware EX REL. State Board of Pension Trustees et al v. Dineen, 409 A.2d 1256, 1260 (Del. Ch. Nov. 20, 1979). One can reasonably infer that the Sussex County pension plan came into being based (at least in part) on the same fundamental policy principle. I therefore respectfully request that the Sussex County Council consider amending its pension policy as it applies to former employees who become elected officials, so that it more closely resembles the less restrictive policies of Kent County and New Castle County. I am available at your convenience should you have any questions or wish to discuss any of the foregoing.

Sincerely

John C. Atkins
Representative 41st District

CC: The Honorable George B. Cole
The Honorable Joan R. Deaver
The Honorable Michael H. Vincent
The Honorable Samuel R. Wilson
The roll call on HB 487 was taken and revealed:
YES: 21.
NOT VOTING: Representatives Blakey, Hudson, J. Johnson, Kovach, Oberle & Ramone - 6.
ABSENT: Representatives Carey, Outten, Plant & D.P. Williams - 4.
Therefore, having received a constitutional majority, HB 487 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Brady.
Representative Brady brought SB 266 w/SA 1 & 2, jointly sponsored by Senator McDowell & Senators Katz, McBride, Henry & Hall–Long & Representatives Keeley, D.E. Williams, Longhurst, Mulrooney, Kovach & Thornburg & cosponsored by Representative Kowalko, before the House for consideration.

SB 266 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE GREEN ENERGY FUND.
Representatives Brady & Lavelle made comments. Representative Brady requested and was granted privilege of the floor for David Small, Deputy Secretary, Department of Natural Resources and Environmental Control and Scott Lynch, Energy Program Planner III, Delaware Energy Office, Department of Natural Resources and Environmental Control. Representatives Lavelle & Kowalko made comments. Representative Kowalko requested and was granted privilege of the floor for Charles Smisson, Energy Coordinator, Delaware Energy Office, Department of Natural Resources and Environmental Control. Representatives Lavelle, Kovach, Manolakos, Mulrooney, Kovach & Briggs King made comments.
Representative Brady moved to place SB 266 w/SA 1 & 2 on the Speaker's Table. The motion was seconded by Representative Schwartzkopf and adopted by voice vote.
Representative Schwartzkopf deferred to Representative Hudson.
Representative Hudson brought HB 451, jointly sponsored by Representative Barbieri & Senator Blevins & Senator Sorenson & cosponsored by Representatives George & J. Johnson, before the House for consideration.

HB 451 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO FAMILY COURT.
Representative Hudson made comments.
The roll call on HB 451 was taken and revealed:
YES: 38.
ABSENT: Representatives Carey, Plant & D.P. Williams - 3.

Therefore, having received a constitutional majority, HB 451 was sent to the Senate for concurrence.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed SB 326, SB 316 w/SA 2 & SB 289 w/SA 1 and requests the concurrence of the House and the Senate has passed SB 307, SB 233, SB 232, SB 327 w/SA 1 & SB 229 and requests the concurrence of the House and the Senate has passed SB 314, SB 287 w/SA 1 & SB 306 w/SA 1 and requests the concurrence of the House and the Senate has passed SB 309, SB 221 w/SA 1, SCR 30 & SJR 4 and requests the concurrence of the House and the Senate wishes to inform the House that it has passed HB 430, HB 432 & HB 447 w/HA 2 and is returning the same to the House. The Senate wishes to inform the House that it has passed SB 228 w/SA 1 & 2 and requests the concurrence of the House and the Senate has passed HB 395 w/HA 1 & SA 1, 2 & 3 and is returning the same to the House. The Senate wishes to inform the House that it has passed SB 302, SCR 38 and requests the concurrence of the House and HB 470 & HCR 48, HCR 52, HCR 55, HCR 56, HCR 58 & HCR 31 and is returning the same to the House.

June 24, 2010

LEGISLATIVE ADVISORY #46

Governor Jack A. Markell signed the following legislation on the date indicated: 6/22/10 - HB 296, HB 333 aab HA 1 & 2, HB 338 aab HA 1 & HB 394.

Representative Schwartzkopf introduced HB 460, jointly sponsored by Senator Bunting.

HB 460 - AN ACT TO AMEND TITLE 9 AND TITLE 22 OF THE DELAWARE CODE RELATING TO ACCESSIBILITY FOR PERSONS WITH DISABILITIES.

Mr. Speaker Gilligan assigned HB 460 to the Health & Human Development Committee. Representative Kowalko introduced HA 1 to SB 267. HA 1 was placed with the bill.

The Majority Leader moved to recess to the call of the Chair at 7:16 p.m.

Mr. Speaker Gilligan called the House to order at 2:00 p.m. on June 29, 2010.

The Majority Leader moved to adjourn at 2:01 p.m., thereby ending the current legislative day. The House reconvened at 2:02 p.m.

43rd LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session

June 29, 2010

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Plant - 1.

A prayer was offered by Representative Dennis E. Williams, Tenth Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.

The minutes of the two previous legislative days were approved as posted.

The following out-of-session prefixed legislation was introduced:

June 25, 2010


SB 221 w/SA 1 - HENRY & REPRESENTATIVE BARBIERI; SENATORS BLEVINS, BUSHWELLER, SORENSEN; REPRESENTATIVES SCHOOLEY, BENNETT, MANOLAKOS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Mental Health.


SB 232 - MARSHALL & REPRESENTATIVE BARBIERI - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Civil Administrative Procedures.
SB 233 - MARSHALL & REPRESENTATIVE BARBIERI - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Medical Practice.

SB 287 w/SA 1 - ENNIS & REPRESENTATIVE CARSON; SENATORS HALL-LONG, SOKOLA, BUSHWELLER, HENRY; REPRESENTATIVES MITCHELL, OUTFIT, WILSON, WALLS - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Workers’ Compensation.


SB 306 w/SA 1 - DELUCA & REPRESENTATIVE SCHWARTZKOPF; REPRESENTATIVE ATKINS - HOUSE ADMINISTRATION - An Act to Amend Title 20, Chapter 31 of the Delaware Code Relating to Emergency Management. (2/3 bill)

SB 307 - DELUCA & REPRESENTATIVE SCHWARTZKOPF; REPRESENTATIVE ATKINS - HOUSE ADMINISTRATION - An Act to Amend Title 21, Chapter 41 of the Delaware Code Relating to Rules of the Road. (2/3 bill)


SB 327 w/SA 1 - BLEVINS & REPRESENTATIVE MITCHELL - HOUSE ADMINISTRATION - An Act to Amend Volume 68, Chapter 3, Laws of Delaware as Amended, Entitled “An Act to Reincorporate the Town of Elsmere” Concerning Elections. (2/3 bill)

The following prefiling legislation was introduced:

HA 1 to HB 236 - JAQUES - Placed with the Bill.
HA 3 to HB 399 - SCOTT - Placed with the Bill.
HA 1 to HB 480 - D.E. WILLIAMS - Placed with the Bill.
HR 48 - HUDSON; REPRESENTATIVES D. SHORT, BRIGGS KING, HOCKER, KOVACH, CARSON, MITCHELL - ECONOMIC DEVELOPMENT/BUSINESS/INSURANCE & COMMERCE - Directing the Delaware Economic Development Office to Study the Costs and Impact of Undocumented Immigration on the State of Delaware.

SB 228 w/SA 1 & 2 - MCDOWELL & REPRESENTATIVE BRADY; SENATOR BLEVINS; REPRESENTATIVE B. SHORT - ECONOMIC DEVELOPMENT/BUSINESS/INSURANCE & COMMERCE - An Act to Amend Title 18 of the Delaware Code for Purposes of Regulating Discount Medical Plans.

The Chief Clerk read the following committee reports into the record:

EDUCATION: HB 486 - 8M.
HEALTH & HUMAN DEVELOPMENT: HB 491 - 9M; SB 221 w/SA 1 - 9M; SB 233 - 9M; SB 289 w/SA 1 - 7M; SB 291 w/SA 1 - 8M; SB 303 - 8M; SB 304 - 7M, 1U.
PUBLIC SAFETY & HOMELAND SECURITY: SB 246 - 8M.
REVENUE & FINANCE: SB 272 w/SA 1 - 8M.
POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: SB 231 w/SA 1

- 1F, 4M.

Representative Kovach requested that he be marked present.

Mr. Speaker Gilligan invited the Members of House Leadership and Mrs. JoAnn Hedrick to join him at the front of the Chamber. Mr. Speaker Gilligan addressed the House on the occasion of the retirement of JoAnn M. Hedrick, Chief Clerk Emeritus. Mr. Speaker Gilligan presented a gift to Mrs. Hedrick. Representative Cathcart presented a House Tribute and gift to Mrs. Hedrick. Mr. Speaker Gilligan presented flowers to Mrs. Hedrick. Representatives Schwartzkopf, D. Short, Longhurst, Ramone, Oberle, Kovach, Thornburg, Atkins, Keeley, Carey & Miro made comments. Mr. Speaker Gilligan introduced guests. Representatives Hudson, Schooley, J. Johnson, Kowalko & Blakey made comments. Mr. Speaker Gilligan made comments. Mrs. Hedrick addressed the House.
Representative Schwartzkopf deferred to Representative Keeley.

Representative Keeley introduced and brought HCR 59, sponsored on behalf of all Representatives & jointly sponsored by Senator Blevins & Senator Hall-Long on behalf of all Senators, before the House for consideration.

**HCR 59 - RECOGNIZING THE MONTH OF OCTOBER, 2010, AS “DWARFISM AWARENESS MONTH” IN THE STATE OF DELAWARE.**

Representative Keeley made a comment.

HCR 59 was adopted by voice vote and was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Atkins.

Representative Atkins made an announcement.

The Majority Leader moved to recess for caucus at 2:51 p.m.

The House reconvened at 5:31 p.m.

The Chief Clerk read the following committee reports into the record:

- **NATURAL RESOURCES:** SB 311 - 11M, 1U.
- **HOUSING & COMMUNITY AFFAIRS:** SB 292 - 6M.
- **PUBLIC SAFETY & HOMELAND SECURITY:** SB 314 - 5M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed HB 421 w/HA 1, HB 41 w/HA 2 & HB 402 and is returning the same to the House. The Senate wishes to inform the House that it has passed HB 457, HB 458, HB 459 w/HA 1, HB 475 w/HA 1 & HB 440 and is returning the same to the House. The Senate wishes to inform the House that it has passed SB 320 w/SA 1 and requests the concurrence of the House and has passed HB 453 is returning the same to the House. The Senate wishes to inform the House that it has passed SB 312 w/SA 2 & SB 328 and requests the concurrence of the House and the Senate has passed SB 253 w/SA 2, 3 & 4 and requests the concurrence of the House. The Senate wishes to inform the House that it has passed HB 403, HB 404, HB 405, HB 392 w/SA 1, HB 406 & HB 407 and is returning the same to the House.

Representatives Manolakos, Mitchell & Miro requested that they be marked present.

Representative Schwartzkopf deferred to Representative Longhurst.

Representative Longhurst introduced and brought HCR 60, sponsored on behalf of all Representatives & jointly sponsored by Senator Hall-Long on behalf of all Senators, before the House for consideration.

**HCR 60 - RECOGNIZING THE WEEK OF OCTOBER 3RD, 2010, AS “DELAWARE LONG-TERM CARE RESIDENTS’ RIGHTS WEEK” AND PRAISING THE DELAWARE CHAPTER OF THE NATIONAL CONSUMER VOICE FOR QUALITY LONG-TERM CARE ON ITS 9TH RESIDENTS’ RIGHTS RALLY.**

Representative Longhurst made comments.

HCR 60 was adopted by voice vote and was sent to the Senate for concurrence.

Representative Atkins requested and was granted personal privilege of the floor to introduce a guest.

Representative Schwartzkopf deferred to Representative Hocker.

Representative Hocker brought HB 393 w/SA 1, jointly sponsored by Senator Bunting, before the House for concurrence on SA 1.

**HB 393 - AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH TO GRANT THE TOWN OF DEWEY BEACH THE AUTHORITY TO CHANGE THE DATE OF ANNUAL MUNICIPAL ELECTIONS TO PREVENT CONFLICT WITH JEWISH HOLY DAYS. (2/3 bill)**

Representatives Schwartzkopf & Hocker made comments.

The roll call on HB 393 w/SA 1 was taken and revealed:

- YES: 39.

Therefore, having received a constitutional majority of at least two-thirds Members of the House,

HB 393 w/SA 1 was sent to the Governor.

Representatives Scott & D.P. Williams requested that they be marked present during the roll call.

Representative Keeley introduced HB 500, jointly sponsored by Senator Venables & Representatives Mulrooney, Schooiley, Viola, Carey & Oberle & Senators Sokola, Cook, McDowell, Simpson & Sorenson.

**HB 500 - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2011; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; DEAUTHORIZING AND REAUTHORIZING CERTAIN FUNDS OF THE TRANSPORTATION TRUST FUND; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; DIRECTING THE DEPOSIT OF CERTAIN FUNDS TO THE GENERAL FUND; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND
LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. (3/4 bill)

Mr. Speaker Gilligan assigned HB 500 to the Capital Infrastructure Committee.
Representative Keeley made comments.
Representative Schwartzkopf deferred to Representative Viola.
Representative Viola moved to suspend the rules which interfere with action on SB 272 w/SA 1.
The motion was seconded by Representative J. Johnson and adopted by voice vote.
Representative Viola brought SB 272 w/SA 1, sponsored by Senator DeLuca & Representative Gilligan & Senators Blevins, Henry, Venables, Cook, Simpson & Sorenson & Representatives Schwartzkopf, Longhurst, Keeley & D.P. Williams & cosponsored by Representative Viola, before the House for consideration.

SB 272 - AN ACT TO AMEND CHAPTER 11 OF TITLE 12 OF THE DELAWARE CODE RELATING TO ESCHEATS.
Representatives Viola & Briggs King made comments. Representative Viola requested and was granted privilege of the floor for Thomas J. Cook, Secretary, Department of Finance. Representative Briggs King made a comment.
The roll call on SB 272 w/SA 1 was taken and revealed:
YES: 40.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, SB 272 w/SA 1 was returned to the Senate. Representative Schwartzkopf deferred to Representative Viola.
Representative Viola brought HB 477, jointly sponsored by Representative Hudson & Senator Bonini & cosponsored by Representative Gilligan, before the House for consideration.

HB 477 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATED TO THE DELAWARE WHOLESALE LICENSE FEE.
Representatives Viola & Hudson made comments.
The roll call on HB 477 was taken and revealed:
YES: 40.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, HB 477 was sent to the Senate for concurrence.

HB 489 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES FOR FLYERS CHARITIES. (3/5 bill)
Representative Kovach made comments.
Representative Kovach introduced and brought HA 1 to HB 489 before the House for consideration.

The roll call on HB 489 w/HA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Plant, Thornburg - 2.
Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 489 w/HA 1 was sent to the Senate for concurrence.
Representative Kovach requested and was granted privilege of the floor for Lauren Hart who sang “God Bless America.”
Representative Kovach made comments.
Representative Kovach brought HB 489, jointly sponsored by Representative Lavelle & Senator Bonini & Representative Mitchell & Senator Sokola, before the House for consideration.

HB 489 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES FOR FLYERS CHARITIES. (3/5 bill)
Representative Kovach made comments.
Representative Kovach introduced and brought HA 1 to HB 489 before the House for consideration.
Representatives Lavelle, Cathcart, Kovach, Schwartzkopf & Kovach made comments. HA 1 was adopted by voice vote. Representatives Kovach, Atkins & Kovach, Carson, Schwartzkopf, Hudson, Keeley, Walls, Mitchell, Kowalko, Kovach, J. Johnson, Jaques, Kovach, Cathcart, Oberle, Lavelle, Brady, Schwartzkopf, Ramone & Kovach made comments.
The roll call on HB 489 w/HA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Plant, Thornburg - 2.
Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 489 w/HA 1 was sent to the Senate for concurrence.

Mr. Speaker Gilligan appointed Representative D.P. Williams as Acting Speaker.
Representative Schwartzkopf deferred to Representative Gilligan.

SB 283 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FREEDOM OF INFORMATION.
Representative Gilligan made comments.
The roll call on SB 283 w/SA 1 was taken and revealed:
YES: 36.
ABSENT: Representatives Kovach, Lavelle, Plant, Ramone & Thornburg - 5.
Therefore, having received a constitutional majority, SB 283 w/SA 1 was returned to the Senate.
Mr. Speaker Gilligan resumed the Chair.
Representative Schwartzkopf deferred to Representative Brady.
Representative Brady moved to lift SB 266 w/SA 1 & 2 from the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.
Representative Brady brought SB 266 w/SA 1 & 2, jointly sponsored by Senator McDowell & Senators Katz, McBride, Henry & Hall-Long & Representatives Keeley, D.E. Williams, Longhurst, Mulrooney, Kovach & Thornburg & cosponsored by Representative Kowalko, before the House for consideration.
SB 266 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE GREEN ENERGY FUND
Representative Brady made comments.
The roll call on SB 266 w/SA 1 & 2 was taken and revealed:
YES: 37.
ABSENT: Representatives Kovach, Lavelle, Plant & Thornburg - 4.
Therefore, having received a constitutional majority, SB 266 w/SA 1 & 2 was returned to the Senate.
Representative Schwartzkopf deferred to Representative D.E. Williams.
Representative D.E. Williams brought SB 267 w/SA 2, jointly sponsored by Senator McDowell & Senator Simpson & Representative Mulrooney & Senators Katz & Henry & Representatives Brady, Keeley, Gilligan, B. Short, Kovach, Oberle & Hocker & cosponsored by Representative Kowalko, before the House for consideration.
SB 267 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO NET ENERGY METERING.
Representative Kowalko brought HA 1 to SB 267 before the House for consideration.
Representative Kowalko requested that HA 1 be stricken. Representatives D.E. Williams, D. Short & Kowalko made comments.
The roll call on SB 267 w/SA 2 was taken and revealed:
YES: 38.
ABSENT: Representatives Kovach, Lavelle & Plant - 3.
Therefore, having received a constitutional majority, SB 267 w/SA 2 was returned to the Senate.
Mr. Speaker Gilligan made an announcement. A moment of silence was observed in support of Dr. John J. Lavelle at the request of Mr. Speaker Gilligan.
Representative Schwartzkopf deferred to Representative D.E. Williams.
Representative D.E. Williams brought SS 1 for SB 119, jointly sponsored by Senator McDowell & Representative Kowalko & Senators Bushweller, Cloutier, Hall-Long, Katz, Marshall, McBride & Sorenson & Representatives Brady, Schooley, Mulrooney, Longhurst & Oberle, before the House for consideration.
SB 119 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE RENEWABLE ENERGY PORTFOLIO STANDARDS.
Representatives D.E. Williams & Kovach made comments. Representative D.E. Williams requested and was granted privilege of the floor for Collin O’Mara, Secretary, Department of Natural Resources and Environmental Control. Representatives Kovach, Kowalko, Briggs King & D.E. Williams made comments.
The roll call on SS 1 for SB 119 was taken and revealed:
YES: 28.
ABSENT: Representatives Atkins, Lavelle, Plant, Schwartzkopf, Thornburg & Viola - 6.
Therefore, having received a constitutional majority, SS 1 for SB 119 was returned to the Senate.
Representative Longhurst deferred to Representative D.E. Williams.
HB 480 - AN ACT TO AMEND TITLES 3, 7, AND 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.
Representative D.E. Williams brought HA 1 to HB 480 before the House for consideration.
Representative D.E. Williams made a comment. HA 1 was adopted by voice vote. Representative D.E. Williams made comments.
The roll call on HB 480 w/HA 1 was taken and revealed:
YES: 34.
NO: Representatives Hocker, Walls & Wilson - 3.
NOT VOTING: Representative Blakey - 1.
ABSENT: Representatives Lavelle, Plant & Viola - 3.
Therefore, having received a constitutional majority, HB 480 w/HA 1 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Q. Johnson.
Representative Q. Johnson brought HS 1 for HB 435, jointly sponsored by Representative Cathcart & Senator Hall-Long & Senator Ennis & Representatives Carson, George, Keeley, Lee, Miro & B. Short & Senators Blevins, Connor, Peterson & Sorenson, before the House for consideration.
HB 435 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF CHIROPRACTIC. (F/N)
Representative Q. Johnson brought HA 1 to HS 1 for HB 435 before the House for consideration.
Representatives Q. Johnson & D. Short made comments. HA 1 was adopted by voice vote.
Representative Q. Johnson introduced and brought HA 2 to HS 1 for HB 435 before the House for consideration. Representative Q. Johnson made comments. HA 2 was adopted by voice vote.
Representatives Q. Johnson & D. Short made comments. Representative D. Short rose on a point of order. Mr. Speaker Gilligan concurred. Representatives D. Short & Q. Johnson made comments.
The roll call on HS 1 for HB 435 w/HA 1 & 2 was taken and revealed:
YES: 24.
NOT VOTING: Representatives Kovach, Manolakos, Oberl & Ramone - 4.
ABSENT: Representatives Lavelle, Plant & Viola - 3.
Therefore, having received a constitutional majority, HS 1 for HB 435 w/HA 1 & 2 was sent to the Senate for concurrence.
Representative Ramone announced that he did not vote on HS 1 for HB 435 w/HA 1 & 2 because of a possible conflict of interest.
Representative Schwartzkopf deferred to Representative Mitchell.
Representative Mitchell moved to suspend the rules which interfere with action on SB 246. The motion was seconded by Representative J. Johnson and adopted by voice vote.
Representative Mitchell brought SB 246, jointly sponsored by Senator Bushweller & Representatives Jaques & Hudson, before the House for consideration.
SB 246 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PRIVATE INVESTIGATORS, PRIVATE SECURITY AGENCIES AND BAIL ENFORCEMENT AGENTS. (3/5 bill)
Representative Mitchell brought HA 1 to SB 246 before the House for consideration.
Representatives Mitchell & Keeley made comments. HA 1 was adopted by voice vote. Representative Mitchell introduced and brought HA 2 to SB 246 before the House for consideration. Representative Mitchell made comment. HA 2 was adopted by voice vote. Representative Mitchell made comments.
The roll call on SB 246 w/HA 1 & 2 was taken and revealed:
YES: 37.
ABSENT: Representatives Carey, Lavelle, Plant & Viola - 4.
Therefore, having received a constitutional majority of at least three-fifths Members of the House, SB 246 w/HA 1 & 2 was returned to the Senate for concurrence on HA 1 & 2.
Representative Schwartzkopf deferred to Representative Kowalko.
Representative Kowalko moved to suspend the rules which interfere with action on SB 231 w/SA 1.
The motion was seconded by Representative J. Johnson and adopted by voice vote.
Representative Kowalko brought SB 231 w/SA 1, jointly sponsored by Senator Bushweller & Senator Katz & Representative Barbieri & Senators De Luca, Blevins, Cook, Hall-Long, Sokola, McDowell, Bunting & Simpson & Representatives B. Short, Bennett & Kovach & cosponsored by Representative Scott & Senator Cloutier, before the House for consideration.
SB 231 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTH INFORMATION NETWORK. (2/3 bill)
Representatives Kowalko & Kovach made comments.
The roll call on SB 231 w/SA 1 was taken and revealed:
YES: 35.
NOT VOTING: Representative Cathcart - 1.
ABSENT: Representatives Carey, Lavelle, Plant, Viola & D.P. Williams - 5.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 231 w/SA 1 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Walls.
Representative Walls brought SB 219 w/SA 1, jointly sponsored by Senator Bunting & Senators Ennis & Simpson & Representatives Outten, Atkins, Carey, Hocker, Carson & Q. Johnson, before the House for consideration.
SB 219 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO RETAIL GASOLINE STATION COMPLIANCE.

Representative Walls moved to suspend the rules which interfere with action on SB 219 w/SA 1. The motion was properly seconded and adopted by voice vote.

Representative Walls made comments.

The roll call on SB 219 w/SA 1 was taken and revealed:

YES: 36.
ABSENT: Representatives Lavelle, Plant, Schooley, Viola & D.P. Williams - 5.
Therefore, having received a constitutional majority, SB 219 w/SA 1 was returned to the Senate.

Representative Schwartzkopf deferred to Representative Mitchell.

Representative Mitchell moved to suspend the rules which interfere with action on SB 229. The motion was seconded by Representative J. Johnson and adopted by voice vote.


SB 229 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AGAINST CHILDREN AND SPECIFIC OFFENSES.

Representative Mitchell made comments.

The roll call on SB 229 was taken and revealed:

YES: 37.
Therefore, having received a constitutional majority, SB 229 was returned to the Senate.

Mr. Speaker Gilligan made an announcement.

Representative Schwartzkopf deferred to Representative Jaques.

Representative Jaques brought HB 236, jointly sponsored by Senator Bunting & Senator Ennis, before the House for consideration.

HB 236 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO SPECIAL ELECTIONS.

Representative Jaques brought HA 1 to HB 236 before the House for consideration. Representative Jaques made comments. HA 1 was adopted by voice vote. Representative Jaques made comments.

The roll call on HB 236 w/HA 1 was taken and revealed:

YES: 32.
NO: Representatives Lee & Outten - 2.
NOT VOTING: Representatives Cathcart, D. Short & Thornburg - 3.
Therefore, having received a constitutional majority, HB 236 w/HA 1 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative Cathcart.

Representative Cathcart brought HB 369, jointly sponsored by Representative Lavelle & Representative Miro & Senator Katz & Representatives D. Short, Briggs King, Hocker, Hudson, Manolakos, Carson, Keeley & Scott & Senators Bunting, Simpson, Sorenson, Bonini & Booth, before the House for consideration.

HB 369 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT.

Representative Cathcart made comments.

The roll call on HB 369 was taken and revealed:

YES: 37.
Therefore, having received a constitutional majority, HB 369 was sent to the Senate for concurrence.

Mr. Speaker Gilligan appointed Representative Keeley as Acting Speaker.

Representative Gilligan moved to suspend the rules which interfere with action on SB 311. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Gilligan brought SB 311, jointly sponsored by Senator Peterson & Senator Blevins & cosponsored by Senators Connor & Sokola, before the House for consideration.

SB 311 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO NATURAL RESOURCES AND ENVIRONMENTAL CONTROL.

Representatives Gilligan, Kovach, Oberle & Kowalko made comments.

The roll call on SB 311 was taken and revealed:

YES: 36.
NO: Representative Kovach - 1.
Therefore, having received a constitutional majority, SB 311 was returned to the Senate.

Mr. Speaker Gilligan resumed the Chair.
Representative Schwartzkopf deferred to Representative Walls.

Representative Walls moved to suspend the rules which interfere with action on SB 314. The motion was seconded by Representative J. Johnson and adopted by voice vote.


**SB 314 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TRUCK WEIGHTS.**

Representative Walls made comments.

The roll call on SB 314 was taken and revealed:

YES: 37.


Therefore, having received a constitutional majority, SB 314 was returned to the Senate.

Representative Schwartzkopf moved to suspend the rules which interfere with action on HB 493.

The motion was seconded by Representative J. Johnson and adopted by voice vote. Mr. Speaker Gilligan made an announcement.


**HB 493 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.**

Representative Briggs King introduced and brought HA 1 to HB 493 before the House for consideration. Representative Briggs King made comments. Representative Briggs King requested and was granted privilege of the floor for Patrick Ryan, representing Amateur Radio Operators. Representatives Briggs King, D. Short, Schwartzkopf, Briggs King, D. Short, Schwartzkopf & Briggs King made comments. Representative Briggs King moved to place HA 1 on the Speaker's Table. The motion was properly seconded and adopted by voice vote. Representative Cathcart made comments. Representative Briggs King introduced and brought HB 493 before the House for consideration. Representative Briggs King moved to place HB 2 to HB 493 before the House for concurrence. Representative Briggs King moved to place HA 2 on the Speaker's Table. The motion was properly seconded and adopted by voice vote. Representatives D. Short & Scott made comments.

The roll call on HB 493 was taken and revealed:

YES: 37.


Therefore, having received a constitutional majority, HB 493 was sent to the Senate for concurrence.

Representative Schwartzkopf deferred to Representative George.


**HJR 14 - REQUESTING DELAWARE'S U.S. DELEGATION TO SUPPORT FEDERAL LEGISLATION THAT ADDS UNPAID COURT-ORDERED RESTITUTION, FINES, FEES AND COSTS TO DELINQUENT OBLIGATIONS THAT CAN BE INTERCEPTED THROUGH THE UNITED STATES DEPARTMENT OF THE TREASURY OFFSET PROGRAM.**

Mr. Speaker Gilligan assigned HJR 14 to the Judiciary Committee.

Representative Schwartzkopf deferred to Representative Kovach.

Representative Kovach introduced HB 495, jointly sponsored by Representative Lavelle & Senator Booth & Representatives D. Short, Briggs King, Hocker, Hudson, Lee, Manolakos, Ramone, Wilson, Bennett, B. Short & Q. Johnson & Senators Sorenson & Bonini.

**HB 495 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO GROSS RECEIPTS TAXES.**

Mr. Speaker Gilligan assigned HB 495 to the Revenue & Finance Committee.

Representative Schwartzkopf deferred to Representative Hudson. Representative Hudson introduced HA 7 to HB 317. HA 7 was placed with the Bill. Representative Hudson introduced HA 8 to HB 317.

HA 8 was placed with the Bill. Representative Hudson introduced HA 9 to HB 317. HA 9 was placed with the Bill. Representative Hudson introduced HA 10 to HB 317. HA 10 was placed with the Bill.

Representative Schwartzkopf deferred to Representative Oberle.

Representative Oberle made comments.

Representative Oberle introduced HA 6 to HB 317. HA 6 was placed with the Bill.

The Majority Leader moved to recess to the call of the Chair at 8:37 p.m.

Mr. Speaker Gilligan called the House to order at 4:01 p.m. on June 30, 2010.

The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 310, SJR 5 & SJR 6 and requests the concurrence of the House and the Senate has passed HB 456 w/HA 3 & 4, HB 485 & HB 439 and is returning the same to the House. The Senate wishes to inform the House that it has passed HB 431 w/HA 1 as amended by HA 1 to HA 1 & SA 1 and is returning the same to the House.

The Majority Leader moved to adjourn at 4:02 p.m., thereby ending the current legislative day. The House reconvened at 4:03 p.m.

44th LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Session
June 30, 2010

The Chief Clerk called the roll.
Members Present: 40.
Member Absent: Representative Plant - 1.

A prayer was offered by Representative Pamela J. Thornburg, Twenty-ninth Representative District. Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.

The minutes of the previous legislative day were approved as posted.

The following prefiled legislation was introduced:


Representatives Lavelle, D.P. Williams, Viola, Cathcart & Mulrooney requested that they be marked present. Representative Hudson made an announcement. Representatives Atkins & Oberle requested that they be marked present. Representative Walls made an announcement.

Representative Schwartzkopf deferred to Representative Briggs King. Representative Briggs King moved to suspend the rules which interfere with action on HB 494. The motion was seconded by Representative J. Johnson and adopted by voice vote.


HB 494 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.

Representative Briggs King requested and was granted personal privilege of the floor to introduce a guest.

Representative Briggs King made comments.
Representative Briggs King introduced and brought HA 1 to HB 494 before the House for consideration.

Representatives Briggs King, Schwartzkopf, Kovach & Carson made comments. 

HA 1 was adopted by voice vote.

The roll call on HB 494 w/HA 1 was taken and revealed:
YES: 40.
ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, HB 494 w/HA 1 was sent to the Senate for concurrence.
Representatives Miro requested that they be marked present during the roll call. 

Representative Schwartzkopf deferred to Representative Walls. Representative Walls moved to suspend the rules which interfere with action on SB 265 w/SA 1. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Walls brought SB 265 w/SA 1, jointly sponsored by Senator Venables & Senators Bunting, Cook, Ennis & Hall-Long & Representatives Atkins, Carson, Q. Johnson, Longhurst & Hocker, before the House for consideration.

SB 265 - AN ACT TO AMEND THE DELAWARE CODE RELATING TO THE RIGHT TO FARM AND PUBLIC AND PRIVATE NUISANCE ACTIONS.

Representative Walls made comments. Representative Thornburg requested and was granted personal privilege of the floor to introduce guests. Representative Kovach made comments. 

The roll call on SB 265 w/SA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Keeley & Plant - 2.

Therefore, having received a constitutional majority, SB 265 w/SA 1 was returned to the Senate. 

Representative Schwartzkopf deferred to Representative Mitchell. Representative Mitchell moved to suspend the rules which interfere with action on SB 277. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Mitchell brought SB 277, jointly sponsored by Senator Bushweller & Senator Bunting & Representatives D. Short & Scott, before the House for consideration.
SB 277 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGULATION OF VEHICLE SPEEDS IN SCHOOL ZONES.
Representatives Mitchell & Miro made comments. The roll call on SB 277 was taken and revealed: YES: 40.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, SB 277 was returned to the Senate.
Representative D. Short requested and was granted personal privilege of the floor to introduce guests.
Representative Schwartzkopf deferred to Representative B. Short.
Representative B. Short brought HB 473, jointly sponsored by Senator Blevins & Senator Ennis, before the House for consideration.

HB 473 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE REQUIRING PROPERTY AND CASUALTY INSURERS TO ANNUALLY SUBMIT A STATEMENT OF ACTUARIAL OPINION
Representative B. Short requested that HA 1 to HB 473 be stricken. Representative B. Short made comments.
The roll call on HB 473 was taken and revealed: YES: 40.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, HB 473 was sent to the Senate for concurrence.
Representative Schwartzkopf deferred to Representative Mitchell.
Representative Mitchell moved to suspend the rules which interfere with action on SB 271 w/SA 1. The motion was seconded by Representative J. Johnson and adopted by voice vote.
Representative Mitchell brought SB 271 w/SA 1, jointly sponsored by Senator Ennis & Senators Hall-Long, Bushweller & Connor & Representatives Carson, Walls, Cathcart & D. Short, before the House for consideration.

SB 271 - AN ACT TO AMEND ALL TITLES OF THE DELAWARE CODE RELATING TO THE DELAWARE VOLUNTEER FIREFIGHTER'S ASSOCIATION AND TO AMEND TITLE 18 RELATING TO THE RESPONSIBILITIES OF THE DELAWARE VOLUNTEER FIREFIGHTER'S ASSOCIATION.
Representative Mitchell made comments.
The roll call on SB 271 w/SA 1 was taken and revealed: YES: 40.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, SB 271 w/SA 1 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri brought SB 221 w/SA 1, jointly sponsored by Senator Henry & Senators Blevins, Bushweller & Sorenson & Representatives Schooley, Bennett & Manolakos, before the House for consideration.

SB 221 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO MENTAL HEALTH.
Representative Barbieri made comments.
The roll call on SB 221 w/SA 1 was taken and revealed: YES: 39.
ABSENT: Representatives Miro, Plant - 2.
Therefore, having received a constitutional majority, SB 221 w/SA 1 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri brought SB 291 w/SA 1, jointly sponsored by Senator Marshall & Senator Henry, before the House for consideration.

SB 291 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO NURSING FACILITIES AND SIMILAR FACILITIES.
Representative Barbieri made comments.
The roll call on SB 291 w/SA 1 was taken and revealed: YES: 38.
Therefore, having received a constitutional majority, SB 291 w/SA 1 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri moved to suspend the rules which interfere with action on SB 303. The motion was seconded by Representative J. Johnson and adopted by voice vote.
Representative Barbieri brought SB 303, jointly sponsored by Senator Marshall, before the House for consideration.

SB 303 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF LONG TERM CARE RESIDENTS PROTECTION.
Representative Barbieri made comments. The roll call on SB 303 was taken and revealed:
YES: 40.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, SB 303 was returned to the Senate.

Representative Schwartzkopf deferred to Representative George. Representative George moved to suspend the rules which interfere with action on HJR 14. The motion was seconded by Representative J. Johnson and adopted by voice vote.


HJR 14 - REQUESTING DELAWARE'S U.S. DELEGATION TO SUPPORT FEDERAL LEGISLATION THAT ADDS UNPAID COURT-ORDERED RESTITUTION, FINES, FEES AND COSTS TO DELINQUENT OBLIGATIONS THAT CAN BE INTERCEPTED THROUGH THE UNITED STATES DEPARTMENT OF THE TREASURY OFFSET PROGRAM.

Representatives George, Hudson & Kovach made comments. The roll call on HJR 14 was taken and revealed:
YES: 40.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, HJR 14 was sent to the Senate for concurrence.

Representative Ramone requested and was granted personal privilege of the floor to introduce a guest.

Representative Longhurst requested and was granted personal privilege of the floor to make comments.
The Majority Leader moved to recess for caucus at 4:52 p.m.
The House reconvened at 7:28 p.m.
The Reading Clerk read the following communications into the record:
June 30, 2010

LEGISLATIVE ADVISORY #47
Governor Jack A. Markell signed the following legislation on the date indicated: 6/23/10 - SB 227; 6/28/10 - SB 44 aab SA 1, SB 184, SB 254 aab SA 1, HB 221, HB 368 & HB 379 aab HA 1; 6/29/10 - HB 226 aab HA 1 & HA 2, HB 386 & HB 387.
The Senate wishes to inform the House that it has passed SCR 37 & SCR 39 and requests the concurrence of the House and the Senate has passed HCR 59 & HCR 60 and is returning the same to the House.
June 30, 2010

LEGISLATIVE ADVISORY #48
Governor Jack A. Markell signed the following legislation on the date indicated: 6/29/10 - SB 314, 6/30/10 - SB 259 aab SA 1 & SA 2, SB 229, SB 296 aab SA 1, SB 297 aab SA 1, SB 298, HB 456 aab HA 3 & HA 4, HB 457, HB 458, HB 459 aab HA 1 & HB 485.
Mr. Speaker Gilligan introduced a guest and made an announcement.
Representative Schwartzkopf deferred to Representative Blakey. Representative Blakey brought HB 431 w/HA 1, HA 1 to HA 1 & SA 1, jointly sponsored by Senator Bushweller, before the House for concurrence on SA 1.

HB 431 - AN ACT TO AMEND CHAPTER 189, VOLUME 43, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CHARTER OF THE TOWN OF WYOMING. (2/3 bill)
Representative Blakey made comments. The roll call on HB 431 w/HA 1, HA 1 to HA 1 & SA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Kovach & Plant - 2.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 431 w/HA 1, HA 1 to HA 1 & SA 1 was sent to the Governor.
Representative Schwartzkopf requested and was granted personal privilege of the floor to introduce a guest. The House observed a moment of silence in memory of Joshua Davis at the request of Representative Schwartzkopf. Representatives Cathcart, Oberle & Briggs requested and were granted personal privilege of the floor to introduce guests.
Representative Schwartzkopf deferred to Representative Longhurst. Representative Longhurst requested and was granted personal privilege of the floor to introduce a guest.
Representative Longhurst brought HB 392 w/SA 1, jointly sponsored by Senator Ennis, before the House for concurrence on SA 1.
HB 392 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES.

Representative Longhurst made comments.

The roll call on HB 392 w/SA 1 was taken and revealed:
YEES: 27.
NO: Representatives Lee, Outten, Thornburg & Wilson - 4.
NOT VOTING: Representatives Hocker, Kovach, Lavelle, Manolakos, Miro, Oberle, Ramone & D. Short - 8.

ABSENT: Representatives Kowalko & Plant - 2.

Therefore, having received a constitutional majority, HB 392 w/SA 1 was sent to the Governor.

Representative Schwartzkopf deferred to Representative Hocker. Representative Hocker made comments. Representative Hocker requested that HB 355 be stricken.

Representative Brady moved to suspend the rules which interfere with action on SB 228 w/SA 1 & 2. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Brady brought SB 228 w/SA 1 & 2, jointly sponsored by Senator McDowell & Senator Blevins & Representative B. Short, before the House for consideration.

SB 228 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE FOR PURPOSES OF REGULATING DISCOUNT MEDICAL PLANS. (3/5 bill)

Representative Brady introduced and brought HA 1 to SB 228 before the House for consideration.

Representative Brady made comments. HA 1 was adopted by voice vote. Representatives Brady & D. Short made comments. Representative Brady requested and was granted privilege of the floor for Gerald Pepper, Director, Fraud Prevention, Insurance Commissioner's Office. Representatives D. Short & Brady made comments. Representative Brady requested and was granted privilege of the floor for Gene Reed, Deputy Insurance Commissioner. Representative D. Short made comments.

The roll call on SB 228 w/SA 1 & 2 & HA 1 was taken and revealed:
YES: 39.
NOT VOTING: Representative Oberle - 1.
ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, SB 228 w/SA 1 & 2 & HA 1 was returned to the Senate for concurrence on HA 1.

Representative Schwartzkopf brought Consent Agenda G, which requires a two-thirds vote, before the House for consideration and for concurrence on Senate Amendments.

HB 395 w/HA 1 & SA 1, 2 & 3 - HOCKER & SENATOR BUNTING - An Act to Amend Volume 65, Chapter 295, Laws of Delaware, An Act to Reincorporate the Town of Bethany Beach Regarding the Referendum Power, and to Allow Natural Persons Holding Title to Real Estate as Trustee, to Vote in Municipal Elections; and Placing a Limit on the Total Number of Persons who may Qualify to Vote as a "Nonresident Property Owner" to a Maximum of Eight Persons per Property. (2/3 bill)


SB 253 w/SA 2, 3 & 4 - BONINI & REPRESENTATIVE WALLS - An Act to Reincorporate the Town of Magnolia. (2/3 bill)


SB 312 w/SA 2 - SIMPSON & REPRESENTATIVE WALLS & REPRESENTATIVE CAREY - An Act to Amend the Laws of Delaware Relating to the Re-Incorporation of the City of Milford. (2/3 bill)

The call on Consent Agenda G was taken and revealed:
YES: 40.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 395 w/HA 1 & SA 1, 2 & 3 was sent to the Governor and SB 107, SB 253 w/SA 2, 3 & 4, SB 275 w/SA 2, SB 282, SB 285 & SB 312 w/SA 2 were returned to the Senate.

Representative Schwartzkopf moved to suspend the rules which interfere with introduction of and action on Consent Agenda H. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf introduced and brought Consent Agenda H before the House for consideration.

SB 233 - MARSHALL & REPRESENTATIVE BARBIERI - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Medical Practice.


SJR 4 - BUNTING & REPRESENTATIVE OBERLE & REPRESENTATIVE JAQUES & SENATOR BOOTH, CONNOR, ENNIS, HALL-LONG, MCDOWELL, BUSHWELLER, COOK & PETERSON & REPRESENTATIVES ATKINS, CARSON, CATHCART, BRAKY, BRIGGS KING, GEORGE, Q. JOHNSON, KOVACH, MULROONEY, SCHWARTZKOPF, B. SHORT & D. SHORT - Designating the Honor and Remember Flag as the State’s Emblem of the Service and Sacrifice by the Brave Men and Women of the United States Armed Forces Who Have Given Their Lives in the Line of Duty.

The roll call on Consent Agenda H was taken and revealed:

- YES: 39.

Therefore, having received a constitutional majority SB 233, SB 281, SB 286, SB 287 w/SA 1.

SB 304 & SJR 4 were returned to the Senate.

Representatives Cathcart, Wilson, D. Short & Q. Johnson requested and were granted personal privilege of the floor to introduce guests. Representatives Atkins & Carson introduced guests.

Representatives Hocker & Kovach made comments. Representative Barbieri requested and was granted personal privilege of the floor to introduce guests. Representative Carey introduced a guest and made comments. Representative Mulrooney requested and was granted personal privilege of the floor to introduce guests.

Representative Schwartzkopf moved to suspend the rules which interfere with action on Consent Agenda F. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf brought Consent Agenda F, which requires a two-thirds vote, before the House for consideration.

SB 302 - DELUCA & REPRESENTATIVE B. SHORT & REPRESENTATIVE GEORGE - An Act to Amend Title 12 of the Delaware Code Relating to Statutory Trusts. (3/5 bill)


SB 325 - COOK & REPRESENTATIVE D.P. WILLIAMS & SENATORS DELUCA & SIMPSON & REPRESENTATIVES SCHWARTZKOPF & OBERLE - An Act to Amend Titles 11 and 29 of the Delaware Code Relating to the State Employees’ Pension Plan, the County and Municipal Employees’ Pension Plan, the County and Municipal Police/Firefighter Pension Plan, the State Judiciary Pension Plan, the State Police Pension Plan, and Pensions.


The roll call on Consent Agenda F was taken and revealed:

- YES: 39.

Therefore, having received a constitutional majority of at least two-thirds Members of the House,
SB 302, SB 309, SB 324 w/SA 1, SB 325, SB 326 w/SA 1 & SB 327 w/SA 1 were returned to the Senate. Representative Schwartzkopf deferred to Representative Barbieri. Representative Barbieri moved to suspend the rules which interfere with action on SB 232. The motion was seconded by Representative J. Johnson and adopted by voice vote. Representative Barbieri brought SB 232, jointly sponsored by Senator Marshall before the House for consideration.

SB 232 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CIVIL ADMINISTRATIVE PROCEDURES.
Representatives Barbieri & Oberle made comments. Representative Barbieri requested and was granted privilege of the floor for James Collins, Director, Division of Professional Regulation. Representative Oberle made comments. The roll call on SB 232 was taken and revealed:
YES: 40.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, SB 232 was returned to the Senate. Representative Schwartzkopf deferred to Representative J. Johnson. Representative J. Johnson moved to suspend the rules which interfere with introduction of and action on SB 320 w/SA 1. The motion was seconded by Representative Keeley and adopted by voice vote. Representative J. Johnson introduced and brought SB 320 w/SA 1, jointly sponsored by Senator Ennis & Senators Simpson, Henry, Venables, Peterson & McDowell & Representatives Carey, George, Hudson, Kovach, Lee, Viola, Walls, Mulrooney, & Wilson, before the House for consideration.

SB 320 - AN ACT TO AMEND TITLE 11 RELATING TO SENTENCING AND GOOD TIME.
Representatives J. Johnson & Kovach made comments. The roll call on SB 320 w/SA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Miro & Plant - 2.
Therefore, having received a constitutional majority, SB 320 w/SA 1 was returned to the Senate. Representative J. Johnson requested and was granted personal privilege of the floor to introduce a guest.


SB 300 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CHILDHOOD LEAD POISONING PREVENTION.
Representative Schooley made comments. The roll call on SB 300 was taken and revealed:
YES: 39.
ABSENT: Representatives Miro & Plant - 2.
Therefore, having received a constitutional majority, SB 300 was returned to the Senate. Representative D.E. Williams requested and was granted personal privilege of the floor to introduce a guest. Representative Schwartzkopf deferred to Representative George. Representative George brought SB 280 w/SA 2, jointly sponsored by Senator Blevins & Senators Bonini, Booth, Cloutier, McDowell, Sokola, Venables, Bushweller, Ennis, Henry, Peterson, Simpson & Sorenson & Representatives Gilligan, Hudson, Jaques, Keeley, Mitchell, Oberle, Schooley & B. Short, before the House for consideration.

SB 280 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO ANIMALS HELD IN SHELTER.
Representative George made comments. The roll call on SB 280 w/SA 2 was taken and revealed:
YES: 39.
ABSENT: Representatives Plant, D.P. Williams - 2.
Therefore, having received a constitutional majority, SB 280 w/SA 2 was returned to the Senate. Representative George requested and was granted personal privilege of the floor to make comments and to introduce guests. Mr. Speaker Gilligan made comments. Representative Keeley introduced a guest and made an announcement. Representatives Mulrooney, Longhurst, Lavelle & Schwartzkopf made comments.

Representative Schwartzkopf deferred to Representative J. Johnson. Representative J. Johnson brought SB 289 w/SA 1, jointly sponsored by Senator Ennis & Senators Bushweller & Sokola & Representatives Barbieri, Carson, Hocker, Hudson, Mitchell & Walls & cosponsored by Senator Bonini, before the House for consideration.

SB 289 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE INTERSTATE COMPACT FOR JUVENILES.
Representative J. Johnson made comments.
The roll call on SB 289 w/SA 1 was taken and revealed:
YES: 40.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, SB 289 w/SA 1 was returned to the Senate. Representative Schwartzkopf deferred to Representative Schooley. Representative Schooley requested and was granted privilege of the floor for herself and Representatives Mitchell and Atkins. Representative Schooley presented a House Tribute to Sergeant Richard Edward Dennis on the occasion of his retirement from the Delaware State Police. Representatives Mitchell, Atkins, Cathcart, Oberle, Schwartzkopf and Thornburg made comments. Sergeant Dennis addressed the House. Representatives Schooley, Atkins & Schwartzkopf made comments.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed SB 322 & SB 323 and requests the concurrence of the House and the Senate has passed HB 396 w/SA 1, HB 448 w/SA 1, HB 449 & HB 420 w/HA 1 & SA 1 and is returning the same to the House. The Senate wishes to inform the House that it has passed HB 455, HB 425, HB 433, HB 427 w/HA 1, HB 384, HS 1 for HB 348, HB 283 & HB 381 and is returning the same to the House.
Representative Schwartzkopf deferred to Representative Scott. Representative Scott made comments.
Mr. Speaker Gilligan appointed Representative D.P. Williams as Acting Speaker.
Representative Schwartzkopf deferred to Representative Gilligan.
Representative Gilligan moved to suspend the rules which interfere with introduction of and action on SB 328. The motion was seconded by Representative J. Johnson and adopted by voice vote.
Representative Gilligan introduced and brought SB 328, jointly sponsored by Senator Cook & Senators Blevins & Sokola, before the House for consideration.
SB 328 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE III OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO CONFIRMATION OF OFFICERS APPOINTED BY THE GOVERNOR. (2/3 bill)
Representatives Gilligan & Lavelle made comments.
The roll call on SB 328 was taken and revealed:
YES: 38.
ABSENT: Representatives Manolakos, Plant & Ramone - 3.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 328 was returned to the Senate.
Mr. Speaker Gilligan resumed the Chair.
Representative Schwartzkopf deferred to Representative Scott.
Representative Scott moved to suspend the rules which interfere with action on HB 399. The motion was seconded by Representative D.P. Williams and adopted by voice vote.
HB 399 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. (F/N)
Representative Cathcart announced that he will not be participating in the debate or voting on HB 399 because of a possible conflict of interest.
Representative Scott brought HA 1 to HB 399 before the House for consideration. Representative Scott made comments. HA 1 was adopted by voice vote. Representative Scott brought HA 2 to HB 399 before the House for consideration. Representative Scott made a comment. Representative Scott requested that HA 2 be stricken. Representative Scott brought HA 3 to HB 399 before the House for consideration. Representative Scott made comments. HA 3 was adopted by voice vote. Mr. Speaker Gilligan appointed Representative D.P Williams as Acting Speaker. Representatives Scott & Gilligan made comments. Mr. Speaker Gilligan resumed the Chair. Representatives Blakey & Keeley made comments.
The roll call on HB 399 w/HA 1 & 3 was taken and revealed:
YES: 32.
NOT VOTING: Representative Cathcart - 1.
Therefore, having received a constitutional majority, HB 399 w/HA 1 & 3 was sent to the Senate for concurrence.
Representative J. Johnson made an announcement. Representative Brady introduced a guest. Representative D.E. Williams requested and was granted personal privilege of the floor to introduce a guest.
The Majority Leader moved to recess for caucus at 9:13 p.m.
The House reconvened at 11:04 p.m.
Representative Schwartzkopf deferred to Representative D.P. Williams.
Representative D.P. Williams moved to suspend the rules which interfere with introduction of and action on SJR 5. The motion was seconded by Representative J. Johnson and adopted by voice vote.
Representative D.P. Williams introduced and brought SJR 5, jointly sponsored by Senator Cook & Senators Cloutier, Connor, Ennis, McBride & McDowell & Representatives George, J. Johnson, Miro, Mitchell & Thornburg, before the House for consideration.

SJR 5 - THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2010.
Representative D.P. Williams made comments.
The roll call on SJR 5 was taken and revealed:
YES: 39.
ABSENT: Representatives Plant & B. Short - 2.
Therefore, having received a constitutional majority, SJR 5 was returned to the Senate.
Representative D.P. Williams moved to suspend the rules which interfere with introduction of and action on SJR 6. The motion was seconded by Representative J. Johnson and adopted by voice vote.
Representative D.P. Williams introduced and brought SJR 6, jointly sponsored by Senator Cook & Senators Cloutier, Connor, Ennis, McBride & McDowell & Representatives George, J. Johnson, Miro, Mitchell & Thornburg, before the House for consideration.

SJR 6 - THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2011.
Representative D.P. Williams made comments.
The roll call on SJR 6 was taken and revealed:
YES: 40.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, SJR 6 was returned to the Senate.
Representative D.P. Williams moved to suspend the rules which interfere with introduction of and action on SB 310. The motion was seconded by Representative J. Johnson and adopted by voice vote.
Representative D.P. Williams introduced and brought SB 310, jointly sponsored by Senator Cook & Senators Ennis, McBride, McDowell, Cloutier & Connor & Representatives George, J. Johnson, Mitchell, Miro & Thornburg, before the House for consideration.

SB 310 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2011; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.
Representatives D.P. Williams, Cathcart D.P. Williams, Schwartzkopf, Cathcart, George, Cathcart, Lavelle, D. Short, Kovach & Hudson made comments.
The roll call on SB 310 was taken and revealed:
YES: 27.
ABSENT: Representative Plant - 1.
Therefore, having received a constitutional majority, SB 310 was returned to the Senate.
Representative George requested and was granted personal privilege of the floor to make comments.
Representative Schwartzkopf made comments.
Representative Schwartzkopf deferred to Representative Keeley.
Representative Keeley moved to suspend the rules which interfere with action on HB 500. The motion was properly seconded and adopted by voice vote.
The Chief Clerk read the following committee report into the record:
CAPITAL INFRASTRUCTURE: HB 500 - 5F.
The Reading Clerk read the following communication into the record:
DEBT LIMIT STATEMENT FOR FISCAL YAR 2011
This Debt Limit Statement is to be attached to the Fiscal Year 2011 Bond and Capital Improvement Act as required by 29 Del. C §7422.
(1) Estimated Net General Fund revenue for the Fiscal year ending June 30, 2011 as per the Joint resolution of the House and Senate which will be signed by the Governor in connection with the adoption of the annual Budget Appropriation Bill for that fiscal year. $ 3,333.2 million
(2) Multiply by 5%. X .05
(3) Maximum aggregate principal amount of tax-supported obligations which may be authorized by the State in the fiscal year ending June 30, 2011. $ 166.9 million
(4) Less: Aggregate principal amount of previously Authorized tax-supported obligations subject to debt limit. $0 million

(5) AVAILABLE DEBT LIMIT prior to appended legislation (Line 3 minus Line 4). $166.9 million

(6) Less: Aggregate principal amount of new tax-supported obligations subject to debt limit to be authorized pursuant to appended legislation. $0 million

(7) REMAINING DEBT LIMIT (Line 5 minus Line 6). $166.9 million

Thomas J. Cook
June 29, 2010

Representative Keeley brought HB 500, jointly sponsored by Senator Venables & Representatives Mulrooney, Schooley, Viola, Carey & Oberle & Senators Sokola, Cook, McDowell, Simpson & Sorenson, before the House for consideration.

HB 500 - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2011; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; DEAUTHORIZING AND REAUTHORIZING CERTAIN FUNDS OF THE TRANSPORTATION TRUST FUND; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; DIRECTING THE DEPOSIT OF CERTAIN FUNDS TO THE GENERAL FUND; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. (3/4 bill)

Representative Keeley made comments.
The roll call on HB 500 was taken and revealed:
YES: 34.
NO: Representatives Briggs King, Hocker, Manolakos, Ramone & Wilson - 5.
NOT VOTING: Representative Cathcart - 1.
ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, HB 500 was sent to the Senate for concurrence.

Representative Schwartzkopf brought the following prefiled Consent Calendar #19 before the House for consideration.

HR 49 - SCHWARTZKOPF, ON BEHALF OF ALL REPRESENTATIVES - Celebrating the Twentieth Anniversary of the Enactment of the Americans with Disabilities Act of 1990.
HCR 57 - ATKINS & SENATOR BOOTH - Requesting the Delaware Board of Veterinary Medicine Develop Regulations to Assure that Animal Owners are Provided with Product Safety Information Associated with the Veterinary Prescription Drugs Administered or Dispensed by their Veterinarians.
SCR 38 - COOK & REPRESENTATIVE B. SHORT - Urging the Delaware Heritage Commission to Undertake the State's Official Observance of the 150th Anniversary of the Civil War Between 2011 and 2015, and to Assist Other Organizations in their Commemorative Efforts.

Consent Calendar #19 was adopted by voice vote and HR 49 was declared passed, HCR 57 was sent to the Senate for concurrence and SCR 38, SCR 37 & SCR 39 were returned to the Senate.

Representative Schwartzkopf deferred to Representative D.E. Williams.
Representative D.E. Williams brought SB 316 w/SA 2, jointly sponsored by Senator Peterson & Senators Ennis, McDowell, Sokola & Bushweller, before the House for consideration.

SB 316 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO SOLAR PHOTOVOLTAIC SYSTEMS AND REAL PROPERTY.
Representatives D.E. Williams & Lavelle made comments.
The roll call on SB 316 w/SA 2 was taken and revealed:
YES: 23.

NOT VOTING: Representatives Briggs King, Kovach, Manolakos, Miro, Ramone & Thornburg - 6.

ABSENT: Representatives Oberle & Plant - 2.

Therefore, having received a constitutional majority, SB 316 w/SA 2 was returned to the Senate.

The Majority Leader moved to adjourn the Second Session of the 145th General Assembly at 12:00 a.m.

Mr. Speaker Gilligan called the House to order at 12:01 a.m. on July 1, 2010.

The Reading Clerk read the following communication into the record:

TO: The Members of the 145th General Assembly
FROM: Matthew Denn, Lieutenant Governor of the State of Delaware
Robert F. Gilligan, Speaker of the House of Representatives
SUBJECT: Special Session
DATE: July 01, 2010

Pursuant to the provisions of Article II, Section 4 of the Constitution of the State of Delaware of 1897, as amended, we hereby declare the 145th General Assembly of the State of Delaware in Special Session.

Matthew Denn, Lieutenant Governor
and President of the Senate
Robert F. Gilligan
Speaker of the House of Representatives

1st LEGISLATIVE DAY - 145th GENERAL ASSEMBLY - Second Special Session
July 1, 2010

The Chief Clerk Emeritus called the roll.

Members Present: 40.

Member Absent: Representative Plant - 1.

A prayer was offered by Representative Clifford G. Lee, Fortieth Representative District.

Mr. Speaker Gilligan led those present in the pledge of allegiance to the American Flag.

Mr. Speaker Gilligan announced that the minutes of the previous legislative day are available in the Office of the Chief Clerk.

Mr. Speaker Gilligan appointed Representative D.P. Williams as Acting Speaker.

Representative Schwartzkopf deferred to Representative Gilligan.

Mr. Speaker Gilligan moved to suspend the rules which interfere with action on SB 24. The motion was seconded by Representative J. Johnson and adopted by voice vote.


SB 24 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE IV OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE JUDICIARY AND THE CHIEF MAGISTRATE OF THE JUSTICE OF THE PEACE COURT. (2/3 bill) (F/N)

Representative Gilligan made comments.

The roll call on SB 24 was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 24 was returned to the Senate.

Mr. Speaker Gilligan resumed the Chair.

Representative Schwartzkopf moved to suspend the rules which interfere with action on SB 306 w/SA 1. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf brought SB 306 w/SA 1, jointly sponsored by Senator DeLuca & Representative Atkins, before the House for consideration.

SB 306 - AN ACT TO AMEND TITLE 20, CHAPTER 31 OF THE DELAWARE CODE RELATING TO EMERGENCY MANAGEMENT; (2/3 bill)

Representatives Schwartzkopf, Thornburg, Hocker & Schwartzkopf made comments.

The roll call on SB 306 w/SA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Plant & D.P. Williams - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 306 w/SA 1 was returned to the Senate.

Representative Carey made comments.

Representative Schwartzkopf moved to suspend the rules which interfere with action on SB 307. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative Schwartzkopf brought SB 307, jointly sponsored by Senator DeLuca & Representative Atkins, before the House for consideration.
SB 307 - AN ACT TO AMEND TITLE 21, CHAPTER 41 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (2/3 bill)
Representative Schwartzkopf made comments.
The roll call on SB 307 was taken and revealed:
YES: 38.
ABSENT: Representatives Carey, Cathcart, Plant - 3.
Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 307 was returned to the Senate.
Representative Schwartzkopf deferred to Representative Scott.
Representative Scott brought HB 420 w/HA 1 & SA 1, jointly sponsored by Senator Blevins & Representatives Jaques, Q. Johnson, Keeley, Mitchell, B. Short & D. Short & Senators Bushweller, Ennis, Hall-Long & Henry & cosponsored by Representatives Briggs King, Cathcart, Hocker, Kovach & Outten, before the House for concurrence on SA 1.
HB 420 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE
Representative Scott made comments.
The roll call on HB 420 w/HA 1 & SA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Carey & Plant - 2.
Therefore, having received a constitutional majority, HB 420 w/HA 1 & SA 1 was sent to the Governor.
Representative Schwartzkopf deferred to Representative Kowalko.
Representative Kowalko brought HB 378 w/HA 1 & SA 1, jointly sponsored by Senator Peterson & Representatives Barbieri, Bennett, Brady, Gilligan, Jaques, J. Johnson, Q. Johnson, Keeley, Lavelle, Mitchell, Mulrooney, Oberle, Plant, Ramone, Schooley, Scott, B. Short, Viola, D.E. Williams & D.P. Williams & Senator Sokola & cosponsored by Representative Manolakos, before the House for concurrence on SA 1.
HB 378 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO ENERGY EFFICIENCY RESOURCE STANDARDS.
Representative Kowalko made comments.
The roll call on HB 378 w/HA 1 & SA 1 was taken and revealed:
YES: 37.
ABSENT: Representatives Carey, Keeley, Plant & D. Short - 4.
Therefore, having received a constitutional majority, HB 378 w/HA 1 & SA 1 was sent to the Governor.
Representative Schwartzkopf deferred to Representative Hudson.
Representative Hudson brought HB 276 w/HA 1 & SA 1, jointly sponsored by Senator McBride & Representatives Barbieri, Brady, Carson, Jaques, Booth, Carey, Hocker, Lavelle, Manolakos, Miro, Ramone & Thornburg & Senators Sokola & Sorenson & cosponsored by Representative Kovach & Senator Katz, before the House for concurrence on SA 1.
HB 276 - AN ACT TO AMEND TITLES 11, 16, 17 AND 21 OF THE DELAWARE CODE RELATING TO CRIMINAL MISCHIEF, GRAFFITI, AND OTHER INJURY TO A SCENIC AND HISTORICAL HIGHWAY OR A SCENIC BYWAY.
Representative Hudson made comments.
The roll call on HB 276 w/HA 1 & SA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Carey & Plant - 2.
Therefore, having received a constitutional majority, HB 276 w/HA 1 & SA 1 was sent to the Governor.
Representative Schwartzkopf deferred to Representative Briggs King.
Representative Briggs King made a comment.
Representative Briggs King brought HB 437 w/HA 1 & SA 1, jointly sponsored by Senator Bonini & Representatives Cathcart, D. Short, Blakey, Carey, Hocker, Hudson, Lavelle, Oberle, Outten, Ramone, Thornburg, Wilson, Atkins, Viola & Walls & Senators Simpson & Booth & cosponsored by Senator Bushweller, before the House for concurrence on SA 1.
HB 437 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING, AND FISHING LICENSES.
The roll call on HB 437 w/HA 1 & SA 1 was taken and revealed:
YES: 37.
NOT VOTING: Representative Jaques - 1.
ABSENT: Representatives Carey, Plant, D. Short - 3.
Therefore, having received a constitutional majority, HB 276 w/HA 1 & SA 1 was sent to the Governor.
Representative Jaques made a comment regarding HB 276.

326
Representative Schwartzkopf brought HB 326 w/HA 2 & SA 1, jointly sponsored by Representative Atkins & Representative Keeley & Senator Bunting & Senator Blevins & Senator Peterson & Senator Connor & cosponsored by Representative Ramone & Senator McDowell, before the House for concurrence on SA 1.

HB 326 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTHCARE MEDICAL NEGLIGENCE INSURANCE AND LITIGATION. (F/N)
Representative Schwartzkopf made comments.
The roll call on HB 326 w/HA 2 & SA 1 was taken and revealed:
YES: 38.
NO: Representative Lavelle - 1.
ABSENT: Representatives Carey & Plant - 2.
Therefore, having received a constitutional majority, HB 326 w/HA 2 & SA 1 was sent to the Governor.
Representative Schwartzkopf deferred to Representative Brady.
Representative Brady moved to suspend the rules which interfere with introduction of and action on SB 322. The motion was seconded by Representative J. Johnson and adopted by voice vote.
Representative Brady introduced and brought SB 322, jointly sponsored by Senator Bunting & Senator Sokola & Representative Bennett & Senator Venables & Representatives Hocker, Scott, Hudson, Ramone, Kovach & Briggs King, before the House for consideration.

SB 322 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO TITLES AND CONVEYANCES.
Representative Brady made comments.
The roll call on SB 322 was taken and revealed:
YES: 39.
ABSENT: Representatives Carey, Plant - 2.
Therefore, having received a constitutional majority, SB 322 was returned to the Senate.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed HB 500, HB 276 w/HA 1 & SA 1, HB 487, HB 419 w/HA 1 & 2, HB 482, HB 481 w/HA 1, HB 409, HB 463 w/HA 1, HB 464 w/HA 1, HB 452 & HB 477 and is returning the same to the House.

Representative Schwartzkopf deferred to Representative Keely.
Representative Keeley moved to suspend the rules which interfere with introduction of and action on SB 323. The motion was properly seconded and adopted by voice vote.
Representative Keeley introduced and brought SB 323, jointly sponsored by Senator Henry & Representative D. Short & Hudson, before the House for consideration.

SB 323 - AN ACT TO AMEND TITLE 24, CHAPTER 17, OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICE ACT.
Representative Keeley made comments and deferred to Representative D. Short.
Representative D. Short made comments.
The roll call on SB 323 was taken and revealed:
YES: 37.
ABSENT: Representatives Carey, Cathcart, Plant & Scott - 4.
Therefore, having received a constitutional majority, SB 323 was returned to the Senate.
Representative Schwartzkopf deferred to Representative D.P. Williams.
Representative D.P. Williams moved to suspend the rules which interfere with introduction of and action on SB 315. The motion was properly seconded and adopted by voice vote.
Representative D.P. Williams introduced and brought SB 315, jointly sponsored by Senator Cook & Senators Ennis, McBride, McDowell, Cloutier & Connor & Representatives George, J. Johnson, Mitchell, Miro & Thornburg, before the House for consideration.

SB 315 - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2011; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2011 APPROPRIATIONS ACT; AND TITLE 1 OF THE DELAWARE CODE RELATING TO STATE HOLIDAYS. (3/4 bill)
Mr. Speaker Gilligan made an announcement.
Representative Schwartzkopf deferred to Representative Barbieri.
Representative Barbieri introduced and brought SB 269, jointly sponsored by Senator Sokola & Senator Bunting & Representatives Bennett, Carson, Hudson, Jaques, Miro, Schooley, D. Short & Walls & cosponsored by Representative Brady, before the House for consideration.

SB 269 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CARELESS OR INATTENTIVE DRIVING.
Representative Barbieri introduced and brought HA 1 to SB 269 before the House for consideration.
Representative Barbieri made comments.
The roll call on HA 1 was taken and revealed:
YES: 24.
NOT VOTING: Representatives Lavelle, Miro & Ramone - 3.
ABSENT: Representatives Carey & Plant - 2.
Therefore, having received a constitutional majority, HA 1 was declared passed.
Representative Barbieri made comments.
The roll call on SB 269 w/HA 1 was taken and revealed:
YES: 21.
NOT VOTING: Representatives Lavelle, Mitchell, Ramone, Schooley & Thornburg - 5.
ABSENT: Representatives Carey, Plant & D. Short - 3.
Therefore, having received a constitutional majority, SB 269 w/HA 1 was returned to the Senate for concurrence on HA 1.
Representative Schwartzkopf deferred to Representative B. Short.
Representative B. Short brought SCR 30, jointly sponsored by Senator Sokola, before the House for consideration.
SCR 30 - FORMALLY RATIFYING THE 17TH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROVIDING FOR THE POPULAR ELECTION OF SENATORS TO THE UNITED STATES SENATE.
Representative B. Short made comments.
Mr. Speaker Gilligan granted privilege of the floor to William G. Bush IV, Majority House Attorney.
SCR 30 was adopted by voice vote and was returned to the Senate.
Representative Schwartzkopf moved to suspend the rules which interfere with action on SB 292.
The motion was seconded by Representative J. Johnson and adopted by voice vote.
Representative Schwartzkopf brought SB 292, jointly sponsored by Senator Venables & cosponsored by Representative Hocker, before the House for consideration.
SB 292 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY GOVERNMENT AND COUNTY ADMINISTRATORS.
Representative Schwartzkopf made comments.
The roll call on SB 292 was taken and revealed:
YES: 39.
ABSENT: Representatives Carey & Plant - 2.
Therefore, having received a constitutional majority, SB 292 was returned to the Senate.
The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed HB 493, HB 480 w/HA 1, HS 1 for HB 435 w/HA 1 & 2, HB 236 w/HA 1, HB 494 w/HA 1, HJR 14, HB 451, HB 398, HB 334 w/HA 1 & HA 1 to HA 1, HB 488 w/HA 2 and is returning the same to the House. The Senate wishes to inform the house that it has passed HB 437 w/HA 1 & SA 1, HB 326 w/HA 2 & SA 1, HB 378 w/HA 1 & SA1, HB 256 w/HA 1, HB 371, HB 483, HB 410 w/HA 2, HB 472 w/HA 1 & HB 462 w/HA 1 and is returning the same to the House.
Representative Schwartzkopf deferred to Representative Longhurst.
Representative Longhurst requested and was granted personal privilege of the floor to introduce a guest.
Representative Schwartzkopf moved to suspend the rules which interfere with action on SJR 3 w/SA 1. The motion was seconded by Representative J. Johnson and adopted by voice vote.
Representative Schwartzkopf brought SJR 3 w/SA 1, sponsored by Senator Henry & Representative Barbieri & Senators Blevins, Hall-Long & Simpson & Representatives Schooley, Blakey & Briggs King, before the House for consideration.
SJR 3 - CALLING FOR THE DESIGNATION OF THE ENTIRE STATE OF DELAWARE AS A HEALTHCARE INNOVATION ZONE.
Representative Schwartzkopf made comments. Representative Schwartzkopf requested and was granted privilege of the floor for Wayne Smith, President, Delaware Healthcare Association.
The roll call on SJR 3 w/SA 1 was taken and revealed:
YES: 39.
ABSENT: Representatives Carey & Plant - 2.
Therefore, having received a constitutional majority, SJR 3 w/SA 1 was returned to the Senate.
Representative Schwartzkopf deferred to Representative D.P. Williams.
The Reading Clerk read the following communication into the record:
The Senate wishes to inform the House that it has passed SB 315 and requests the concurrence of the House.
Representative D.P. Williams moved to suspend the rules which interfere with action on SB 315. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.P. Williams brought SB 315, jointly sponsored by Senator Cook & Senators Ennis, McBride, McDowell, Cloutier & Connor & Representatives George, J. Johnson, Mitchell, Miro & Thornburg, before the House for consideration.

SB 315 - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2011; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2011 APPROPRIATIONS ACT; AND TITLE 1 OF THE DELAWARE CODE RELATING TO STATE HOLIDAYS. (3/4 bill)

Representatives D.P. Williams & Lavelle made comments. Representative D.P. Williams requested and was granted privilege of the floor for Russ Larson, Controller General. Representatives Lavelle & Kovach made comments. Representative D.P. Williams requested and was granted privilege of the floor for Mike Morton, Analyst, Office of the Controller General. Representative D.P. Williams moved to place SB 315 on the Speaker’s Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

The Majority Leader moved to recess at 1:27 a.m.

The House reconvened at 1:44 a.m.

Representative D.P. Williams moved to lift SB 315 from the Speaker's Table. The motion was seconded by Representative J. Johnson and adopted by voice vote.

Representative D.P. Williams brought SB 315, jointly sponsored by Senator Cook & Senators Ennis, McBride, McDowell, Cloutier & Connor & Representatives George, J. Johnson, Mitchell, Miro & Thornburg, before the House for consideration.

SB 315 - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2011; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2011 APPROPRIATIONS ACT; AND TITLE 1 OF THE DELAWARE CODE RELATING TO STATE HOLIDAYS. (3/4 bill)

Representative D.P. Williams made a comment.

The roll call on SB 315 was taken and revealed:

YES: 39.
ABSENT: Representatives Carey & Plant - 2.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, SB 315 was returned to the Senate.

Representative D.P. Williams made comments.

The Reading Clerk read the following communications into the record:
The Senate wishes to inform the House that it has passed HB 85 w/HA 1 & SA 1. HS 1 for HB 169 w/HA 1 & SA 1 and requests the concurrence of the House. The Senate wishes to inform the House that it has passed HB 92 w/HA 1 & SA 1 and is returning the same to the House.

Representative Schwartzkopf deferred to Representative D. Short.

Representative D. Short brought HB 85 w/HA 1 & SA 1, jointly sponsored by Representative B. Short & Senator Blevins & Representatives Barbieri, Bennett, Carey, Hocker, Hudson, Q. Johnson, Lavelle, Kovach, Miro, Outen, Ramone, Walls & Wilson & Senators Bunting, Ennis, Venables & Simpson, before the House for concurrence on SA 1.

HB 85 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SMALL EMPLOYER HEALTH INSURANCE.

Representative D. Short made comments.

The roll call on HB 85 w/HA 1 & SA 1 was taken and revealed:

YES: 38.
ABSENT: Representatives Carey, Plant & D.P. Williams - 3.

Therefore, having received a constitutional majority, HB 85 w/HA 1 & SA 1 was sent to the Governor.

Representative Schwartzkopf deferred to Representative George.

Representative George brought HS 1 for HB 169 w/HA 1 & SA 1, jointly sponsored by Senator McDowell & Senator Venables & Representatives Bennett, J. Johnson, Keeley, Kovach, Kowalko, Mulrooney, Plant, Schooley & B. Short, before the House for concurrence on SA 1.

HB 169 - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO RECORDS OF ARREST AND PROSECUTION.

Representatives George & Oberle made comments.

The roll call on HS 1 for HB 169 w/HA 1 & SA 1 was taken and revealed:

YES: 37.

Therefore, having received a constitutional majority, HS 1 for HB 169 w/HA 1 & SA 1 was sent to the Governor.
Representative Schwartzkopf deferred to Representative Hudson. Representative Hudson brought HB 92 w/HA 1 & SA 1, jointly sponsored by Senator Blevins & Senator Henry & Senator Simpson, before the House for concurrence on SA 1.

HB 92 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL LICENSES AND FEES. (F/N)

Representative Hudson made a comment. The roll call on HB 92 w/HA 1 & SA 1 was taken and revealed: YES: 38, ABSENT: Representatives Carey, Plant & D.P. Williams - 3. Therefore, having received a constitutional majority, HB 92 w/HA 1 & SA 1 was sent to the Governor.

Representative Oberle & Mr. Speaker Gilligan & Representatives Cathcart, Schwartzkopf & Lavelle made comments. The Majority Leader moved to recess to the call of the Chair at 2:01 a.m.

COMMUNICATIONS RECEIVED AFTER JULY 1, 2010

The Senate wishes to inform the House that it has passed HB 56 w/HA 2, HB 172 w/HA 1 & 2, HB 361 & HB 415 w/HA 1 and is returning the same to the House.

July 1, 2010 LEGISLATIVE ADVISORY #49

Governor Jack A. Markell signed the following legislation on the date indicated: 7/1/2010 - SB 310, SB 315, SJR 5, SJR 6 & HB 500.

July 8, 2010 LEGISLATIVE ADVISORY #50

Governor Jack A. Markell signed the following legislation on the date indicated: 7/2/2010 - SB 239 aab SA 1, SB 250 aab SA 1, SB 262, HB 365, HB 382, HB 388, HB 408, HB 423, HB 430, HB 432.

HB 446, HB 454 aab HA 1; 7/6/2010 - HB 143 aab HA 1, HS 1/HB 229 aab HA 2, 3 & 4 & SA 1 aab SA 1 & SA 3, HB 493 & HB 494 aab HA 1.

July 14, 2010 LEGISLATIVE ADVISORY #51

Governor Jack A. Markell signed the following legislation on the date indicated: 7/9/2010 - HB 237 aab HA 1; 7/12/2010 - HB 56 aab HA 2, HS 1/HB 169 aab HA 1 & SA 1, HB 172 aab HA 1 & 2, HB 276 aab HA 1 & SA 1, HB 334 aab HA 1 & HA 1 to HA 1, HB 336, HB 360, HB 393 aab SA 1, HB 402, HB 403, HB 404, HB 405, HB 406, HB 407, HB 421 aab HA 1, HB 438 aab HA 1, HB 470, HB 475 aab HA 1, HB 487 & HJR 14.

July 14, 2010 LEGISLATIVE ADVISORY #52

Governor Jack A. Markell signed the following legislation on the date indicated: 7/12/2010 - SB 183 aab SA 1, SB 210 aab SA 1, SB 231 aab SA 1, SB 232, SB 233, SB 240, SB 242, SB 245 aab SA 1, SB 260 aab HA 1, SB 264 aab SA 1, SB 265 aab SA 1, SB 270 aab SA 1, SB 271 aab SA 1, SB 282, SB 287 aab SA 1, SB 289 aab SA 1, SB 303 & SB 304.

July 19, 2010 TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE 145TH GENERAL ASSEMBLY:

Pursuant to Article III, Section 18 of the Delaware Constitution, and after careful consideration, I am vetoing House Bill No. 92 by returning it with my objections to the House of Representatives without my signature.

House Bill No. 92 creates a new category of occupational license tax for direct care workers. Under current law, any person engaging in a service industry or business, including a direct care worker working as an independent contractor, is responsible for obtaining an occupational license at a cost of $75 annually. 30 Del. C. § 2301(b). In contrast, a person employed by a business, such as a direct care worker employed by a personal services agency and appropriately classified as an employee under IRS rules, is not required to obtain an occupational license. “Employees” in Delaware are exempt from occupational license fees. 30 Del. C. § 2301(c)(2) (“[a]ny person functioning in an ‘employee’ relationship … shall be exempt from this chapter with respect to activities as an employee.”).

The legislation amends the current law to create a category of “direct care workers” that is specifically defined for the first time. The new category distinguishes direct care workers from other businesses subject to occupational license fees, and then creates a reduced license fee of $18.75 for direct care workers making less than $10,000.

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However, the definition of “direct care worker” in House Bill No. 92 fails to preserve the distinction in current law between independent contractors (who must get a license under current law) and employees (who need not get a license). Section 2 of the bill, as amended, defines “direct care worker” as:

“an individual (aide, assistant, caregiver, technician or other designation used) as defined in Department of Health and Social Services Regulation § 4469(1.1) (or successors thereto) employed by or under contract to a personal assistance services agency to provide care services, companion services, homemaker services, transportation services and those services as permitted in § 1921(a)(19) of Title 24 of the Delaware Code to consumers. The direct care worker provides these services to an individual primarily in their place of residence.”.

This definition is not new. House Bill No. 92 imports this definition into Delaware’s license fee statute from the regulations of the Department of Health and Social Services. Compare 16 Del. Admin. C. § 4469. It defines “direct care worker” to include both persons “employed by” an agency and persons “under contract to” an agency. By doing so, the bill actually creates a new occupational license fee and additional burden for persons who have never previously had to pay it -- direct care workers employed by an agency.

By imposing a fee on persons merely “employed by” a personal assistance services agency, House Bill No. 92 directly conflicts with the employee exemption in § 230I(e)(2). Under Delaware law, where two statutes are in irreconcilable conflict, the later-enacted law is given effect. State ex rel. Green v. Foote, 168 A.2d 245, 249 (Del. 1961); Christina Education Ass’n v. Delaware State Board of Education, C.A. No 93A-070015 (Del. Super. May 25, 1994). As a result, if House Bill No. 92 were to become law, direct care workers employed by a personal assistance services agency, who have never previously had to get a license, would be required for the first time to spend $75 or $18.75 (depending on income) to get a license.

I can understand it was not the intention of the sponsors to create a new license fee for employee direct care workers, and that the inclusion of persons “employed by” a personal services agency was unintentional. My administration is prepared to work with the sponsors and supports of House Bill No. 92 to craft new legislation to avoid this result. However, because House Bill No. 92 does create a new license fee on employees who have never previously had to pay it, I have concluded that vetoing the legislation is the only appropriate action.

Sincerely,
Jack A. Markell
Governor

LEGISLATIVE ADVISORY #53
Governor Jack A. Markell signed the following legislation on the date indicated: 7/13/2010 - HB 326 aab HA 2 & SA 1; 7/14/2010 - SB 113; 7/15/2010 - HB 37 aab HA 2, HB 41 aab HA 1, HB 85 aab HA 1 & SA 1, HB 236 aab HA 1, HB 392 aab SA 1, HB 439, HB 440, SB 107, SB 219 aab SA 1, SB 221 aab SA 1, SB 235 aab SA 2, SB 249 aab SA 1, SB 268, SB 278, SB 283 aab SA 1, SB 291 aab SA 1, SB 300, SB 302, SB 309, SB 312 aab SA 2, SB 320 aab SA1, SB 324 aab SA 1, SB 325, SB 326 aab SA 1, SB 327 aab SA 1 & SJR 4; 7/16/2010 - SB 277; 7/19/2010 - HB 477 & SB 209 aab SA 1 & HA 1.

The following is enacted into law without the Governor’s signature: SB 236.

The following is a constitutional amendment and does not require the Governor’s signature: SB 328.

Governor Jack A. Markell vetoed the following legislation on the date indicated: 7/19/2010 - HB 92 aab HA 1 & SA 1 & SB 311.

July 28, 2010

LEGISLATIVE ADVISORY #54
Governor Jack A. Markell signed the following legislation on the date indicated: 7/16/2010 - HS 1/HB 348 aab HA 3; 7/23/2010 - SB 272 aab SA 1, SB 280 aab SA 2, SB 281, SB 286, SB 292, HB 256 aab HA 1, HB 361, HB 396 aab HA 1, HB 409, HB 410 aab HA 2, HB 415 aab HA 1, HB 419 aab HA 1 & 2, HB 425, HB 480 aab HA 1 & HB 482; 7/24 2010 - HB 447 aab HA 2.

The following is a constitutional amendment and does not require the Governor’s signature: SB 24.

July 30, 2010

LEGISLATIVE ADVISORY #55
Governor Jack A. Markell signed the following legislation on the date indicated: 7/27/2010 - HB 371, HB 378 aab HA 1 & SA 1, HB 395 aab HA 1 & SA 1, 2 & 3, HB 398, HB 427 aab HA 1, HB 433, HB 437 aab HA 1 & SA 1, HB 449, HB 451, HB 452, HB 464 aab HA 1, HB 488 aab HA 2, SB 285, SB 307, SB 322, SB 323 & SJR 3 aab SA 1; 7/28/2010 - HB 431 aab HA 1, HA 1 to HA 1 & SA 1, SS 1/SB 119, SB 266 aab SA 1 & 2, SB 267 aab SA 2 & SB 316 aab SA 2.

August 2, 2010

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE 145TH
GENERAL ASSEMBLY:

House Bill No. 462 eliminates the ability of Delaware’s judges to suspend the substantial fines imposed for operating a motor vehicle for fewer than 30 days without liability insurance. Although penalties for failing to carry auto insurance are intended to encourage drivers to be properly ensured, I believe this legislation may actually have the opposite effect of forcing drivers of limited means to pay thousands of dollars in fines to the State instead of buying insurance. Because judges in auto insurance cases should have the discretion to consider relevant circumstances like these, I am vetoing House Bill No. 462 by returning it with my objections to the Delaware House of Representatives pursuant to Article III, Section 18 of the Delaware Constitution.

Since 1995, Delaware has had one of the highest fines in the region for failing to maintain automobile insurance. First time violators face a fine of $1,500 to $2,000, and driving privileges are suspended for six months. Second and subsequent violations are penalized by fines of $3,000 to $5,000, and another six month suspension. 21 DEL.C. § 2118(s)(1). These are substantial fines. Delaware’s minimum fine is five times higher than the minimum fines imposed by our surrounding states, Maryland ($150), New Jersey ($300) and Pennsylvania ($300).¹ The $1,500 fine is then increased by various additional fees, such as $750 for the Transportation Trust Fund, $270 for the Victim Compensation Fund, $100 for the services of a public defender, and possibly the costs of prosecution.² The total cost of someone receiving a $1,500 fine would be more than $2,600, which would represent almost 5% of the median annual household income in Delaware.

As with most other fines in Delaware, judges can suspend them from a violator’s sentence in appropriate circumstances. However, if the prosecutor proves that the violator has been without insurance for 30 or more consecutive days, then the fine is not subject to suspension and must be imposed. 21 DEL.C. § 2118(s)(1).

House Bill No. 462 would make the minimum fine of $1,500 (or $3,000, for subsequent convictions) mandatory for every person convicted of driving without insurance. Instead of imposing that mandatory fine only on drivers proven to lack insurance for 30 days or more, all drivers without insurance would face the mandatory fine. By making this change, the bill eliminates the ability of the judge to consider any other relevant factors. It would not matter whether a driver lacked insurance for one day or one year -- the fine would be the same. It would not matter whether the judge thought the driver had the capacity to pay that fine -- the fine would be the same.

These types of mandatory fees may be appropriate for some crimes. But imposing them for the failure to get automobile insurance could cause the opposite result, and lead to fewer insured drivers on our roads. If a driver’s financial resources are committed to paying thousands of dollars in fines and fees, that is money he or she does not have available to comply with the law by purchasing automobile insurance. Because the failure to pay these fines could result in a series of warrants for failure to pay the fines, a mandatory fine of this magnitude could result in additional state expense for court involvement.

Certainly there are many cases in which a fine of $1,500 or more will be appropriate and necessary. Delaware law already recognized that the long-term uninsured, who lack insurance for 30 or more days, should be subject to mandatory fines. For those who are not the long-term uninsured, I believe that Delaware’s judges will know when a significant fine is appropriate or not. Delaware’s judges resolve difficult cases every day. They commit perpetrators to significant prison terms. They resolve substantial financial disputes. They are well-equipped to consider the facts of any particular case, and impose fines that appropriately punish the violators.

Uninsured motorists are a problem in Delaware. They increase the costs for all drivers who are responsible and properly insured. But I do not believe House Bill No. 462 is the solution. Prosecutors and judges should not have discretion to waive these fines in limited situations. The sponsor of the bill has conveyed his belief that these fines are waived too often. I appreciated that concern and will initiate a dialogue between law enforcement and the judiciary to address this issue. If I am unsatisfied with the results of this dialogue, I would be prepared to consider legislation similar to House Bill No. 462 in the future. Because removing judicial discretion will not remove uninsured motorists from our roads, I am returning House Bill No. 462 to the House of Representatives without my signature.

Sincerely,
Jack A. Markell
Governor

¹ MD. CODE ANN., TRANSP. § 17-106(e) (imposing a fine of $150 for failure to maintain security for 1 to 30 days, and then $7 per day thereafter); N.J. STAT. ANN. § 39:6B-2 (imposing a fine ranging from a
minimum of $300 to a maximum of $1,000, plus loss of a driver’s license for a year and community service); 75 PA. STAT. ANN. § 1786(f) (imposing a fine of $300 for driving uninsured, in addition to suspension of registration and license for three months).

²11 DEL. C. § 4101(g)(1); 11 DEL. C. § 9016(b); 29 DEL. C. § 4607(a); 11 DEL. C. § 4204(i).

August 2, 2010

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES

OF THE 145TH GENERAL ASSEMBLY

House Bill No. 463, as amended by House Amendment No. 1, unnecessarily eliminates an entire class of massage practitioners who provide massage services to Delawareans seeking non-therapeutic massage. As a result, pursuant to Article III, Section 18 of the Delaware Constitution and for the reasons articulated below, I am vetoing House Bill No. 463 by returning it with my objections to the House of Representatives without my signature.

Delaware law currently provides for a two-tiered structure for the licensing and certification of massage professionals. Each tier is regulated by the State Board of Massage and Bodywork. There are currently over 600 individuals certified by the Board as Certified Massage Technicians (“Massage Technicians”) to practice massage for non-medically diagnosed conditions. To be a certified Massage Technician, these individuals must complete 300 hours of supervised in-class study of massage, with coursework in anatomy, physiology, theory and technique. They must also be certified in CPR and they are subject to rigorous professional standards.

The second tier of regulated massage professionals are Certified Massage Therapists (“Massage Therapists”) who must demonstrate the same qualifications as Massage Technicians, but are required to have 200 additional hours of supervised in-class study, and must pass a written, standardized examination. There are over 400 licensed Massage Therapists in Delaware. Because the scope of Massage Therapists’ work involves medically diagnosed conditions, they are typically permitted to bill their services directly to insurance companies, while Massage Technicians may not.

House Bill 463 would create a single tier of massage professionals by eliminating the ability to become a Massage Technician as of the effective date of the act. Current Massage Technicians would be required to pass the written examination to become Massage Therapists, or they will lose their ability to practice massage in Delaware.

The rationale for this legislation was that there was confusion by consumers and practitioners between the scope of practice for massage therapy services offered by Massage Technicians and Massage Therapists. However, in the past three years there has been only one complaint to the Board related to this apparent confusion, and that complaint did not involve the quality of care, but instead related to why the services were not being compensated by the consumer’s insurance company.

Given the number of regulated Massage Technicians in Delaware (nearly 60% of all regulated massage professionals), there is obviously a market in the State for massage not on medically diagnosed conditions. Individuals who wish to provide this service without becoming full-fledged Massage Therapists, and the attendant costs and time associated with such designation, should be able to do so. Furthermore, it is possible that a majority of consumers who seek out a massage professional are doing so for reasons other than a medical diagnosis. Because Massage Technicians may charge less for their services, consumers should have the ability to choose to receive a massage from a Massage Technician.

To ensure that individuals are receiving safe and appropriate massage services, the State Board of Massage and Bodywork should conduct outreach to the public regarding the distinction between these two classes of massage professionals. This may include promulgating regulations that require some form of disclosure by Massage Technicians that they cannot accept insurance and cannot treat medically diagnosed conditions.

While I appreciate the considerable time the Joint Sunset Committee and the sponsors undertook in reviewing the Board and in preparing this legislation, I respectfully disagree with eliminating an entire class of qualified massage professionals. For these reasons, I must veto House Bill No. 463 and return it to the House of Representatives without my signature.

Sincerely,
Jack A. Markell
Governor

August 6, 2010

LEGISLATIVE ADVISORY #56

Governor Jack A. Markell vetoed the following legislation on the date indicated: 8/2/2010 - HB 462 aab HA 1 & HB 463 aab HA 1.  
August 17, 2010

LEGISLATIVE ADVISORY #57
Governor Jack A. Markell signed the following legislation on the date indicated: 8/12/2010 - SB 269 aab HA 1.
August 24, 2010

LEGISLATIVE ADVISORY #58
Governor Jack A. Markell signed the following legislation on the date indicated: 8/17/2010 - SB 205 aab SA 1; 8/18/2010 - HB 453; 8/19/2010 - HB 455.
August 30, 2010

LEGISLATIVE ADVISORY #59
Governor Jack A. Markell signed the following legislation on the date indicated: 8/25/2010 - HB 347 aab HA 1; 8/26/2010 - HB 448 aab HA 1.
August 31, 2010

LEGISLATIVE ADVISORY #60
Governor Jack A. Markell signed the following legislation on the date indicated: 8/30/2010 - SB 228 aab SA 1 & 2 & HA 1 & HB 420 aab HA 1 & SA 1.

September 9, 2010

LEGISLATIVE ADVISORY #61
Governor Jack A. Markell signed the following legislation on the date indicated: 8/31/10 - HB 384; 9/8/10 - HB 381.

September 14, 2010

LEGISLATIVE ADVISORY #62
Governor Jack A. Markell signed the following legislation on the date indicated: 9/10/10 - HB 283; 9/11/10 - HB 472 aab HA 1.

October 5, 2010

LEGISLATIVE ADVISORY #63
Governor Jack A. Markell signed the following legislation on the date indicated: 10/4/10 - HB 399 aab HA 1 & HA 3.

HOUSE TRIBUTE ANNOUNCEMENT #49

DATE: June 30, 2010

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House at the request of the sponsor:

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The following Tributes and Memorials have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:

**HOUSE TRIBUTE ANNOUNCEMENT #50**

**DATE: June 30, 2010**

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The following Tributes and Memorials have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:

**HOUSE TRIBUTE ANNOUNCEMENT #51**

**DATE: November 1, 2010**

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<td>1/9/2010</td>
<td>T</td>
<td>Steven Deery, Jr. - Life Member - Indian River Fire Co.</td>
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<td>H145-1076</td>
<td>Schwartzkopf</td>
<td>1/9/2010</td>
<td>T</td>
<td>Michael Bowden - 40 Years - Indian River Fire Co.</td>
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335
The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:

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<th>Description</th>
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<tr>
<td>H145-1082</td>
<td>Wilson; D. Short</td>
<td>1/21/2009</td>
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<td>Grace Ash - 88th Birthday</td>
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<td>Kovach</td>
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<td>M</td>
<td>Mary Meconi</td>
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<td>Carey</td>
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<td>H145-1086</td>
<td>Briggs King</td>
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<td>Rogers Jones - President - Lewes Historical Society</td>
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<td>Clara Wilcutts</td>
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<td>Richard Gerald Winchell</td>
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<td>Leroy &amp; Marylou Betts - 50th Wedding Anniversary</td>
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<td>H145-1100</td>
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<td>T</td>
<td>Greater Milford Boys &amp; Girls Club - 2009 Family Strengthening Award</td>
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<td>Connie Sipple - Retirement - Delaware State Police</td>
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<td>H145-1103</td>
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<td>Jacob Ricker - Fireman of the Year - Georgetown Fire Department</td>
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<td>H145-1104</td>
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<td>Ira Hitchens - Lifetime Fireman of the Year - Georgetown Fire Department</td>
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<td>H145-1105</td>
<td>Miro</td>
<td>8/11/2009</td>
<td>M</td>
<td>Michael Bonelli</td>
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<td>H145-1106</td>
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DATE: November 1, 2010

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<tr>
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<td>Ira Hitchens - Lifetime Fireman of the Year - Georgetown Fire Department</td>
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<tr>
<td>H145-1105</td>
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<td>8/11/2009</td>
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<td>Michael Bonelli</td>
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<tr>
<td>H145-1106</td>
<td>Schwartzkopf</td>
<td>1/16/2010</td>
<td>M</td>
<td>William G. McCaffery</td>
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</tbody>
</table>
cospurers: Reps. Outten & Lee
cospurers: Reps. Outten & Lee
cospurers: Reps. Outten & Lee
H145-1113  Hudson; Miro 12/14/2009 T Steven Bomberger - Top Builder of the Year - Home Builders
H145-1114  D. Short 1/18/2010 T Tanya Smack - Dr. M. L. King, Jr. Community Award
H145-1116  Longhurst 1/26/2010 T Caravel Academy Boys Soccer Team - State Champs
H145-1117  Scott 1/21/2010 T Noah Link - Winner - Conservation Poster Contest
H145-1119  Schwartzkopf 1/14/2010 M Gregory Sarley
H145-1120  J. Johnson; Thornburg 1/14/2010 M Marie N. Berghorn
H145-1121  Q. Johnson 1/14/2010 M

HOUSE TRIBUTE ANNOUNCEMENT #54
H145-1122  Hudson; Mitchell 1/14/2010 M Edward H. Locke

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:

Number  Sponsor Date Type Description
H145-1123  Thornburg 1/29/2010 T Donna Speed - Retirement - Family Court
H145-1124  Carson 1/31/2010 T Charles Christopher - 100th Birthday
H145-1125  Longhurst 12/15/2009 T Andrew Skomorucha - Eagle Scout
H145-1126  B. Short 1/20/2010 T Jiangsu Province Leadership Participants
H145-1127  J. Johnson; Manolakos 1/15/2010 M Allison Miller Holley
cospurers: Reps. Walls & Outten
H145-1128  Bennett 1/18/2010 T Calvin Wilson III - Dr. M. L. King, Jr. Award
H145-1130  Jaques 1/17/2010 M Harvey T. Ogden
H145-1132  Atkins 1/22/2010 T Bradley Layfield - 30th Birthday
H145-1133  Carey 1/19/2010 M Francis A. Webb IV
cospurers: Reps. Bennett, Jaques & George Marshall
H145-1134  Blakey 1/29/2010 T Larry Klepner - Retirement - University of Delaware
H145-1135  Blakey 3/18/2010 T Joan Cote - Devotion to the USO
cospurers: Reps. Bennett, Jaques & George Marshall
H145-1137  D. Short 1/23/2010 M Donald E. White, Jr.
cospurers: All Representatives
H145-1138  Lee 1/27/2010 T Delmar High School Football - State Champs - Div. II
cospursor: Rep. Mitchell
cospursor: Rep. Mitchell
cospursor: Rep. Mitchell
cospursor: Rep. Mitchell
cospursor: Rep. Mitchell
cospursor: Rep. Mitchell
cospursor: Rep. Mitchell
H145-1146  Manolakos 1/29/2010 T Major Stuart A. Snyder - Retirement - NCCPD
cospursor: Rep. Mitchell
cospursor: Rep. Mitchell
DATE: November 1, 2010

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<td>Kowalko</td>
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<td>Kathryn V. Reynolds - 101(^{st}) Birthday</td>
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<td>H145-1151</td>
<td>Schwartzkopf</td>
<td>1/23/2010</td>
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<td>John Francis Hyde</td>
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<td>H145-1156</td>
<td>D.E. Williams</td>
<td>1/31/2010</td>
<td>T</td>
<td>Kevin Pineault - Eagle Scout</td>
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<tr>
<td>H145-1157</td>
<td>Mitchell</td>
<td>1/29/2010</td>
<td>T</td>
<td>Julia Kemp - Retirement - New Castle County</td>
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<tr>
<td>H145-1158</td>
<td>Lavelle</td>
<td>1/29/2010</td>
<td>T</td>
<td>Margaret Bramble - 90(^{th}) Birthday</td>
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<td>H145-1159</td>
<td>Briggs King</td>
<td>2/1/2010</td>
<td>T</td>
<td>Carlton Moore - Preservation - Georgetown Heritage</td>
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<td>H145-1161</td>
<td>Walls; Outten</td>
<td>1/31/2010</td>
<td>T</td>
<td>Deborah Porter - 60(^{th}) Birthday</td>
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<td>H145-1164</td>
<td>Hudson</td>
<td>2/12/2010</td>
<td>T</td>
<td>Sylvia Korn - 90(^{th}) Birthday</td>
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<td>H145-1165</td>
<td>D. Short</td>
<td>2/6/2010</td>
<td>T</td>
<td>Seaford Vol. Fire Dept. Ladies Auxiliary - 75 Years</td>
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<td>H145-1166</td>
<td>D.P. Williams; I. Melvin</td>
<td>1/21/2010</td>
<td>M</td>
<td>Edith Bowman</td>
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<td>H145-1167</td>
<td>Bennett</td>
<td>1/25/2010</td>
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<td>Betty Emma Taylor Wootten</td>
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<td>H145-1168</td>
<td>Lee</td>
<td>1/14/2010</td>
<td>T</td>
<td>Huldah Callaway - 100(^{th}) Birthday</td>
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<tr>
<td>H145-1169</td>
<td>D. Short</td>
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<td>Preston &amp; Mildred Windsor - 71(^{st}) Wedding</td>
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<td>Frances Mills Lynch</td>
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<td>H145-1171</td>
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<td>Jane I. Melvin</td>
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<td>H145-1172</td>
<td>D. Short</td>
<td>1/26/2010</td>
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<td>David Ruff - Sussex County Vol. Firefighter of the Year</td>
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<td>Bennett</td>
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<td>William Ray Johnson</td>
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<td>Carson</td>
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<td>Carole Anne Calvert Lee</td>
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<td>Constance Kathleen Brenda Ives Faulkner</td>
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<td>Wilson</td>
<td>1/19/2010</td>
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<td>Richard Carlisle - Service Award - Fruit &amp; Vegetable Assoc.</td>
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<td>H145-1180</td>
<td>D.E. Williams; George Marshall</td>
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<td>Claire Williams Pasquale</td>
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<td>Virginia M. Kruchen</td>
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<td>K. David Knotts</td>
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<td>American Legion Post 28 - Black History Month</td>
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<td>Mary Scott - Former Superintendent - Smyrna School District</td>
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<td>Carey</td>
<td>3/13/2010</td>
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<td>Mark Curtis - Eagle Scout</td>
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<td>3/18/2010</td>
<td>T</td>
<td>CWO5 Kenneth Fowler, Jr. - Retirement - Delaware Army National Guard</td>
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<td>CWO5 John Stipo - Retirement - Delaware Army National Guard</td>
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<td>CWO4 Timothy Lewis - Retirement - Delaware Army National Guard</td>
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<td>Dr. Ruth Mitchell Laws</td>
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<td>Lynsey Lofland - Fire Prevention Queen</td>
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<td>2/27/2010</td>
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<td>Hannah DeFelice - Fire Prevention Queen</td>
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<td>Ellen Schaeffer - 90th Birthday</td>
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<td>J. Johnson</td>
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<td>Elder Howard A. Spencer</td>
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<td>H145-1218</td>
<td>Walls</td>
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<td>Gladys B. Case</td>
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<td>Schooley</td>
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<td>M</td>
<td>Raymond Cuyler Reidinger</td>
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<td>H145-1237</td>
<td>Scott; Carson</td>
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<td>Officers of Delaware Veterans Post 2 - Service</td>
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<td>Manolakos</td>
<td>4/7/2010</td>
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<td>Kent Jordan - Eagle Scout</td>
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<td>Carson</td>
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<td>Adeline B. Knotts</td>
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<td>Dr. Yaw Ackah</td>
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<td>Carson</td>
<td>3/12/2010</td>
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<td>Clarence Hill - American Legion National Commander</td>
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<td>J. Johnson</td>
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<td>Nathan Wayne Beasley</td>
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<td>3/16/2010</td>
<td>T</td>
<td>Ella Butler - 50 Years - League of Women Voters - NCC</td>
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<td>Hudson</td>
<td>3/16/2010</td>
<td>T</td>
<td>Yetta Chaiken - 50 Years - League of Women Voters - NCC</td>
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<tr>
<td>H145-1250</td>
<td>Schooley</td>
<td>3/16/2010</td>
<td>T</td>
<td>Betty Hutchinson - 50 Years - League of Women Voters - NCC</td>
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<tr>
<td>H145-1254</td>
<td>Manolakos</td>
<td>3/16/2010</td>
<td>T</td>
<td>Dorothy Munroe - 50 Years - League of Women Voters - NCC</td>
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<tr>
<td>H145-1256</td>
<td>Schooley</td>
<td>3/16/2010</td>
<td>T</td>
<td>Marge Purcell - 50 Years - League of Women Voters - NCC</td>
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<td>H145-1257</td>
<td>Schooley</td>
<td>3/16/2010</td>
<td>T</td>
<td>Beth Schuerman - 50 Years - League of Women Voters - NCC</td>
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**HOUSE TRIBUTE ANNOUNCEMENT #59**
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<tr>
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<td>Carey</td>
<td>3/9/2010</td>
<td>M</td>
<td>Mary Beth Abbott</td>
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<tr>
<td>H145-1266</td>
<td>Lavelle</td>
<td>3/16/2010</td>
<td>T</td>
<td>Cay Trask - 50 Years - League of Women Voters - NCC</td>
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<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H145-1264</td>
<td>Carey</td>
<td>3/9/2010</td>
<td>M</td>
<td>Mary Beth Abbott</td>
</tr>
<tr>
<td>H145-1266</td>
<td>Lavelle</td>
<td>3/16/2010</td>
<td>T</td>
<td>Cay Trask - 50 Years - League of Women Voters - NCC</td>
</tr>
</tbody>
</table>

**DATE: November 1, 2010**

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:
<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>H145-1291</td>
<td>Brady</td>
<td>3/22/2010</td>
<td>T</td>
<td>Jeanette Eckman - Commission for Women - Hall of Fame</td>
</tr>
<tr>
<td>H145-1293</td>
<td>Hudson</td>
<td>3/12/2010</td>
<td>M</td>
<td>Alfred Baron</td>
</tr>
<tr>
<td>H145-1298</td>
<td>Scott</td>
<td>3/21/2010</td>
<td>M</td>
<td>Floyd Harlan Leroy Durham</td>
</tr>
<tr>
<td>H145-1300</td>
<td>Thornburg; Carey</td>
<td>3/25/2010</td>
<td>T</td>
<td>Barbara Sapp - Women in History Month</td>
</tr>
<tr>
<td>H145-1304</td>
<td>Q. Johnson</td>
<td>2/25/2010</td>
<td>M</td>
<td>Christopher &quot;Gern&quot; Sturmfels</td>
</tr>
</tbody>
</table>

**DATE:** November 1, 2010

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:

**HOUSE TRIBUTE ANNOUNCEMENT #62**

<table>
<thead>
<tr>
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<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H145-1307</td>
<td>Q. Johnson</td>
<td>3/22/2010</td>
<td>M</td>
<td>Charles E. Price</td>
</tr>
<tr>
<td>H145-1310</td>
<td>Hudson</td>
<td>3/22/2010</td>
<td>T</td>
<td>Jaquelin Pitts - Commission for Women - Hall of Fame</td>
</tr>
<tr>
<td>H145-1324</td>
<td>Viola; Schooley</td>
<td>4/6/2010</td>
<td>T</td>
<td>Michael Hunter - Community Service - Housing</td>
</tr>
<tr>
<td>H145-1325</td>
<td>Miro; Schooley</td>
<td>4/6/2010</td>
<td>T</td>
<td>Rashmi Rangan - Community Service - Housing</td>
</tr>
</tbody>
</table>

342
H145-1328  Cathcart  4/1/2010  T  Michael Jackson - Service to Delaware 
cosponsors: All Representatives


H145-1330  Blayke  4/10/2010  T  Chief Jeffrey Horvath - Retirement - Dover Police 
cosponsors: Reps. Bennett & Scott

H145-1331  Blayke  4/1/2010  M  Barbara E. Caulk 
cosponsors: All Representatives

DATE: November 1, 2010

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of 
the House and the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H145-1332</td>
<td>Hudson</td>
<td>3/18/2010</td>
<td>T</td>
<td>Haley Pierce - All State Indoor Track Girls MVP</td>
</tr>
<tr>
<td></td>
<td>cosponsor: Rep. Ramone</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H145-1333</td>
<td>Ramone</td>
<td>3/18/2010</td>
<td>T</td>
<td>Tyler Tate - All State Indoor Track Boys MVP</td>
</tr>
<tr>
<td>H145-1335</td>
<td>Keeley</td>
<td>4/19/2010</td>
<td>T</td>
<td>Adele Meehan - Community Service</td>
</tr>
<tr>
<td>H145-1337</td>
<td>Thornburg</td>
<td>4/10/2010</td>
<td>T</td>
<td>David Bakerian - 60th Birthday</td>
</tr>
<tr>
<td></td>
<td>cosponsor: Rep. Miro</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H145-1338</td>
<td>Carson</td>
<td>4/20/2010</td>
<td>T</td>
<td>Delaware Veterinary Medical Association</td>
</tr>
<tr>
<td>H145-1340</td>
<td>Outten</td>
<td>4/5/2010</td>
<td>M</td>
<td>Gayle B. Smith</td>
</tr>
<tr>
<td></td>
<td>cosponsors: All Representatives</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H145-1342</td>
<td>Scott</td>
<td>4/5/2010</td>
<td>M</td>
<td>Thomas Eugene Eldred</td>
</tr>
<tr>
<td>H145-1345</td>
<td>Outten</td>
<td>4/17/2010</td>
<td>T</td>
<td>Mary Green - 52 Years - Felton Community Fire Co. Auxiliary</td>
</tr>
<tr>
<td>H145-1347</td>
<td>Scott</td>
<td>4/17/2010</td>
<td>T</td>
<td>Mary Nicol Brown - 100th Birthday</td>
</tr>
<tr>
<td>H145-1348</td>
<td>Lavelle</td>
<td>4/14/2010</td>
<td>T</td>
<td>Springer Middle School - Rededication</td>
</tr>
<tr>
<td></td>
<td>cosponsors: Reps. Brady, Plant, B. Short, D.E. Williams &amp; D.P. Williams</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H145-1350</td>
<td>J. Johnson</td>
<td>4/30/2010</td>
<td>T</td>
<td>Andrew &amp; Gertrude Pavlick - 50th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-1351</td>
<td>Gilligan</td>
<td>2/20/2010</td>
<td>T</td>
<td>Donald &amp; Myrtle Werkeiser - 50th Wedding Anniversary</td>
</tr>
</tbody>
</table>

DATE: November 1, 2010

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of 
the House and the request of the sponsor:

<table>
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<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H145-1354</td>
<td>George</td>
<td>4/14/2010</td>
<td>T</td>
<td>Hon. Eric M. Davis - Investiture - Court of Common Pleas</td>
</tr>
<tr>
<td>H145-1356</td>
<td>Mitchell</td>
<td>4/24/2010</td>
<td>T</td>
<td>Carol Johnson - 50 Years - Minquadale Ladies Auxiliary</td>
</tr>
<tr>
<td></td>
<td>cosponsor: J. Johnson</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H145-1359</td>
<td>J. Johnson</td>
<td>4/24/2010</td>
<td>T</td>
<td>Joseph Hojnicky, Sr. - President’s Award - Minquadale Fire Co.</td>
</tr>
<tr>
<td>H145-1360</td>
<td>Mulrooney</td>
<td>4/24/2010</td>
<td>T</td>
<td>Joseph Day III - President’s Award - Minquadale Fire Co.</td>
</tr>
<tr>
<td></td>
<td>cosponsor: Rep. J. Johnson</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>cosponsor: Rep. J. Johnson</td>
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<td></td>
</tr>
</tbody>
</table>

HOUSE TRIBUTE ANNOUNCEMENT #63

HOUSE TRIBUTE ANNOUNCEMENT #64

Total Tributes and Memoriams for the Week:
- 1362 Tributes and Memoriams
- 343 Total Members


H145-1368 Blakeway 4/30/2010 T Mary Rose D’Annunzio - Retirement - DPI/DOE


H145-1370 Briggs King 4/2/2010 T Bob & Shirley Roberts - 60th Wedding Anniversary

H145-1371 Carson 5/17/2009 M Raymond Francis Ryan


H145-1379 Q. Johnson 4/30/2010 T Ray Barcus - Retirement - DelDOT


HOUSE TRIBUTE ANNOUNCEMENT #65

DATE: November 1, 2010

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:

Number Sponsor Date Type Description
H145-1381 Q. Johnson 4/24/2010 T Town of Townsend - Community Wildlife Habitat


H145-1385 Walls;Wilson 4/25/2010 T Pastor Andrew W. Stevens - Pastor Appreciation Day

H145-1386 George 5/8/2010 T David Schley - Bachelor of Arts Degree

H145-1387 Kovach 3/8/2010 T Adrian Chambers - William V. Roth Citizenship Award


H145-1389 Outten 4/22/2010 M Melissa Dee Stubbs

H145-1390 Walls; Outten 4/24/2010 M Bessie E. McCracken

H145-1391 Lavelle 6/6/2010 T Adam Dryden - Eagle Scout


H145-1393 Blakeway 5/5/2010 T Dennis M. O’Shea - Retirement - DelDOT


H145-1397 J. Johnson 4/22/2010 M Grace Woolford

H145-1398 Q. Johnson; Jaques 5/2/2010 T Kevin Boone - Eagle Scout

H145-1399 Outten 4/25/2010 M George N. Reed

H145-1400 Oberle 4/28/2010 T Mark Boles - Community Service

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H145-1407</td>
<td>Outten</td>
<td>4/30/2010</td>
<td>T</td>
<td>Terry Porter - Retirement - DelDOT</td>
</tr>
<tr>
<td>H145-1408</td>
<td>Lavelle</td>
<td>4/29/2010</td>
<td>T</td>
<td>Joanne Cunningham &amp; Ed Capodanno - Induction - Special Olympics Hall of Fame</td>
</tr>
<tr>
<td>H145-1410</td>
<td>B. Short</td>
<td>4/7/2010</td>
<td>M</td>
<td>Donald E. Bedard</td>
</tr>
<tr>
<td>H145-1411</td>
<td>B. Short</td>
<td>3/29/2010</td>
<td>M</td>
<td>Terry Ann Colgan</td>
</tr>
<tr>
<td>H145-1416</td>
<td>Outten</td>
<td>5/18/2010</td>
<td>T</td>
<td>Larry Dill - Retirement - Lake Forest School District</td>
</tr>
<tr>
<td>H145-1420</td>
<td>Outten</td>
<td>5/18/2010</td>
<td>T</td>
<td>Denise Hayward - Retirement - Lake Forest School District</td>
</tr>
<tr>
<td>H145-1423</td>
<td>Outten</td>
<td>5/18/2010</td>
<td>T</td>
<td>Dee Gerardi - Retirement - Lake Forest School District</td>
</tr>
<tr>
<td>H145-1432</td>
<td>Briggs King</td>
<td>5/8/2010</td>
<td>T</td>
<td>Delaware Confederate Veterans</td>
</tr>
<tr>
<td>H145-1433</td>
<td>Hocker</td>
<td>5/6/2010</td>
<td>T</td>
<td>Ronald Foskey - Water Operator of the Year</td>
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The following Tributes and Memorials have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:

**DATE:** November 1, 2010

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<th>Type</th>
<th>Description</th>
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<tbody>
<tr>
<td>H145-1453</td>
<td>Atkins; Briggs King</td>
<td>5/6/2010</td>
<td>T</td>
<td>Robert Moore - Wastewater Operator of the Year</td>
</tr>
<tr>
<td>H145-1454</td>
<td>Blakey; Briggs King</td>
<td>5/6/2010</td>
<td>T</td>
<td>Hollis T. Warren - On-Site Professional of the Year</td>
</tr>
<tr>
<td>H145-1455</td>
<td>Blakey; Briggs King</td>
<td>5/6/2010</td>
<td>T</td>
<td>Kenneth Darling - Environmental Lifetime Achievement Award</td>
</tr>
<tr>
<td>H145-1456</td>
<td>Carey; Briggs King</td>
<td>5/6/2010</td>
<td>T</td>
<td>George Seigfried - Environmental Lifetime Achievement Award</td>
</tr>
<tr>
<td>H145-1460</td>
<td>Briggs King</td>
<td>5/7/2010</td>
<td>T</td>
<td>Denise Hudson - Excellence &amp; Commitment - State Service</td>
</tr>
<tr>
<td>H145-1466</td>
<td>Bennett</td>
<td>4/29/2010</td>
<td>M</td>
<td>Elizabeth Bushwell Sarfatti</td>
</tr>
<tr>
<td>H145-1467</td>
<td>Outten</td>
<td>3/31/2010</td>
<td>T</td>
<td>Betty D. Kemp - Retirement</td>
</tr>
<tr>
<td>H145-1468</td>
<td>Outten</td>
<td>5/14/2010</td>
<td>T</td>
<td>Priscilla G. Morris - Retirement</td>
</tr>
<tr>
<td>H145-1469</td>
<td>Schooly</td>
<td>5/15/2010</td>
<td>T</td>
<td>Newark Charter School - Eighth Grade Math League Team - First Place Winners - Secondary Schools</td>
</tr>
<tr>
<td>H145-1470</td>
<td>Schooly</td>
<td>5/15/2010</td>
<td>T</td>
<td>Newark Charter School - Seventh Grade Math League Team - First Place Winners - Secondary Schools</td>
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**HOUSE TRIBUTE ANNOUNCEMENT #68**
<table>
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<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H145-1481</td>
<td>D. Short</td>
<td>5/21/2010</td>
<td>T</td>
<td>Soroptimist International of Seaford - 60th Anniversary</td>
</tr>
<tr>
<td>H145-1482</td>
<td>B. Short</td>
<td>5/19/2010</td>
<td>T</td>
<td>Claymont Boys &amp; Girls Club - Teen Center Opening</td>
</tr>
<tr>
<td>H145-1483</td>
<td>Oberle;</td>
<td>4/29/2010</td>
<td>M</td>
<td>Alice Elizabeth Berlund Cahill</td>
</tr>
<tr>
<td>H145-1484</td>
<td>Oberle;</td>
<td>5/19/2010</td>
<td>T</td>
<td>Drewry Nash Fennell - Service - ACLU</td>
</tr>
<tr>
<td>H145-1486</td>
<td>Carey; Walls</td>
<td>5/16/2010</td>
<td>M</td>
<td>Virginia M. Ingram</td>
</tr>
<tr>
<td>H145-1487</td>
<td>Kowalko</td>
<td>5/3/2010</td>
<td>M</td>
<td>Dr. Donald F. Crossan</td>
</tr>
</tbody>
</table>

**DATE: November 1, 2010**

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:

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<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H145-1500</td>
<td>Thornburg</td>
<td>5/14/2010</td>
<td>M</td>
<td>Ernest Sylvester Dickerson, Sr. cosponsors: Reps. Scott</td>
</tr>
<tr>
<td>H145-1502</td>
<td>Manolakos;</td>
<td>6/2/2010</td>
<td>T</td>
<td>Sanford School - Best Band &amp; Best Choir - 1st Place cosponsors: All Representatives</td>
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</table>
The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
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<tbody>
<tr>
<td>H145-1517</td>
<td>Schwartzkopf</td>
<td>6/19/2010</td>
<td>T</td>
<td>Delaware State Police Federal Credit Union - 50 Years</td>
</tr>
<tr>
<td></td>
<td>Kowalko</td>
<td>6/10/2010</td>
<td>T</td>
<td>Daniel Rich - Chair - Early Childhood Council</td>
</tr>
<tr>
<td>H145-1519</td>
<td>Scott; Carson</td>
<td>5/27/2010</td>
<td>M</td>
<td>Dorothy Louise Gardner Downs</td>
</tr>
<tr>
<td>H145-1521</td>
<td>George</td>
<td>6/2/2010</td>
<td>T</td>
<td>Jahaira Torres - Graduation - Christina High School</td>
</tr>
<tr>
<td>H145-1522</td>
<td>Miro</td>
<td>6/13/2010</td>
<td>T</td>
<td>Rev. James P. Byrne, OSFS - 50 Years</td>
</tr>
<tr>
<td>H145-1523</td>
<td>Mitchell</td>
<td>6/14/2010</td>
<td>T</td>
<td>Mark Corrigan - Fr. Trainor Memorial Scholarship</td>
</tr>
<tr>
<td></td>
<td>Brady</td>
<td>6/14/2010</td>
<td>T</td>
<td>Emma Field - Fr. Trainor Memorial Scholarship</td>
</tr>
<tr>
<td>H145-1524</td>
<td>D. P. Williams</td>
<td>6/14/2010</td>
<td>T</td>
<td>Sierra Harris - Fr. Trainor Memorial Scholarship</td>
</tr>
<tr>
<td></td>
<td>George</td>
<td>6/14/2010</td>
<td>T</td>
<td>Cecilia Mazalewski - Fr. Trainor Memorial Scholarship</td>
</tr>
<tr>
<td>H145-1525</td>
<td>Keeley</td>
<td>6/14/2010</td>
<td>T</td>
<td>Khaddim Rider - Fr. Trainor Memorial Scholarship</td>
</tr>
<tr>
<td>H145-1527</td>
<td>D. Short</td>
<td>5/30/2010</td>
<td>M</td>
<td>Marshall Roberts Nesbitt</td>
</tr>
</tbody>
</table>

DATE: November 1, 2010

HOUSE TRIBUTE ANNOUNCEMENT #71

HOUSE TRIBUTE ANNOUNCEMENT #72
The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:

<table>
<thead>
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<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
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<tbody>
<tr>
<td>H145-1537</td>
<td>Brady</td>
<td>6/10/2010</td>
<td>T</td>
<td>George Meldrum - Service to Children</td>
</tr>
<tr>
<td></td>
<td>cosponsors: Reps. George &amp; Schooley</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>cosponsors: Reps. D. Short, Lee, Hocker, Briggs King, Carey, Wilson, Blakey, Thornburg, Oberle, Miro, Ramone, Manolakos, Hudson, Lavelle &amp; Kovach</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H145-1540</td>
<td>Ramone; Brady</td>
<td>6/5/2010</td>
<td>M</td>
<td>Lawrence Nicastro</td>
</tr>
<tr>
<td>H145-1541</td>
<td>Carey</td>
<td>6/2/2010</td>
<td>M</td>
<td>Robert Craig Hudson</td>
</tr>
<tr>
<td>H145-1544</td>
<td>Barbieri</td>
<td>6/1/2010</td>
<td>M</td>
<td>Janet M. Blansfield</td>
</tr>
<tr>
<td>H145-1545</td>
<td>D. Short</td>
<td>6/7/2010</td>
<td>M</td>
<td>E. Margaret Tatman Monaco</td>
</tr>
<tr>
<td>H145-1546</td>
<td>Mulrooney</td>
<td>6/7/2010</td>
<td>T</td>
<td>Kelly Green - Presidential Award - Excellence in Science Teaching</td>
</tr>
<tr>
<td></td>
<td>cosponsors: Reps. Jaques &amp; Q. Johnson</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H145-1549</td>
<td>Schooley</td>
<td>6/7/2010</td>
<td>M</td>
<td>Ada Leigh Soles</td>
</tr>
<tr>
<td>H145-1550</td>
<td>Plant</td>
<td>4/1/2010</td>
<td>T</td>
<td>Roland &amp; Mary Johnson - 60th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-1551</td>
<td>Atkins</td>
<td>5/29/2010</td>
<td>T</td>
<td>Thomas &amp; Barbara Biowski - 50th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-1552</td>
<td>D.E. Williams</td>
<td>5/14/2010</td>
<td>T</td>
<td>Lowell &amp; Marilyn Mercer - 50th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-1556</td>
<td>Mitchell</td>
<td>6/25/2010</td>
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<td>Raymond &amp; Elizabeth Cichocki - 55th Wedding Anniversary</td>
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<td>HOUSE TRIBUTE ANNOUNCEMENT #73</td>
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DATE: November 1, 2010

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:

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<th>Type</th>
<th>Description</th>
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<tbody>
<tr>
<td>H145-1558</td>
<td>Briggs King</td>
<td>5/30/2010</td>
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<td>John &amp; Bonnie Hall - 40th Wedding Anniversary</td>
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<td>cosponsors: Reps. Lee &amp; Schwartzkopf</td>
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<tr>
<td>H145-1562</td>
<td>Schwartzkopf; Schooley</td>
<td>6/11/2010</td>
<td>T</td>
<td>Andy Staton - Sussex County Realtor of the Year Briggs King</td>
</tr>
<tr>
<td>H145-1563</td>
<td>Schooley</td>
<td>6/17/2010</td>
<td>T</td>
<td>Holly Firlein - Governor - Youth in Government</td>
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<tr>
<td>H145-1566</td>
<td>Outten</td>
<td>6/20/2010</td>
<td>T</td>
<td>Felton Fire Co. - Fire Engine 48-4</td>
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<td></td>
<td>cosponsor: Rep. Blakey</td>
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<tr>
<td>H145-1568</td>
<td>Gilligan; Kovach</td>
<td>6/17/2010</td>
<td>T</td>
<td>Boy Scouts of America - 100 Years Kovach, cosponsors: All Representatives</td>
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<td>H145-1569</td>
<td>Scott</td>
<td>7/24/2010</td>
<td>T</td>
<td>William &amp; Shirley Smith - 50th Wedding Anniversary</td>
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<td>H145-1573</td>
<td>B. Short</td>
<td>8/3/2010</td>
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<td>Ed &amp; Anne Suratt - 60th Wedding Anniversary</td>
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**DATE: November 1, 2010**

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:

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<tr>
<td>H145-1581</td>
<td>Cathcart;</td>
<td>6/23/2010 T</td>
<td>T</td>
<td>Hon. V. George Carey - 26 Years - Member of House of Representatives</td>
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<tr>
<td>H145-1582</td>
<td>Cathcart;</td>
<td>6/24/2010 T</td>
<td>T</td>
<td>Hon. William A. Oberle, Jr. - 34 Years - Member of House of Representatives</td>
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<tr>
<td>H145-1583</td>
<td>Blakey; Scott</td>
<td>6/5/2010 T</td>
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<td>Katherine J. Dickerson</td>
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<td>H145-1594</td>
<td>Cathcart;</td>
<td>6/23/2010 T</td>
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<td>Tedd Briggs - Legislative Fellow cosponsors: All Representatives</td>
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<td>Cathcart;</td>
<td>6/23/2010 T</td>
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<td>Kira Paul - Legislative Fellow cosponsors: All Representatives</td>
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<td>H145-1599</td>
<td>Carson;</td>
<td>7/1/2010 T</td>
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<td>British National Champion Romford Drum &amp; Trumpet</td>
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<tr>
<td>H145-1600</td>
<td>Schwartzkopf</td>
<td>2/21/2010 T</td>
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<td>Richard McCabe Baylis</td>
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<td>H145-1601</td>
<td>Hudson</td>
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<td>Charles C. Stirk, Jr. - Community Service</td>
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<td>H145-1602</td>
<td>Hudson</td>
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<td>Isaac Walker - Community Service</td>
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<td>H145-1603</td>
<td>Hudson</td>
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<td>T</td>
<td>Michael S. Ansel - Community Service</td>
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<td></td>
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<td></td>
<td>Plant, Keeley, Brady, George, Kovach, B. Short, Q. Johnson, Cathcart, D.E. Williams, Lavelle, Hudson, Longhurst, J. Johnson, Mulrooney, Barbieri, Gilligan, Manolakos, Ramone, Miro, Schoole, Oberle, Kowalko, Viola &amp; Jaques</td>
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H145-1606  Brady                        6/19/2010  M  Alberta A. Melloy
H145-1608  Lavelle                     6/30/2010  T  George J. Losse - Retirement - Claymont Community
     cosponsors: Reps. Kovach & B. Short
     cosponsor: Rep. Keeley
H145-1611  Schwartzkopf                6/20/2010  M  Mary Lynch Taylor
H145-1612  Schwartzkopf                6/30/2010  T  Amanda Lamar - Service to the House of
     cosponsors: Reps. D.P. Williams, Plant, Keeley, Brady, George, B. Short, Q. Johnson,
                    D.E. Williams, Mitchell, J. Johnson, Mulrooney, Barbieri, Schooley, Kowalko, Viola,
                    Jaques, Carson, Scott, Bennett, Walls & Atkins
H145-1613  Schwartzkopf                6/30/2010  T  Pamela Townsend - Service to the House of
     cosponsors: Reps. D.P. Williams, Plant, Keeley, Brady, George, B. Short, Q. Johnson,
                    D.E. Williams, Mitchell, J. Johnson, Mulrooney, Barbieri, Schooley, Kowalko, Viola,
                    Jaques, Carson, Scott, Bennett, Walls & Atkins
H145-1614  Schwartzkopf                6/30/2010  T  Meredith Stewart - Service to the House of
     cosponsors: Reps. D.P. Williams, Plant, Keeley, Brady, George, B. Short, Q. Johnson,
                    D.E. Williams, Mitchell, J. Johnson, Mulrooney, Barbieri, Schooley, Kowalko, Viola,
                    Jaques, Carson, Scott, Bennett, Walls & Atkins
     cosponsor: Rep. Scott
H145-1616  Bennet                        6/27/2010  M  Ernst Danneman
H145-1617  Outten; Wilson               6/30/2010  T  Harrington/Greenwood/Felton Centennial Rotary
     cosponsors: Rep. Scott
H145-1618  Blakey; Outten               6/30/2010  T  T. Bryant Bell - Rotarian of the Year - Harrington/
                    Greenwood/Felton Centennial Rotary Club
     cosponsors: Reps. Atkins, Lee, Mitchell & Schwartzkopf
H145-1620  D.E. Williams;               6/30/2010  T  Wally Kremer - Community Service
                    cosponsor: Rep. Scott

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the House and the request of the sponsor:

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<tr>
<td>H145-1621</td>
<td>Oberle</td>
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<td>Sally Oberle - Business Owner of the Year Award</td>
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<tr>
<td>H145-1622</td>
<td>Bennett</td>
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<td>Dr. Elizabeth Mansley - Faculty Excellence Award</td>
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<td>For Teaching - Delaware State University</td>
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<tr>
<td>H145-1623</td>
<td>Bennett</td>
<td>6/30/2010</td>
<td>T</td>
<td>Dr. Sam Hoff - Faculty Excellence Award for Service -</td>
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<td></td>
<td>Delaware State University</td>
</tr>
<tr>
<td>H145-1624</td>
<td>Carson</td>
<td>6/30/2010</td>
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<td>Raymond E. Deputy - 80th Birthday</td>
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<td>H145-1625</td>
<td>Bennett</td>
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<td>Evelyn Deakins - 50 Years - American Red Cross</td>
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<td>D. Short, cosponsors: All Representatives</td>
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<td>H145-1630</td>
<td>Walls</td>
<td>8/14/2010</td>
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<td>Dylan Fox - Eagle Scout</td>
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<td>H145-1631</td>
<td>Carson</td>
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<td>Mary E. Rice</td>
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<td>H145-1632</td>
<td>Carson</td>
<td>7/8/2010</td>
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<td>Frank T. Knotts</td>
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<tr>
<td>H145-1634</td>
<td>Walls; Hocker</td>
<td>7/10/2010</td>
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<td>John W. Walls, Jr.</td>
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<td>Lee</td>
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<td>Millie Hall - Retirement - Division of Public Health</td>
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<td>Faron Marshall - 50th Birthday</td>
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<td>H145-1637</td>
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<td>Peyton Elizabeth Ratledge</td>
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<td>H145-1638</td>
<td>Jaques</td>
<td>7/2/2010</td>
<td>T</td>
<td>David &amp; Alice Southerland - 55th Wedding Anniversary</td>
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<td>H145-1639</td>
<td>Jaques</td>
<td>7/1/2010</td>
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<td>Evan &amp; Joan Moody - 50th Wedding Anniversary</td>
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<td>Gilligan</td>
<td>6/26/2010</td>
<td>T</td>
<td>Peter &amp; Doris Grehawick - 70th Wedding Anniversary</td>
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<td>cosponsors: All Representatives</td>
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<td>Outstanding Unit Award</td>
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<td>Air National Guard - Air Force Organizational</td>
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<td>Brandon Zehner - Eagle Scout</td>
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<td>Charles Wesley Bostick</td>
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<td>6/30/2010</td>
<td>T</td>
<td>TFC Anthony Andrews - DSP - 2009 Trooper of the</td>
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<td>Briggs Year</td>
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<td>H145-1650</td>
<td>Thornburg</td>
<td>7/30/2010</td>
<td>T</td>
<td>Clair Edwards - Retirement - DelDOT</td>
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<td>Julian Rexrode - Retirement - DelDot</td>
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<td>Miro</td>
<td>8/15/2010</td>
<td>T</td>
<td>Benjamin Masino - Eagle Scout</td>
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<td>Walls</td>
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<td>James A. Gooden</td>
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<td>Scott</td>
<td>8/14/2010</td>
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<td>Joan Lynn - 80th Birthday</td>
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<td>Kowalko</td>
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<td>Terri Lyn Schall</td>
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<td>Schwartzkopf</td>
<td>7/31/2010</td>
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<td>Joshua Benjamin Davis</td>
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<td>Barbieri</td>
<td>7/30/2010</td>
<td>T</td>
<td>Joyce White - Retirement - DHSS</td>
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<td>Carson</td>
<td>8/2/2010</td>
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<td>Sayers Jewelers &amp; Gemologists - 60 Years</td>
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<td>Carey; Walls</td>
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<td>Reese E. Dickerson</td>
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<td>Bennett</td>
<td>7/23/2010</td>
<td>T</td>
<td>Irene Patillo - 100th Birthday</td>
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<td>Carson</td>
<td>8/7/2010</td>
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<td>Alan &amp; Sandra Robinson - 40th Wedding Anniversary</td>
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<td>Mary Hendricks</td>
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<tr>
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<td>8/22/2010</td>
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<td>Kathryn Smaling - 100th Birthday</td>
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<td>Kowalko</td>
<td>7/29/2010</td>
<td>M</td>
<td>Frank Tait</td>
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<td>H145-1666</td>
<td>Cathcart; Jaques</td>
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<td>Wilbur Roy Best, Jr.</td>
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<td>H145-1668</td>
<td>J. Johnson; Plant</td>
<td>7/29/2010</td>
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<td>Bernard R. Massey</td>
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<td>H145-1669</td>
<td>Outten</td>
<td>8/25/2010</td>
<td>T</td>
<td>Sandi Nickerson - Retirement - Dept. of Justice</td>
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<tr>
<td>H145-1670</td>
<td>D. Short</td>
<td>6/30/2010</td>
<td>T</td>
<td>William Messenger - Nanticoke Memorial Hospital Chapel - Dedicated Service</td>
</tr>
<tr>
<td>H145-1671</td>
<td>Thornburg</td>
<td>7/30/2010</td>
<td>T</td>
<td>Brenda Gardels - Retirement - DelDOT</td>
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<tr>
<td>H145-1672</td>
<td>Brady</td>
<td>7/30/2010</td>
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<td>Teresa Taylor</td>
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<td>H145-1673</td>
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<td>8/6/2010</td>
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<td>John &amp; Grace Gosnay - 50th Wedding Anniversary</td>
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<td>H145-1674</td>
<td>Mulrooney</td>
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<td>Charles &amp; Ann Hopkins - 50th Wedding Anniversary</td>
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<td>J. Johnson</td>
<td>7/1/2010</td>
<td>T</td>
<td>James &amp; Althea Matthews - 60th Wedding Anniversary</td>
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<td>Carson</td>
<td>8/1/2010</td>
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<td>Carol McKinney</td>
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<td>H145-1678</td>
<td>Briggs King</td>
<td>9/30/2010</td>
<td>T</td>
<td>CWOS Roger C. Perry - Retirement - Delaware Army National Guard</td>
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<td>Ramone</td>
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<td>Lee</td>
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<td>Barbara C. Shwed</td>
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<td>Alberta B. Morris</td>
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<td>Charles &amp; Joan Rodgers - 60th Wedding Anniversary</td>
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HOUSE TRIBUTE ANNOUNCEMENT #77

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<tr>
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<td>Cathcart; Jaques</td>
<td>7/30/2010</td>
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<td>Wilbur Roy Best, Jr.</td>
</tr>
<tr>
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<td>J. Johnson; Plant</td>
<td>7/29/2010</td>
<td>M</td>
<td>Bernard R. Massey</td>
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<tr>
<td>H145-1669</td>
<td>Outten</td>
<td>8/25/2010</td>
<td>T</td>
<td>Sandi Nickerson - Retirement - Dept. of Justice</td>
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<tr>
<td>H145-1670</td>
<td>D. Short</td>
<td>6/30/2010</td>
<td>T</td>
<td>William Messenger - Nanticoke Memorial Hospital Chapel - Dedicated Service</td>
</tr>
<tr>
<td>H145-1671</td>
<td>Thornburg</td>
<td>7/30/2010</td>
<td>T</td>
<td>Brenda Gardels - Retirement - DelDOT</td>
</tr>
<tr>
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<td>Benjamin B. Betts - 91st Birthday</td>
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<td>Hearlin DuPont</td>
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<td>H145-1712</td>
<td>George</td>
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<td>T</td>
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<tr>
<td>H145-1717</td>
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<td>8/31/2010</td>
<td>T</td>
<td>Mark Porches - Eagle Scout</td>
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<tr>
<td>H145-1720</td>
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<tr>
<td>H145-1721</td>
<td>Brady</td>
<td>9/1/2010</td>
<td>T</td>
<td>Ruby Ryle - 96th Birthday</td>
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DATE: November 1, 2010

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:

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<th>Number</th>
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<td>Walter Leo Sherlock, IV</td>
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<td>Gladys Briggs - Community Service - Sussex County</td>
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HOUSE TRIBUTE ANNOUNCEMENT #79

DATE: November 1, 2010

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:

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<td>Mary Dorothy Hartley</td>
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<td>M</td>
<td>Dr. James E. Danberg</td>
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<td>M</td>
<td>Deejion Fullman</td>
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<td>M</td>
<td>Beulah M. Gray</td>
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<td>M</td>
<td>Mary Frances Anglin</td>
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<td>H145-1707</td>
<td>Walls;</td>
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<td>Benjamin B. Betts - 91st Birthday</td>
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HOUSE TRIBUTE ANNOUNCEMENT #80

DATE: November 1, 2010

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:

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<tr>
<td>H145-1717</td>
<td>D. Short;</td>
<td>8/31/2010</td>
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<td>Mark Porches - Eagle Scout</td>
</tr>
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<td>H145-1718</td>
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<td>T</td>
<td>Brandon Wilkins - Eagle Scout</td>
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<td>H145-1719</td>
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The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:

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DATE: November 1, 2010

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:

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<td>CMS Michael L. Dell Vella - Retirement - Air National Guard</td>
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<td>Vicki Ann Booth</td>
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<td>Rebecca Urian - Kent County Farm Bureau Youth Ambassador</td>
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<td>9/27/2010</td>
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<td>Lavelle</td>
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<td>Jack R. Saddler</td>
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<td>T</td>
<td>Wilson Vinyard - Induction - Maritime Hall of Fame</td>
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<td>10/2/2010</td>
<td>T</td>
<td>John R. Warren - Induction - Maritime Hall of Fame Meritorious Service Award</td>
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**DATE: November 1, 2010**

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:
H145-1795  Briggs King  10/2/2010  T  World War II Veterans  
H145-1796  Walls  10/7/2010  T  Heidi A. LeGates - Distinguished Alumni Award - Delaware Technical & Community College  
H145-1797  Atkins  10/7/2010  T  Mitchell K. Rogers - Distinguished Alumni Award - Delaware Technical & Community College  
H145-1798  Briggs King  10/7/2010  T  Samuel R. Schlegel - Distinguished Alumni Award - Delaware Technical & Community College  

**HOUSE TRIBUTE ANNOUNCEMENT #84**

**DATE:** November 1, 2010

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
<th>Date</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H145-1800</td>
<td>Q. Johnson</td>
<td>10/2/2010</td>
<td>T</td>
<td>Cornelia E. Ross - Oldest Member/Mother - Ringgold Chapel A.M.E. Church</td>
</tr>
<tr>
<td>H145-1803</td>
<td>Briggs King</td>
<td>9/30/2010</td>
<td>T</td>
<td>Kiwanis Club of Georgetown - 75th Anniversary</td>
</tr>
<tr>
<td>H145-1804</td>
<td>Atkins; Carey</td>
<td>10/2/2010</td>
<td>T</td>
<td>Dallas Wright Family - Sussex County Farm Bureau Farm Family of the Year</td>
</tr>
<tr>
<td>H145-1805</td>
<td>Schooley</td>
<td>10/1/2010</td>
<td>T</td>
<td>Ross &amp; Honey Vickers - 50th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-1807</td>
<td>Barbieri; Keeley</td>
<td>10/8/2010</td>
<td>T</td>
<td>Heidi Beck - Hilltop Lutheran Neighborhood Center Honoree</td>
</tr>
<tr>
<td>H145-1808</td>
<td>George</td>
<td>10/14/2010</td>
<td>T</td>
<td>Doris Pusey - 100th Birthday</td>
</tr>
<tr>
<td>H145-1809</td>
<td>D. Short</td>
<td>8/12/2010</td>
<td>T</td>
<td>Louis &amp; Betty Daudt - 60th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-1813</td>
<td>Carey</td>
<td>10/16/2010</td>
<td>T</td>
<td>Ellendale Ladies Auxiliary - 50th Anniversary</td>
</tr>
<tr>
<td>H145-1815</td>
<td>B. Short</td>
<td>10/6/2010</td>
<td>T</td>
<td>Theodore &amp; Mildred Lambert - 60th Wedding Anniversary</td>
</tr>
<tr>
<td>H145-1817</td>
<td>Atkins cosponsors: Reps. Briggs King &amp; Schwartzkopf</td>
<td>9/1/2010</td>
<td>T</td>
<td>American Legion Auxiliary Unit 28 - National President’s Award for Excellence</td>
</tr>
<tr>
<td>H145-1818</td>
<td>Lavelle</td>
<td>10/2/2010</td>
<td>M</td>
<td>Faye Werley Jorden</td>
</tr>
<tr>
<td>H145-1819</td>
<td>Cathcart</td>
<td>10/11/2010</td>
<td>T</td>
<td>Logan Derickson - New Castle County Farm Bureau Youth Ambassador</td>
</tr>
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**HOUSE TRIBUTE ANNOUNCEMENT #85**

**DATE:** November 1, 2010

The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:

<table>
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<tr>
<th>Number</th>
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<th>Type</th>
<th>Description</th>
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<tbody>
<tr>
<td>H145-1822</td>
<td>Keeley</td>
<td>10/11/2010</td>
<td>M</td>
<td>Viola Marie Walker</td>
</tr>
<tr>
<td>H145-1825</td>
<td>Outten</td>
<td>10/6/2010</td>
<td>M</td>
<td>Noah J. Zook</td>
</tr>
<tr>
<td>H145-1826</td>
<td>Briggs King</td>
<td>10/16/2010</td>
<td>T</td>
<td>Thomas Hudson - Eagle Scout</td>
</tr>
<tr>
<td>H145-1827</td>
<td>Barbieri</td>
<td>10/16/2010</td>
<td>T</td>
<td>Medical Society of Delaware - First Permanent Facility</td>
</tr>
<tr>
<td>H145-1829</td>
<td>Brady;</td>
<td>10/14/2010</td>
<td>T</td>
<td>Paul M. Pantano - Realtor of the Year - Delaware</td>
</tr>
</tbody>
</table>

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The following Tributes and Memoriams have been issued through the Office of the Chief Clerk of the House and the request of the sponsor:

<table>
<thead>
<tr>
<th>Number</th>
<th>Sponsor</th>
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<tbody>
<tr>
<td>H145-1830</td>
<td>Lee</td>
<td>10/16/2010</td>
<td>T</td>
<td>Delmar Fire Co. Ladies Auxiliary - 70th Anniversary</td>
</tr>
<tr>
<td>H145-1831</td>
<td>Wilson</td>
<td>10/18/2010</td>
<td>T</td>
<td>T.S. Smith &amp; Sons Farm - Century Farm Award</td>
</tr>
<tr>
<td>H145-1832</td>
<td>Walls</td>
<td>10/18/2010</td>
<td>T</td>
<td>Hill Family Farm - Century Farm Award</td>
</tr>
<tr>
<td>H145-1833</td>
<td>Briggs King</td>
<td>10/18/2010</td>
<td>T</td>
<td>James B. Mears Farm - Century Farm Award</td>
</tr>
<tr>
<td>H145-1834</td>
<td>Briggs King</td>
<td>10/18/2010</td>
<td>T</td>
<td>Rodney G. Mears Farm - Century Farm Award</td>
</tr>
<tr>
<td>H145-1836</td>
<td>Carson</td>
<td>10/6/2010</td>
<td>M</td>
<td>Pauline Coudright Moor Wemple</td>
</tr>
<tr>
<td>H145-1837</td>
<td>Gilligan</td>
<td>10/18/2010</td>
<td>T</td>
<td>Paul Strochine - Mill Creek Fire Co. - Heroism</td>
</tr>
<tr>
<td>H145-1838</td>
<td>Gilligan</td>
<td>10/18/2010</td>
<td>T</td>
<td>Aaron Olicker - Mill Creek Fire Co. Heroism</td>
</tr>
<tr>
<td></td>
<td>Wilson</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H145-1842</td>
<td>Walls</td>
<td>10/12/2010</td>
<td>M</td>
<td>Ben P. Coleman</td>
</tr>
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DATE: November 1, 2010

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<tbody>
<tr>
<td>H145-1843</td>
<td>Brady</td>
<td>10/9/2010</td>
<td>M</td>
<td>Charles Carter</td>
</tr>
<tr>
<td>H145-1844</td>
<td>Gilligan</td>
<td>10/18/2010</td>
<td>T</td>
<td>Mill Creek Fire Co - Rescue/Pumper Engine Truck Crew - Outstanding Effort &amp; Rescue</td>
</tr>
<tr>
<td>H145-1845</td>
<td>Brady</td>
<td>10/17/2010</td>
<td>T</td>
<td>Evelyn Heanue Mullin - 80th Birthday</td>
</tr>
<tr>
<td>H145-1846</td>
<td>Scott</td>
<td>10/17/2010</td>
<td>T</td>
<td>Wesley College Ice Hockey Team - Inaugural Season</td>
</tr>
<tr>
<td>H145-1847</td>
<td>Outten</td>
<td>10/15/2010</td>
<td>M</td>
<td>Bonnie A. Baynum</td>
</tr>
<tr>
<td>H145-1850</td>
<td>Schooley</td>
<td>10/16/2010</td>
<td>T</td>
<td>Juanita Pritchett - Retirement - Glasgow High School</td>
</tr>
<tr>
<td>H145-1851</td>
<td>Lee; D. Short</td>
<td>10/21/2010</td>
<td>T</td>
<td>Robert C. Wheatley - Business Person of the Year - Greater Seaford Chamber of Commerce</td>
</tr>
<tr>
<td>H145-1852</td>
<td>D. Short</td>
<td>10/21/2010</td>
<td>T</td>
<td>Charlie Towers - Moore Community Service Award - Greater Seaford Chamber of Commerce</td>
</tr>
<tr>
<td>H145-1853</td>
<td>D. Short</td>
<td>10/21/2010</td>
<td>T</td>
<td>Dr. Bill Wade - Seaford Animal Hospital - Exceptional Customer Service Award - Greater Seaford Chamber of Commerce</td>
</tr>
<tr>
<td>H145-1854</td>
<td>Wilson; D. Short</td>
<td>10/21/2010</td>
<td>T</td>
<td>Jenny Keim - Volunteer of the Year - Greater Seaford Chamber of Commerce</td>
</tr>
<tr>
<td>H145-1857</td>
<td>Atkins</td>
<td>10/20/2010</td>
<td>T</td>
<td>Indian River Senior Center - 40th Anniversary</td>
</tr>
<tr>
<td>H145-1858</td>
<td>Oberle</td>
<td>10/15/2010</td>
<td>M</td>
<td>Theresa Miller</td>
</tr>
<tr>
<td>H145-1859</td>
<td>Keeley</td>
<td>10/15/2010</td>
<td>M</td>
<td>John Bukowski</td>
</tr>
<tr>
<td>H145-1860</td>
<td>Cathcart; Brady</td>
<td>10/18/2010</td>
<td>M</td>
<td>Harry L. Grantland, Jr.</td>
</tr>
<tr>
<td>H145-1861</td>
<td>Scott</td>
<td>10/19/2010</td>
<td>M</td>
<td>Catherine Mears Thomas</td>
</tr>
<tr>
<td>H145-1862</td>
<td>Outten</td>
<td>10/21/2010</td>
<td>M</td>
<td>Iva Mae Banning</td>
</tr>
<tr>
<td>H145-1864</td>
<td>Outten</td>
<td>10/22/2010</td>
<td>M</td>
<td>Terry J. Smith</td>
</tr>
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<tbody>
<tr>
<td>H145-1865</td>
<td>Outten</td>
<td>10/21/2010</td>
<td>M</td>
<td>Virginia Lee Tucker</td>
</tr>
</tbody>
</table>
Wilson

H145-1867 Schwartzkopf 10/28/2010 T Rex L. Mears - Nanticoke Health Services - Allen Philanthropy Award
cosponsors: Reps. D. Short, Briggs King & Wilson

H145-1868 Briggs King 10/28/2010 T Sister Rosita Alvarez - Nanticoke Health Services - Founders Award
cosponsors: Reps. D. Short & Wilson

H145-1869 D. Short 10/28/2010 T Soroptimist International of Seaford - Nanticoke Health Services - Founders Award
cosponsors: Reps. Briggs King & Wilson

H145-1871 Schwartzkopf 10/19/2010 M Barbara Dill Montgomery
H145-1872 Atkins; 10/22/2010 M James Tyrone Norwood
D. Short
H145-1873 D.P. Williams 9/19/2010 M Francis M. James, Jr.
H145-1874 Outten 10/31/2010 M Irma M. Hrupsa
cosponsor: Rep. Lavelle

H145-1875 Outten 10/28/2010 M Giovanni Antonio Pizzadili
H145-1876 Outten 10/30/2010 M Harold E. Fry
H145-1877 Schooley 10/29/2010 M James R. Soles
cosponsors: All Representatives

T - Tribute
M - Memoriam
HOUSE BILLS

HB 1 w/HA 1, HA 1 & 2 to HA 1, HA 2 & 3 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT. (Signed by the Governor 6/12/09) p. 5, 14, 18, 23, 30, 72, 89-90, 116.

HB 2 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES, ANIMALS, AND PENALTIES. (Signed by the Governor 5/18/10) p. 21, 26, 37, 238, 244.

HB 3 w/HA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY. (Signed by the Governor 3/25/10) p. 21, 43, 56, 76, 169, 192, 206.

HB 4 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO CASH CONTRIBUTIONS. (Senate Executive Committee) p. 21, 34, 45.

HB 5 w/HA 1 AN ACT TO AMEND TITLES 6, 9, 18, 19, 25 AND 29 OF THE DELAWARE CODE RELATING TO DISCRIMINATION IN EMPLOYMENT, PUBLIC WORKS CONTRACTING, HOUSING, EQUAL ACCOMMODATIONS AND THE INSURANCE BUSINESS. (Stricken 5/5/10) p. 22, 34, 38, 228-229.

HB 6 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (House Health & Human Development Committee) p. 22.

HB 7 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO RECOVERY OF DAMAGES FROM PARENTS OR GUARDIANS. (Signed by the Governor 6/16/09) p. 22, 26, 32, 91, 116.

HB 8 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE PERSONAL INCOME TAX. (House Revenue & Finance Committee) p. 22.

HB 9 AN ACT TO AMEND TITLE 15, DELAWARE CODE RELATING TO ELECTIONS AND CANDIDATE DISCLOSURES. (House Ready List) p. 22, 24, 64, 68.

HS 1/HB 10 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC OFFICERS' AND EMPLOYEES' HEALTH CARE INSURANCE, STATE EMPLOYEES' PENSION PLAN, AND OTHER STATE EMPLOYEE BENEFITS. (House Ready List) p. 22, 44, 244, 252.

HB 11 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE VIDEO LOTTERY. (House Revenue & Finance Committee) p. 22.

HB 12 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CONDUCT OF OFFICERS AND EMPLOYEES. (House Administration Committee) p. 22.

HB 13 AN ACT PROPOSING AN AMENDMENT TO THE DELAWARE CONSTITUTION RELATING TO VOTING ON THE BUDGET AND BOND BILLS. (House Administration Committee) p. 22, 31.

HB 14 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY AND THE GRANTING OF AN ADMINISTRATIVE VARIANCE. (Senate Community/County Affairs) p. 22, 34, 40.

HB 15 w/HA 1 AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE RELATING TO RECYCLING AND WASTE REDUCTION IN THE STATE OF DELAWARE. (Signed by the Governor 8/17/09) p. 22, 26, 38-39, 161, 168.

HB 16 w/HA 1 AN ACT TO AMEND CHAPTER 58, TITLE 29 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF LOBBYISTS. (Senate Executive Committee) p. 22, 44, 48.

HB 17 w/HA 1 AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 2, OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO QUALIFICATIONS FOR VOTING. (Senate Executive Committee) p. 22, 34, 37, 41.

HB 18 AN ACT TO AMEND CHAPTER 7, TITLE 19 OF THE DELAWARE CODE RELATING TO THE DOCTRINE OF EMPLOYMENT AT WILL AND PROTECTION FROM WRONGFUL TERMINATION. (House Ready List) p. 22, 37, 51.

HB 19 AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (Signed by the Governor 4/10/09) p. 22, 26-27, 50, 55.

HB 20 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CONDUCT OF OFFICERS AND EMPLOYEES. (House Ready List) p. 22-23, 64.

HS 1/HB 21 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE CLASSIFICATION OF CERTAIN MINOR TRAFFIC OFFENSES. (Signed by the Governor 6/26/09) p. 22, 49, 51, 54, 103, 148.

HB 22 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTHY CHILDREN PROGRAM. (House Appropriations Committee) p. 23, 43.

HB 23 w/HA 1 AN ACT TO AMEND CHAPTER 278, VOLUME 72, LAWS OF DELAWARE, AS AMENDED. THE CHARTER OF THE TOWN OF MILLVILLE, TO CLARIFY CERTAIN NON-RECOGNITION PROVISIONS OF SECTION 31 (a)(45) OF THE CHARTER RELATING TO MUNICIPAL TAX INCREMENT AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS FINANCINGS. (Signed by the Governor 2/4/09) p. 5, 14-15, 19, 24.
HB 42. AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES AND CREATING THE DELAWARE PSYCHIATRIC CENTER AUTHORITY. (House Health & Human Development Committee) p. 6.

HB 43. AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE MERIT SYSTEM OF PERSONNEL ADMINISTRATION. (Stricken 1/22/09) p. 6, 16.

HB 44 w/HA 1. AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PERMITTING THE DELAWARE STATE FIRE PREVENTION COMMISSION TO ESTABLISH A DELAWARE BURN CAMP TO HELP YOUNG PEOPLE WHO HAVE SUFFERED BURNS. (Signed by the Governor 4/30/09) p. 13, 17-19, 50, 74.

HB 45. AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNIFORM COMMON INTEREST OWNERSHIP ACT. (Signed by the Governor 2/4/09) p. 12, 14-16, 17, 19, 24.

HB 46. AN ACT TO AMEND TITLE 10 AND 11 OF THE DELAWARE CODE RELATING TO RECORDS OF ARREST AND PROSECUTION. (Signed by the Governor 7/10/09) p. 14, 26, 33, 158, 162.

HB 47 w/HA 1. AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE PERMITTING BAIL AGENTS TO ALSO ACT AS PROPERTY BAIL AGENTS. (Signed by the Governor 1/29/09) p. 14, 17, 19, 23.

HB 48. AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX AND MODIFICATIONS THERETO. (House Revenue & Finance Committee) p. 15.

HB 49. AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE RESOLUTION OF DISPUTES IN THE COURT OF CHANCERY. (Signed by the Governor 4/2/09) 14, 18-20, 41, 47.

HB 50 w/HA 1. AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH TO LIMIT THE HEIGHT OF STRUCTURES WITHIN THE TOWN. (Senate Ready List) p. 16, 64, 83.

HB 51 w/HA 1 & 2. AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH TO GRANT THE TOWN OF DEWEY BEACH THE AUTHORITY TO LEVY AND COLLECT AN ACCOMMODATIONS TAX. (Signed by the Governor 5/18/09) p. 16, 26, 31, 33, 70, 87.

HB 52. AN ACT TO AMEND CHAPTER 278, VOLUME 72, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLVILLE, TO REMOVE OR "DEANNEX" FROM THE TOWN OF MILLVILLE CERTAIN PROPERTY UPON WHICH A PORTION OF LORD BALTIMORE ELEMENTARY SCHOOL IS LOCATED CONTIGUOUS TO THE TOWN OF OCEAN VIEW, WHICH DESIRES TO ACQUIRE AND MAINTAIN POLICE JURISDICTION OVER THE ENTIRETY OF THE LORD BALTIMORE ELEMENTARY SCHOOL. (Signed by the Governor 2/4/09) p. 15, 19, 24.

HB 53. AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO UNPAID LEAVES OF ABSENCE. (Signed by the Governor 4/9/09) p. 16-18, 20, 47, 55.

HB 54. AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH, TO MAKE THE TOWN CHARTER CONSISTENT WITH CHANGES TO 15 DEL. C. SECTION 7501 ET SEQ., ENACTED BY THE 143RD GENERAL ASSEMBLY, CONCERNING MUNICIPAL ELECTIONS. (Stricken 4/30/09) p. 17, 19, 65.

HB 55. AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMPENSATION COMMISSION. (House Ready List) p. 18, 54, 72, 87.

HB 56 w/HA 2. AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO COLLECTIVE BARGAINING. (Signed by the Governor 7/12/10) p. 18, 37, 40, 43, 48, 330.

HB 57. AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION AND VEHICLES. (Stricken 4/7/10) p. 18.


HB 60. AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LIMITING ARTIFICIAL TRANS FATS IN FOOD AVAILABLE OR SERVED TO STUDENTS IN PUBLIC SCHOOLS, INCLUDING CHARTER SCHOOLS. (Senate Ready List) p. 20, 26-27.

HB 61 w/HA 1. AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO FAILURE TO ANSWER A SUMMONS. (Signed by the Governor 5/12/09) p. 20, 26-27, 68, 75.

HB 62 w/HA 3. AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND SPECIFIC OFFENSES. (Senate Ready List) p. 19, 23, 26, 29, 34, 44, 83-84.
HS 1/HB 63 AN ACT TO AMEND CHAPTER 25, TITLE 29 OF THE DELAWARE CODE RELATING TO EMPLOYMENT OF PRIVATE ATTORNEYS. (Stricken 4/7/10) p. 21, 33.

HB 64 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH CARE INSURANCE. (Stricken 4/7/10) p. 21, 26.

HB 65 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SUSSEX COUNTY COUNCILMANIC DISTRICTS. (Stricken 4/7/10) p. 21, 34.

HB 66 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO ELIGIBILITY FOR STATE EMPLOYMENT. (Stricken 5/7/09) p. 21, 73.

HB 67 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROTECTED WILDLIFE. (Signed by the Governor 6/16/09) p. 21, 26, 28, 95, 116.

HB 68 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO HABITUAL OFFENDERS STATUS FOR DRIVING DURING A PERIOD OF SUSPENSION OR REVOCATION. (Signed by the Governor 5/12/09) p. 21, 26, 28, 68, 75.

HB 69 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO ESTABLISHING A DIRECT CARE ADVANCED TRAINING PROGRAM. (Stricken 6/4/09) p. 21, 23, 96.

HS 1/HB 70 w/HA 2 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO WIND ENERGY SYSTEMS. (Signed by the Governor 7/9/09) p. 21, 70, 81, 86, 87, 115, 123, 158, 162.

HB 71 w/HA 1 A BILL TO AMEND TITLE 21 OF THE DELAWARE CODE TO EXPAND THE MOVE ON OVER LAW TO INCLUDE TOW TRUCKS. (Signed by the Governor 5/14/09) p. 21, 26, 32, 70, 86.

HB 72 AN ACT TO AMEND CHAPTER 27 OF TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVER LICENSE REQUIREMENTS FOR REGISTERED SEX OFFENDERS. (Signed by the Governor 7/24/09) p. 21, 26, 39, 158, 164.

HB 73 w/SA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FINANCIAL ASSISTANCE FOR HIGHER EDUCATION FOR THOSE SERVING IN THE DELAWARE NATIONAL GUARD. (Signed by the Governor 9/1/09) p. 21, 26, 40, 157-158, 170.

HB 74 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. (House Administration Committee) p. 21.

HB 75 AN ACT TO AMEND CHAPTER 10, TITLE 16 OF THE DELAWARE CODE RELATING TO POLICIES OF HOSPITALS AND OTHER FACILITIES. (Stricken 4/2/09) p. 21, 26, 47.

HB 76 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE OATH OF OFFICE OF SCHOOL BOARD MEMBERS. (Signed by the Governor 6/16/09) p. 23, 34, 41, 103, 116.

HB 77 AN ACT TO AMEND CHAPTER 9 OF TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE. (Senate Judiciary Committee) p. 23, 26, 52-33.

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HB 94 AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH, TO MAKE THE TOWN CHARTER CONSISTENT WITH CHANGES TO 15 DEL. C. SECTION 7501 ET SEQ., ENACTED BY THE 143RD GENERAL ASSEMBLY CONCERNING MUNICIPAL ELECTIONS AND RELATING TO ANNEXATION, ELECTIONS, TERMS OF OFFICE, AND ORGANIZATIONAL MEETINGS AND DUTIES. (Signed by the Governor 6/16/09) p. 34, 44, 48, 91, 116.

HB 95 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO DOGS. (House Agriculture Committee) p. 37, 55.

HB 96 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE EXAMINATION OF MORTGAGE SATISFACTIONS BY A COMMISSIONER. (Signed by the Governor 5/27/09) p. 37, 43, 61-62, 85, 87.

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HB 105 w/HA 2 & SA 2 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE. (Signed by the Governor 5/14/10) p. 40, 104, 130, 227, 231-232, 244.


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HB 108  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FAILURE TO APPEAR AT TRIAL. (House Judiciary Committee) p. 44.

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HB 121  AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO COSMETOLOGY AND BARBERING AND LICENSURE OF AESTHETICIANS. (Signed by the Governor 6/26/09) p. 51, 65, 83, 116, 148.

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HB 161 AN ACT TO AMEND TITLE 2 AND TITLE 21 OF THE DELAWARE CODE RELATING TO PUBLIC CARRIERS. (Signed by the Governor 7/8/09) p. 79, 91, 107-108, 158, 162.

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HB 166 AN ACT TO AMEND CHAPTER 65, VOLUME 295, LAWS OF DELAWARE, AN ACT TO REINCORPORATE THE TOWN OF BETHANY BEACH REGARDING THE REFERENDUM POWER, AND TO ALLOW NATURAL PERSONS HOLDING TITLE TO REAL ESTATE AS TRUSTEE, AND THE SPOUSES OF PERSONS WHO HOLD TITLE TO REAL ESTATE (EITHER IN THEIR OWN NAME OR AS TRUSTEE), TO VOTE IN MUNICIPAL ELECTIONS; AND PLACING A LIMIT ON THE TOTAL NUMBER OF PERSONS WHO MAY QUALIFY TO VOTE AS A "NONRESIDENT PROPERTY OWNER" TO A MAXIMUM OF EIGHT PERSONS PER PROPERTY. (Senate Ready List) p. 82, 91, 94-95.

HB 167 AN ACT TO AMEND CHAPTER 65, VOLUME 295, LAWS OF DELAWARE, AN ACT TO REINCORPORATE THE TOWN OF BETHANY BEACH REGARDING THE HOLDING OF THE TOWN COUNCIL'S ORGANIZATIONAL MEETING TO BE CONSISTENT WITH THE PROVISIONS OF 15 DEL.C. CHAPTER 75 ("MUNICIPAL ELECTIONS"). (Signed by the Governor 7/6/09) p. 82, 91, 95, 139, 162.

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HB 175 w/HA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ASSESSMENT OF A PROSECUTION FEE. (Senate Judiciary Committee) p. 86, 91, 97, 100.

HB 176 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Signed by the Governor 7/22/09) p. 86, 91, 100, 161-162.

HB 177 AN ACT TO AMEND CHAPTER 291, VOLUME 66 OF LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF CLAYTON", RELATING TO ELECTIONS FOR TOWN COUNCIL. (Signed by the Governor 7/10/09) p. 86, 91, 95, 161-162.
HB 178  AN ACT TO AMEND CHAPTER 65, VOLUME 295, LAWS OF DELAWARE, ENTITLED CHARTER OF THE TOWN OF BETHANY BEACH, REGARDING PENALTIES FOR VIOLATIONS OF TOWN ORDINANCES, TO INCREASE THE MAXIMUM FINANCIAL PENALTY THAT MAY BE IMPOSED TO ELIMINATE IMPRISONMENT AS A POTENTIAL SANCTION, AND TO AUTHORIZE THE TOWN TO IMPOSE CIVIL PENALTIES AS WELL AS CRIMINAL PENALTIES. (Senate Ready List) p. 86, 91, 95.

HB 179  AN ACT TO AMEND CHAPTER 237, VOLUME 51, ENTITLED AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE RELATING TO SEWER AND WATER MAIN IMPROVEMENTS. (Signed by the Governor 7/22/09) p. 86, 91, 95, 158, 162.

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HB 181  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES & CRIMINAL PROCEDURE. (Signed by the Governor 7/8/09) p. 87, 91, 94, 148, 162.

HB 182  AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO CERTAIN OFFENSES. (House Judiciary Committee) p. 87, 243.

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HB 189  AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE RULES OF THE ROAD. (Signed by the Governor 6/10/10) p. 92, 116, 205-206, 265, 273.

HB 190  w/SA 1  AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DRUG TESTING OF EMPLOYEES OF THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES. (Signed by the Governor 5/21/10) p. 92, 104, 113, 238, 240, 244.

HB 191  AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (Signed by the Governor 9/4/09) p. 92, 116, 119, 158, 170.

HB 192  AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE ANIMAL POPULATION CONTROL PROGRAM AND SPAY/NEUTER FUND. (Signed by the Governor 7/22/09) p. 92, 104, 113, 158, 162.

HB 193  AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO PURCHASING, RECEIVING, STORING, AND SELLING WINE AND BEER IN GROCERY STORES. (House Revenue & Finance Committee) p. 92-93, 95-96, 101.


HB 195  AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO PERSONAL ACTIONS. (House Health & Human Development Committee) p. 95.

HB 196  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Senate Ready List) p. 95, 104, 132.

HB 197  w/HA 1 & 2  AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLE SPEED MONITORING SYSTEMS. (Senate Judiciary Committee) p. 96, 104, 124, 139, 148, 156.

HB 198  AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE. (Senate Ready List) p. 95, 104, 130.

HB 199  w/HA 2  AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO DEVELOPMENTAL SCREENING OF INFANTS AND TODDLERS. (Signed by the Governor 8/27/09) p. 96, 104, 127-128, 135, 158, 169.
HB 200  AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES. (House Ready List) p. 97, 104.

HB 201  AN ACT TO AMEND CHAPTER 60, TITLE 7 OF THE DELAWARE CODE RELATING TO BEVERAGE CONTAINERS. (Vetoed 7/21/09) p. 97, 124, 153, 158, 162.

HB 202  AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO DELAWARE LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION. (Signed by the Governor 1/26/10) p. 97, 104, 108, 167, 187.

HB 203  AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DESIGNATING THE STRAWBERRY AS THE STATE FRUIT. (Signed by the Governor 5/13/10) p. 96, 104, 132, 200, 244.

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HB 206  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Signed by the Governor 7/10/09) p. 96, 104, 113, 161.

HB 207  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SPECIAL LAW ENFORCEMENT ASSISTANCE FUND. (Signed by the Governor 7/22/09) 97, 104, 106, 158, 162.

HB 208  AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOMES. (House Ready List) p. 96, 104.

HB 209  AN ACT TO AMEND TITLES 9 AND 22 OF THE DELAWARE CODE RELATING TO COUNTIES AND MUNICIPALITIES. (House Ready List) p. 97, 104.

HB 210  AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO LICENSING FEES. (Signed by the Governor 7/1/09) p. 99, 104, 124, 139, 144, 161.

HB 211  AN ACT TO AMEND CHAPTER 53, TITLE 30 OF THE DELAWARE CODE RELATING TO THE LEVY, COLLECTION AND USE OF TOBACCO PRODUCT TAX REVENUE. (Signed by the Governor 7/1/09) p. 99, 104, 111, 123-124, 139, 144-145, 161.

HB 212 w/H.A. 2  AN ACT TO AMEND CHAPTER 5, TITLE 6 OF THE DELAWARE CODE RELATING TO TAXES ON ALCOHOLIC BEVERAGES. (Defeated in the House 6/29/09) p. 99, 104, 111, 123, 139, 144.

HB 213  AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO BUSINESS LICENSES. (House Economic Development/Banking/Insurance/Commerce Committee) p. 101.

HB 214  AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY. (House Administration Committee) p. 101.

HB 215  AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT PROCUREMENT AND THE PUBLICATION OF LEGAL NOTICES. (House Administration Committee) p. 101.

HB 216  AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING & FISHING LICENSES. (Signed by the Governor 4/8/10) p. 104, 116, 119, 206-207.

HB 217  AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LITTERING ON OR ALONGSIDE A HIGHWAY. (House Ready List) p. 110, 281.

HB 218  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO DELAWARE COUNTY AND MUNICIPAL POLICE/FIREFIGHTER PENSION PLAN. (Signed by the Governor 2/23/10) p. 105, 116, 156, 178, 188.

HB 219  AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE STATE PUBLIC ASSISTANCE CODE. (House Health & Human Development Committee) p. 109.

HB 220  AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEE BENEFITS COMMITTEE. (Signed by the Governor 7/22/09) p. 109, 116-117, 119-120, 158, 162.

HB 221  AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO CREDIT SERVICES ORGANIZATIONS. (Signed by the Governor 6/28/10) p. 110, 126, 138, 281, 318.

HB 222  AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO REPORTS IN ELECTRONIC FORMAT TO THE DELAWARE GENERAL ASSEMBLY. (Senate Finance Committee) p. 110, 128, 138.

HB 223  AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL MEALS. (House Education Committee) p. 110.

HB 224  AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PROFESSIONAL DEVELOPMENT OF SCHOOL EMPLOYEES. (House Ready List) p. 111, 114, 116.
HB 225  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS. (Signed by the Governor 7/22/09) p. 110, 116, 119, 158, 162.

HB 226 w/HA 1 & 2  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE. (Signed by the Governor 6/29/10) p. 110, 116, 127, 131, 265, 318.

HB 227  AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ARCHITECTURE. (Signed by the Governor 2/1/10) p. 110, 116, 122, 180, 187.

HB 228 w/HA 1 & 2  AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (Signed by the Governor 9/1/09) p. 114, 117-118, 148, 170.

HS 1/HB 229 w/HA 2, 3 & 4 & SA 1, SA 1 to SA 1 & SA 3  AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (Signed by the Governor 7/6/10) p. 110-111, 116, 159, 186, 190-191, 242, 280, 282, 289, 330.

HS 1/HB 230 w/HA 1  AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO STATE TAXES AND VESSEL TO-VESSLE TRANSFERS OF PETROLEUM PRODUCTS. (Stricken 1/26/10) p. 115, 179.

HB 235  AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF PHARMACY. (House Health & Human Development Committee) p. 115, 224.

HB 236 w/HA 1  AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO SPECIAL ELECTIONS. (Signed by the Governor 7/15/10) p. 114-115, 128, 309, 314, 328, 331.

HB 237 w/HA 1  AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO EQUAL ACCOMMODATIONS. (Signed by the Governor 7/9/10) p. 117, 191, 257, 268, 297, 330.

HB 238  AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (Stricken 6/25/09) p. 115, 128, 135.

HB 239  AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO TAX ON LIMITED LIABILITY COMPANY. (Stricken 6/25/09) p. 115, 128, 135.

HB 240  AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO CORPORATE FRANCHISE TAX. (Stricken 6/25/09) p. 115, 128, 135.

HB 241  AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO TAX ON LIMITED LIABILITY COMPANY. (Stricken 6/24/09) p. 115, 128, 131.

HB 242  AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (Stricken 6/24/09) p. 115, 128, 131.


HB 244 w/HA 1  AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO NOTICE OF SCHOOL ELECTIONS. (Signed by the Governor 2/1/10) p. 115, 128, 141, 180, 187.

HB 245 w/HA 1 & SA 1  AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. (Signed by the Governor 2/1/10) p. 114-115, 128, 141, 183-185, 187.

HB 246 w/HA 1 & HA 1 to HA 1  AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOUSING IN THE STATE OF DELAWARE. (Signed by the Governor 4/8/10) p. 115, 124, 128, 136-137, 202, 207.

HS 1/ HB 247 w/HA 1, 2 & 4  AN ACT TO AMEND TITLE 6, TITLE 25 AND TITLE 29 OF THE DELAWARE CODE RELATING TO CONSUMER PROTECTION. (Stricken by the Governor 6/10/10) p. 115, 125, 187, 191, 194, 199-200, 220, 227.


HB 249  AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. (Signed by the Governor 2/1/10) p. 117, 127, 132-133, 180, 187.

HB 251  AN ACT TO AMEND THE CHARTER OF THE TOWN OF FELTON, CHAPTER 91, VOLUME 70, LAWS OF DELAWARE, AS AMENDED, TO PRECLUDE CONTEMPORANEOUS SERVICE ON THE TOWN COUNCIL BY RELATED INDIVIDUALS, TO CHANGE THE DURATION OF THE TERM OF A MEMBER OF THE TOWN COUNCIL, AND TO IMPLEMENT USE OF THE KENT COUNTY VOTER REGISTRATION SYSTEM. (Vetoed 2/9/10) p. 116, 120, 184, 188.

HB 252  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEXUAL OFFENDERS. (House Ready List) p. 117, 126, 139.

HB 253 w/HA 2 & 3  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COMPENSATION FOR INNOCENT VICTIMS OF VIOLENT CRIME. (Signed by the Governor 7/31/09) p. 117, 126, 134, 136, 161, 167.

HB 254  AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION AND EXCEPTIONAL PERSONS. (Senate Education Committee) p. 117, 133, 155.

HS 1/HB 255  AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE. (House Ready List) p. 125, 167, 170.

HB 256 w/HA 1  AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO GIVING CERTAINTY TO THE MORTGAGING OF LEASEHOLD INTERESTS. (Signed by the Governor 7/23/10) p. 125, 128, 220, 245, 328, 331.

HB 257  AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LOTTERIES. (Signed by the Governor 7/24/09) p. 125, 131-132, 158, 164.

HB 258 w/HA 1 & 2  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LICENSES TO CARRY CONCEALED DEADLY WEAPONS. (Signed by the Governor 2/3/10) p. 125, 137, 178, 188.

HB 259  AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO OIL REFINERIES AND EMPLOYMENT PRACTICES. (Stricken 3/23/10) p. 125, 148, 186, 194.

HS 1/HB 260  AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE TAXATION OF LOTTERY WINNINGS. (Signed by the Governor 7/1/09) p. 125-126, 133-134, 145, 158, 161.

HB 261  AN ACT TO AMEND CHAPTER 55, TITLE 30 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITY TAXES. (Stricken 1/26/10) p. 125-126, 133, 135, 178.

HS 1/HB 262  AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE MARSHAL FEES. (Signed by the Governor 7/1/09) p. 125-126, 133, 145-146, 161.

HS 1/HB 263 w/HA 2  AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES ON PERSONAL INCOME. (Signed by the Governor 7/1/09) p. 126, 128, 133, 135, 142, 146, 161.

HB 264  AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE ESTATE TAX. (Stricken 1/26/10) p. 126, 133, 135, 178.

HB 265  AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO GROSS RECEIPTS TAXES. (Stricken 1/26/10) p. 126, 133, 135, 178.

HS 1/HB 267 w/HA 2  AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE REGULATION OF FINFISHING IN TIDAL WATERS. (Signed by the Governor 4/8/10) p. 128, 148, 152, 206-207.

HB 268  AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE AUTHORITY OF THE PUBLIC SERVICE COMMISSION TO COMPEL RETURN OF UTILITY PROPERTY TRANSFERRED WITHOUT AUTHORIZATION. (House Energy Committee) p. 128.

HB 269  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES AND SALE AND DISTRIBUTION OF TOBACCO PRODUCTS. (Signed by the Governor 7/22/09) p. 126, 155-156, 158, 162.

HB 270  AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE REGULATION OF FINFISHING IN TIDAL WATERS. (Signed by the Governor 4/8/10) p. 128, 148, 152, 206-207.

HB 271  AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES. (House Energy Committee) p. 128, 260.

HB 272  AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO STANDARD WEIGHTS AND MEASURES. (Stricken 6/25/09) p. 127, 139.

HB 275  AN ACT REQUIRING COLONIAL SCHOOL DISTRICT TO RETURN A TEACHER WITHIN THE DISTRICT TO THE SAME TEACHING POSITION HELD PRIOR TO SUCH TEACHER’S LEAVE UNDER THE FAMILY AND MEDICAL LEAVE ACT. (Signed by the Governor 7/21/09) p. 128, 130, 158, 162.

HB 276 w/HA 1 & SA 1  AN ACT TO AMEND TITLES 11, 16, 17 AND 21 OF THE DELAWARE CODE RELATING TO CRIMINAL MISCHIEF, GRAFFITI, AND OTHER INJURY TO A SCENIC AND HISTORICAL HIGHWAY OR A SCENIC BYWAY. (Signed by the Governor 7/21/10) p. 134, 164, 166, 326-327, 330.

HB 277  AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE STANDARD USED FOR COST RECOVERY FOR PUBLIC UTILITIES IN PROCEEDINGS INVOLVING A CHANGE IN RATES. (Stricken 6/8/10) p. 134, 165, 167, 261.

HB 278  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ANIMAL CRUELTY. (House Judiciary Committee) p. 134.

HB 279  AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO REVENUE ESTIMATES. (House Administration Committee) p. 139.


HB 281  AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (Senate Executive Committee) p. 139, 182, 258.

HB 282  AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER BY THE COLONIAL SCHOOL DISTRICT TO THE DELAWARE CITY FIRE COMPANY OF CERTAIN REAL PROPERTY INCLUDING THE BUILDING LOCATED ON SOUTH DUPONT PARKWAY KNOWN AS THE COMMODORE MACDONOUGH PROPERTY. (Signed by the Governor 2/4/10) p. 152, 180, 188.

HB 283  AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE EDUCATION OF CHILDREN WHO ARE DEAF OR HARD OF HEARING. (Signed by the Governor 9/10/10) p. 243, 252, 258, 322, 334.

HB 284 w/SA 1  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEXUAL RELATIONS IN A DETENTION FACILITY. (Signed by the Governor 4/9/10) p. 148, 164, 167, 195, 200, 207.

HB 285  AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO ESCHET. (House Revenue & Finance Committee) p. 148, 182.

HB 286  AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FEES FOR VITAL CERTIFICATES. (Signed by the Governor 7/1/09) p. 146, 158, 161.

HB 287  AN ACT TO AMEND TITLES 7 AND 30 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL LICENSES AND FEES. (Signed by the Governor 7/1/09) p. 146-147, 161.

HB 288  AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITY TAXES. (Signed by the Governor 7/1/09) p. 145, 158, 161.

HB 289 w/HA 2  AN ACT TO AMEND TITLE 7 AND TITLE 30 OF THE DELAWARE CODE AND CHAPTER 282, VOLUME 76 OF THE LAWS OF DELAWARE RELATING TO GROSS RECEIPTS TAXES. (Signed by the Governor 7/1/09) p. 142, 147-148, 161.

HB 290  AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2010; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Signed by the Governor 7/1/09) p. 140, 148, 151-152, 158, 161.

HB 291 w/HA 1 & 4  AN ACT TO AMEND TITLES 3, 12 AND 30 OF THE DELAWARE CODE RELATING TO THE ESTATE TAX. (Signed by the Governor 7/1/09) p. 142, 147, 161.

HB 292  AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE. (Stricken 1/21/10) p. 148, 178.

HB 293  AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO DOGS. (House Housing & Community Affairs Committee) p. 148.

HB 294 w/SA 1  AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE KENT COUNTY COMPTROLLER, KENT COUNTY RECEIVER OF TAXES AND COUNTY TREASURER, AND GOVERNMENT OF KENT COUNTY. (Signed by the Governor 4/27/10) p. 148, 164, 166, 206, 210, 220.

HB 295  AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2010; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2010 APPROPRIATIONS ACT; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Signed by the Governor 7/1/09) p. 157, 161.
HB 342  AN ACT PROPOSING AN AMENDMENT TO THE DELAWARE CONSTITUTION RELATING TO SPENDING INCREASES. (House Appropriations Committee) p. 196.
HB 343  AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE CONTRACTS. (House Ready List) p. 200, 220-221, 238.
HB 344 w/HA 1  AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE. (Signed by the Governor 5/21/10) p. 200, 203-205, 242, 244.
HB 345  AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL CURRICULUM AND WORLD LANGUAGES. (Signed by the Governor 6/10/10) p. 197, 212, 215, 246, 273.
HB 346  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE. (House Judiciary Committee) p. 200.
HB 347 w/HA 1  AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE MANDATORY REPORTING OF SCHOOL CRIMES. (Signed by the Governor 8/25/10) p. 200, 212, 218-219, 252, 334.
HS 1/HB 348 w/HA 3  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Signed by the Governor 7/16/10) p. 200, 202, 207, 233, 246, 247, 257, 265, 273-274, 322, 331.
HB 349  AN ACT TO AMEND TITLES 9 AND 30 OF THE DELAWARE CODE RELATING TO WITHHOLDING OF TAX ON GAINS FROM REAL ESTATE. (Signed by the Governor 6/11/10) p. 200, 203, 214, 246, 281.
HB 350  AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PARENTAL INVOLVEMENT IN SCHOOLS. (Stricken 5/13/10) p. 197, 211, 212, 213, 242.
HB 351 w/SA 1  AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE ELDER CARE INFORMATION AND SUPPORT SYSTEM FOR DELAWARE FAMILIES. (Signed by the Governor 5/14/10) p. 200, 203, 205, 227, 232, 244.
HB 352  AN ACT TO AMEND TITLE 27 OF THE DELAWARE CODE RELATING TO RELIGIOUS CAMP MEETINGS. (Signed by the Governor 5/21/10) p. 202, 212, 215, 242, 244.
HB 353  AN ACT TO AMEND TITLE 16 AND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND DUTIES OF THE ATTORNEY GENERAL. (House Administration Committee) p. 201-202.
HB 354  AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DESIGNATION OF A STATE WILDLIFE ANIMAL. (Signed by the Governor 6/10/10) p. 202, 212, 221, 261, 273.
HB 355  AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO ENVIRONMENTAL CONTROL. (Stricken 6/30/10) p. 202, 212, 319.
HB 356 w/SA 1  AN ACT TO AMEND THE CHARTER OF THE TOWN OF FELTON TO CHANGE THE DURATION OF THE TERM OF A MEMBER OF THE TOWN COUNCIL AND TO IMPLEMENT USE OF THE STATE'S VOTER REGISTRATION SYSTEM. (Signed by the Governor 5/18/10) p. 204-205, 228, 234, 244.
HS 1/HB 357 w/HA 3  AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LIMITING THE AUTHORITY OF PUBLIC BODIES TO REGULATE ARMS. (Senate Finance Committee) p. 186, 271, 281, 290-291.
HB 358 w/HA 1  AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FISCAL PROJECTIONS. (Senate Finance Committee) p. 204, 265, 270.
HB 359  AN ACT TO AMEND THE CHARTER OF THE TOWN OF BLADES RELATING TO ELECTIONS. (Signed by the Governor 6/15/10) p. 204, 220, 221, 261, 281.
HB 360  AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FINANCIAL DISCLOSURE REPORTS. (Signed by the Governor 7/12/10) p. 204, 220, 234, 330.
HB 361  AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO DUTIES OF A CANDIDATE. (Signed by the Governor 7/23/10) p. 204, 228, 234, 330, 331.
HB 362  AN ACT TO AMEND THE LAWS OF DELAWARE VOLUME 66, AS AMENDED, PERTAINING TO THE CHARTER OF THE TOWN OF CLAYTON. (Signed by the Governor 5/22/10) p. 207, 220, 221-222, 237, 244.
HB 363  AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO INSTRUCTION IN PUBLIC SCHOOLS ON THE HISTORY OF ORGANIZED LABOR IN AMERICA AND THE COLLECTIVE BARGAINING PROCESS. (House Education Committee) p. 206.
HB 365  AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CERTAIN POSITIONS IN THE COURT OF COMMON PLEAS. (Signed by the Governor 7/2/10) p. 207, 220, 240, 297, 330.

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HB 391  AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES.  (House Ready List) p. 225, 227, 228.

HB 392 w/SA 1  AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME COMMUNITIES.  (Signed by the Governor 7/15/10) p. 224, 228, 274, 310, 318-319, 331.

HB 393 w/SA 1  AN ACT TO AMEND CHAPTER 59, VOLUME 63 OF THE LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF DEWEY BEACH TO GRANT THE TOWN OF DEWEY BEACH THE AUTHORITY TO CHANGE THE DATE OF ANNUAL MUNICIPAL ELECTIONS TO PREVENT CONFLICT WITH JEWISH HOLY DAYS.  (Signed by the Governor 7/12/10) p. 223-224, 228, 234, 271, 310, 330.

HB 394  AN ACT TO AMEND VOLUME 65, CHAPTER 295, LAWS OF DELAWARE, ENTITLED CHARTER OF THE TOWN OF BETHANY BEACH, REGARDING PENALTIES FOR VIOLATIONS OF TOWN ORDINANCES, TO INCREASE THE MAXIMUM FINANCIAL PENALTY THAT MAY BE IMPOSED TO ELIMINATE IMPRISONMENT AS A POTENTIAL SANCTION, AND TO AUTHORIZE THE TOWN TO IMPOSE CIVIL PENALTIES AS WELL AS CRIMINAL PENALTIES.  (Signed by the Governor 6/22/10) p. 224, 228, 234, 271, 308.

HB 395 w/HA 1 & SA 1, 2 & 3  AN ACT TO AMEND VOLUME 65, CHAPTER 295, LAWS OF DELAWARE, AN ACT TO REINCORPORATE THE TOWN OF BETHANY BEACH REGARDING THE REFERENDUM POWER, AND TO ALLOW NATURAL PERSONS HOLDING TITLE TO REAL ESTATE AS TRUSTEE, TO VOTE IN MUNICIPAL ELECTIONS; AND PLACING A LIMIT ON THE TOTAL NUMBER OF PERSONS WHO MAY QUALIFY TO VOTE AS A “NONRESIDENT PROPERTY OWNER” TO A MAXIMUM OF EIGHT PERSONS PER PROPERTY.  (Signed by the Governor 7/27/10) p. 224, 228, 233, 241, 308, 319, 320, 331.

HB 396 w/HA 1  AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION.  (Signed by the Governor 7/23/10) p. 229, 252, 269, 322, 331.

HB 397  AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES.  (Senate Executive Committee) p. 229, 252, 255-256.

HB 398  AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO EXTENSION OF MUSKRAT SEASON.  (Signed by the Governor 7/27/10) p. 229, 252, 254, 328, 331.

HB 399 w/HA 1 & 3  AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION.  (Senate Education Committee) p. 232, 238, 246, 252, 309, 322, 334.

HB 400  AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO BUILDING CONSTRUCTION DISPUTES.  (Senate Ready List) p. 233, 252, 254.

HB 401  AN ACT TO AMEND TITLES 12 AND 14 OF THE DELAWARE CODE RELATING TO ESCHEATS.  (House Ready List) p. 237, 246, 252.

HB 402  AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TOBACCO PRODUCT TAX.  (Signed by the Governor 7/2/10) p. 238, 252, 258, 297, 330.

HB 403  AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF AGRICULTURE.  (Signed by the Governor 7/12/10) p. 237, 253, 259, 260, 310, 330.

HB 404  AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF AGRICULTURE.  (Signed by the Governor 7/12/10) p. 237, 253, 267, 310, 330.

HB 405  AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF AGRICULTURE.  (Signed by the Governor 7/12/10) p. 237, 253, 259, 260, 310, 330.

HB 406  AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF AGRICULTURE.  (Signed by the Governor 7/12/10) p. 237, 253, 267, 310, 330.

HB 407  AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF AGRICULTURE.  (Signed by the Governor 7/12/10) p. 237, 253, 260, 310, 330.

HB 408  AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TOBACCO PRODUCT TAX.  (Signed by the Governor 7/2/10) p. 238, 252, 258, 297, 330.

HB 409  AN ACT TO AMEND CHAPTERS 5 AND 7 OF TITLE 7 OF THE DELAWARE CODE RELATING TO LICENCES AND REGULATIONS CONCERNING GAME AND FISH.  (Signed by the Governor 7/23/10) p. 238, 252, 254, 327, 331.

HB 410 w/HA 2  AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO DIVORCE AND ANNULMENT.  (Signed by the Governor 7/23/10) p. 238, 252, 259, 306, 328, 331.

HB 411  AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DELAWARE ECONOMIC AND FINANCIAL ADVISORY COUNCIL.  (House Administration Committee) p. 239.

HB 412  AN ACT PROPOSING AN AMENDMENT TO ARTICLE II OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO OPEN MEETINGS AND PUBLIC RECORDS OF THE GENERAL ASSEMBLY.  (House Administration Committee) p. 239.

HB 413  AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PROCUREMENT.  (House Administration Committee) p. 239.

HB 415 w/HA 1  AN ACT TO AMEND CHAPTER 64A, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY. (Signed by the Governor 7/23/10) p. 243, 252, 258-259, 330, 331.


HB 417  AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FISCAL REGULATIONS OF THE STATE AND THE CREATION OF A GENERAL FUND ACCOUNT FOR DISASTER RELIEF. (House Administration Committee) p. 243.

HB 418  AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CUSTODY PROCEEDINGS. (House Veterans Affairs Committee) p. 243, 244, 258, 269, 327, 331.

HB 421 w/ HA 1 & SA 1  AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO REFORESTATION ACTIVITIES OF THE DEPARTMENT OF TRANSPORTATION. (Signed by the Governor 7/12/10) p. 243, 265, 284, 310, 330.

HB 422  AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO CONSUMER LEGAL FINANCE TRANSACTIONS. (House Ready List) p. 243, 252, 259, 297, 330.

HB 423  AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CHOICE OF LAW AND CHOICE OF FORUM. (Signed by the Governor 7/27/10) p. 246, 252, 259, 303, 313, 328, 334.

HB 424  AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF CHIROPRACTIC. (Signed by the Governor 7/3/10) p. 247, 265, 276, 308, 330.

HB 425 w/HA 1 & 2  AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTIES AND TITLE 7 OF THE DELAWARE CODE RELATING TO DOGS. (Signed by the Governor 7/23/10) p. 243, 252, 259, 327, 331.

HB 426  AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO DOMESTIC RELATIONS AND THIRD PARTY VISITATION. (Signed by the Governor 7/23/10) p. 243, 244, 258, 269, 322, 326, 334.

HB 427 w/HA 1 & 2  AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE. (Signed by the Governor 8/30/10) p. 243, 265, 267-268, 322, 331.

HB 428  AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUIORS, OFFENSES CONCERNING CERTAIN PERSONS AND THE CREATION OF A CIVIL CAUSE OF ACTION FOR INJURIES CAUSED BY CERTAIN PERSONS. (House Judiciary Committee) p. 244, 260, 261.

HB 429  AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO A THREE-YEAR MORATORIUM ON THE CREATION OF NEW SPECIAL LICENSE PLATES. (House Ready List) p. 244, 265.

HB 430  AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO Pawningbrokers, Secondhand Dealers and Scrap Metal Processors. (Signed by the Governor 7/23/10) p. 247, 265, 267, 308, 330.

HB 431 w/HA 1, HA 1 to HA 1 & SA 1  AN ACT TO AMEND CHAPTER 189, VOLUME 43, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE CHARTER OF THE TOWN OF WYOMING. (Signed by the Governor 7/28/10) p. 247, 265, 275, 316, 318, 331.

HB 432  AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO SPIRITS, WINE, AND BEER TASTING. (Signed by the Governor 7/23/10) p. 247, 265, 268, 308, 330.

HB 433  AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CHOICE OF LAW AND CHOICE OF FORUM. (Signed by the Governor 7/27/10) p. 246, 252, 259, 322, 331.

HB 434  AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (House Public Safety and Homeland Security Committee) p. 247.

HB 435 w/HA 1 & 2  AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF CHIROPRACTIC. (Signed by the Governor 7/30/10) p. 247, 276, 281, 303, 313, 328, 334.

HB 436  AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO UNIT FUNDING. (House Education Committee) p. 247.
HB 437 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING, AND FISHING LICENSES. (Signed by the Governor 7/27/10) p. 247, 261, 265, 271, 326, 328, 331.

HB 438 w/HA 1 AN ACT TO AMEND TITLE 11, § 4217 OF THE DELAWARE CODE RELATING TO RELEASE OF INMATES FOR DEMONSTRATED REHABILITATION. (Signed by the Governor 7/12/10) p. 247, 265, 297, 330.

HB 439 AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF LAUREL, TO ALLOW THE TOWN OF LAUREL TO FINANCE THE ELIGIBLE COSTS OF QUALIFYING PROJECTS AND ITEMS FOR A TAX INCREMENT FINANCING (TIF) DISTRICT AND A SPECIAL DEVELOPMENT DISTRICT CREATED BY THE TOWN OF LAUREL UNDER SECTION 36A OF THE CHARTER, WHETHER ANY SUCH PROJECT OR ITEM WILL ULTIMATELY BE OWNED BY THE TOWN OF LAUREL OR BY THE STATE OF DELAWARE OR ANY AGENCY OR INSTRUMENTALITY THEREOF, OR ANY COUNTY, LOCAL POLITICAL SUBDIVISION, INSTRUMENTALITY, AGENCY, BODY POLITIC, UTILITY DISTRICT, OR SIMILAR ENTITY WITHIN THE STATE OF DELAWARE. (Signed by the Governor 7/15/10) p. 253, 265, 268, 316, 331.

HB 440 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO INFORMED CONSENT AND CONFIDENTIALITY. (Signed by the Governor 7/15/10) p. 253, 265, 284, 310, 331.

HB 441 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNIVERSAL BREAKFAST FUND. (House Appropriations Committee) p. 253, 265, 276, 286.

HB 442 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR WASTEWATER TREATMENT UTILITIES. (House Ready List) p. 256, 265.

HB 443 w/HA 1 & 2 AN ACT TO AMEND TITLES 10, 11, 16 AND 21 OF THE DELAWARE CODE RELATING TO DRUG LAWS, CRIMES AND CRIMINAL PROCEDURE, SENTENCING ACCOUNTABILITY, COURTS AND JUDICIAL PROCEDURE, AND MOTOR VEHICLES. (Senate Executive Committee) p. 253, 265, 274-275.

HB 444 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO CHILD CARE. (House Health & Human Development Committee) p. 253, 261.

HB 445 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (House Judiciary Committee) p. 253.

HB 446 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE NEWARK HOUSING AUTHORITY. (Signed by the Governor 7/2/10) p. 255, 265, 268, 297, 330.

HB 447 w/HA 2 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO BREWERY-PUBS AND MICROBREWRIES. (Signed by the Governor 7/24/10) p. 255, 265, 268-269, 270, 308, 331.

HB 448 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE IMPLEMENTATION OF A STATEWIDE “BLUE ALERT” SYSTEM FOR THE SPEEDY APPEHENSION OF PERSONS ACCUSED OF KILLING OR SERIOUSLY INJURING LAW ENFORCEMENT OFFICERS. (Signed by the Governor 8/26/10) p. 256, 265, 270, 322, 334.

HB 449 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO PLANNING & ZONING. (Signed by the Governor 7/27/10) p. 256, 258, 265, 268, 322, 331.

HB 450 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES. (Senate Executive Committee) p. 256, 281, 284.

HB 451 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO FAMILY COURT. (Signed by the Governor 7/27/10) p. 257, 281, 307-308, 328, 331.

HB 452 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATED TO PROBATION AND PAROLE OFFICERS. (Signed by the Governor 7/27/10) p. 257, 281, 285, 327, 331.

HB 453 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE CONVERSION OF A MUTUAL INSURER TO A STOCK INSURER. (Signed by the Governor 8/18/10) p. 257, 281, 283, 310, 334.

HB 454 w/HA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT. (Signed by the Governor 7/2/10) p. 260, 265, 297, 330.

HB 455 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO DURABLE POWERS OF ATTORNEY AND ADDING A CHAPTER 49A THERETO RELATING TO DURABLE PERSONAL POWERS OF ATTORNEY. (Signed by the Governor 8/19/10) p. 260, 265, 275, 322, 334.

HB 456 w/HA 3 & 4 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE TREATMENT OF MINORS BY PHYSICIANS UNDER THE MEDICAL PRACTICE ACT. (Signed by the Governor 6/30/10) p. 265, 281, 285, 296-297, 316, 318.
HB 457  AN ACT TO AMEND TITLES 11, 24 AND 29 OF THE DELAWARE CODE RELATING TO TRAINING ON CHILD SEXUAL AND PHYSICAL ABUSE, EXPLOITATION AND DOMESTIC VIOLENCE AND THE MANDATORY REPORTING THEREOF. (Signed by the Governor 6/30/10) p. 266, 281, 288-289, 310, 318.

HB 458  AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO REGISTRATION TO PRACTICE MEDICINE. (Signed by the Governor 6/30/10) p. 266, 281, 288, 310, 318.

HB 459 w/HA 1  AN ACT TO AMEND TITLES 24 AND 29 OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICE ACT, THE BOARD OF MEDICAL PRACTICE AND THE DEPARTMENT OF STATE. (Signed by the Governor 6/30/10) p. 266, 281, 288, 310, 318.

HB 460  AN ACT TO AMEND TITLE 9 AND TITLE 22 OF THE DELAWARE CODE RELATING TO ACCESSIBILITY FOR PERSONS WITH DISABILITIES. (House Health & Human Development Committee) p. 308.

HB 461  AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STUDENT ACADEMIC REWARD SCHOLARSHIP AT WILMINGTON UNIVERSITY. (Stricken 6/16/10) p. 267, 280.

HB 462 w/HA 1  AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR VIOLATIONS OF REQUIRED MOTOR VEHICLE INSURANCE, INCLUDING FICTITIOUS PROOFS OF INSURANCE. (Vetoed 8/2/10) p. 266, 281, 289-290, 328, 334.

HB 463 w/HA 1  AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO MASSAGE AND BODYWORK. (Vetoed 8/2/10) p. 266, 281, 285, 295, 327, 334.

HB 464 w/HA 1  AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO AMUSEMENT RIDES SAFETY INSPECTION AND INSURANCE ACT; FIRE PREVENTION; REPORTING OF BURN INJURIES AND WOUNDS; AND REDUCED IGNITION PROPENSITY CIGARETTES. (Signed by the Governor 7/27/10) p. 266, 281, 295, 327, 331.

HB 465  AN ACT PROPOSING AN AMENDMENT TO ARTICLE III AND THE SCHEDULE OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE RECORDER OF DEEDS. (House Administration Committee) p. 266, 276-277.

HB 466 w/HA 1  AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO DOGS. (Laid on the Table in the House 6/23/10) p. 271, 282, 283, 295.

HB 467  AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO NAMING THE KENT COUNTY FAMILY COURT BUILDING IN HONOR OF RETIRED JUDGE DAVID P. BUCKSON. (House Judiciary Committee) p. 272.

HB 468  AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, ARTICLE IV, AND THE SCHEDULE OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE REGISTER OF WILLS. (House Administration Committee) p. 271.

HB 469  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COMPENSATION FOR INNOCENT VICTIMS OF CRIME. (House Judiciary Committee) p. 272, 285.

HB 470  AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EARLY CHILDHOOD EDUCATION. (Signed by the Governor 7/12/10) p. 272, 281, 283, 308, 330.

HB 471  AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO ESCHEATS. (Passed in the House 6/24/10) p. 272, 281, 305.

HB 472 w/HA 1  AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE ESTABLISHING A VIETNAM VETERANS DAY. (Signed by the Governor 9/11/10) p. 272, 281, 287-288, 328, 334.

HB 473  AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE REQUIRING PROPERTY AND CASUALTY INSURERS TO ANNUALLY SUBMIT A STATEMENT OF ACTUARIAL OPINION. (Passed in the House 6/30/10) p. 272, 292, 294, 317.

HB 474  AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE BY CREATING AN OFFICE OF POLICY ANALYSIS AND GOVERNMENT ACCOUNTABILITY. (Stricken 6/15/10) p. 272, 276.

HB 475 w/HA 1  AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNIFORM COMMON INTEREST OWNERSHIP ACT AND THE UNIT PROPERTY ACT. (Signed by the Governor 7/12) p. 272, 277, 281, 288, 310, 330.

HB 476  AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO FEES CHARGEABLE IN CONNECTION WITH STORMWATER DISCHARGE. (House Natural Resources Committee) p. 272.

HB 477  AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATED TO THE DELAWARE WHOLESALE LICENSE FEE. (Signed by the Governor 7/19/10) p. 272, 281, 283, 311, 327, 331.

HB 478  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE STATE TROOPER FUND, FUNDED BY AN ADDITIONAL PENALTY IMPOSED BY COURTS FOR VARIOUS CRIMES AND OFFENSES. (House Ready List) p. 272, 281.

HB 479  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE CHIEF DUE PROCESS. (House Ready List) p. 272, 281.
HB 480 w/HA 1 AN ACT TO AMEND TITLES 3, 7, AND 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. (Signed by the Governor 7/23/10) p. 272, 281, 309, 312-313, 328, 331.

HB 481 w/HA 1 AN ACT TO AMEND TITLE 24 CHAPTER 11 OF THE DELAWARE CODE RELATING THE BOARD OF DENTAL EXAMINERS. (Signed by the Governor 7/30/10) p. 272, 281, 285, 289, 327, 334.

HB 482 AN ACT TO AMEND TITLE 14 AND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HIGHER EDUCATION COMMISSION. (Signed by the Governor 7/23/10) p. 273, 281, 287, 328, 331.

HB 483 AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO THE DELAWARE NATIONAL GUARD. (Signed by the Governor 7/29/10) p. 276, 286, 295, 328, 334.

HB 484 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH FACILITIES AND PEER REVIEW OF ALLEGED CRIMINAL CONDUCT. (House Health & Human Development Committee) p. 282.

HB 485 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE. (Signed by the Governor 6/30/10) p. 285, 294, 305-306, 316, 318.


HB 487 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY GOVERNMENTS. (Signed by the Governor 7/12/10) p. 291, 297, 306-307, 327, 330.

HB 488 w/HA 2 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PLUMBING PERMITS. (Signed by the Governor 7/27/10) p. 291, 293, 306, 328, 331.

HB 489 w/HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE OR REGISTRATION PLATES FOR FLYERS CHARITIES. (Passed in the House 6/29/10) p. 292, 302, 311.

HB 490 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF STATE ECONOMIC DEVELOPMENT. (House Economic Development/Banking/Insurance/Commerce Committee) p. 297.

HB 491 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DIVISION OF CHILD SUPPORT ENFORCEMENT AND CONFIDENTIALITY OF RECORDS. (House Ready List) p. 301, 309.

HB 492 AN ACT TO AMEND TITLES 30, 12, AND 3 OF THE DELAWARE CODE RELATING TO THE DELAWARE ESTATE TAX. (House Revenue & Finance Committee) p. 302.

HB 493 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (Signed by the Governor 7/6/10) p. 308, 315, 328, 330.

HB 494 w/HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (Signed by the Governor 7/6/10) p. 308, 316, 328, 330.

HB 495 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO GROSS RECEIPTS TAXES. (House Revenue & Finance Committee) p. 315.

HB 496 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO BUSINESS TAX CREDITS AND DEDUCTIONS. (House Revenue & Finance Committee) p. 316.

HB 497 AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO THE ESTATE TAX. (House Revenue & Finance Committee) p. 316.

HB 498 A Bill with this number was not introduced.

HB 499 A Bill with this number was not introduced.

HB 500 A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2011; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; DEAUTHORIZING AND REAUTHORIZING CERTAIN FUNDS OF THE TRANSPORTATION TRUST FUND; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; REVERTING AND REPROGRAMMING CERTAIN FUND OF THE STATE; DIRECTING THE DEPOSIT OF CERTAIN FUNDS TO THE GENERAL FUND; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. (Signed by the Governor 7/1/10) p. 310-311, 323-324, 327, 330.
HOUSE RESOLUTIONS

HR 1 RELATING TO THE ELECTION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. (Passed) p. 3.


HR 3 RELATING TO THE ELECTION OF OFFICERS OF THE HOUSE OF REPRESENTATIVES. (Passed) p. 4.


HR 5 URGING THE GOVERNMENT OF TURKEY TO CEASE ITS DISCRIMINATION OF THE ECUMENICAL PATRIARCHATE, TO GRANT THE ECUMENICAL PATRIARCH APPROPRIATE INTERNATIONAL RECOGNITION, ECCLESIASTICAL SUCCESSION AND THE RIGHT TO TRAIN CLERGY OF ALL NATIONALITIES, AND TO RESPECT THE PROPERTY RIGHTS AND HUMAN RIGHTS OF THE ECUMENICAL PATRIARCHATE. (Stricken 3/19/09) p. 19, 29.

HR 6 PROCLAIMING FEBRUARY 15-21, 2009 AS FOOD CHECK-OUT WEEK IN DELAWARE. (Passed) p. 19.


HR 9 URGING THE GOVERNMENT OF TURKEY TO GRANT THE ECUMENICAL PATRIARCH APPROPRIATE INTERNATIONAL RECOGNITION, ECCLESIASTICAL SUCCESSION AND THE RIGHT TO TRAIN CLERGY OF ALL NATIONALITIES, AND TO RESPECT THE PROPERTY RIGHTS AND HUMAN RIGHTS OF THE ECUMENICAL PATRIARCHATE. (Passed) p. 23, 26, 30.

HR 10 DECLARING APRIL, 2009 AS AUTISM AWARENESS MONTH IN DELAWARE. (Passed) p. 42.

HR 11 A RESOLUTION RECOGNIZING MARCH 25, 2009 AS GREEK INDEPENDENCE DAY IN THE STATE OF DELAWARE. (Passed) p. 34.


HR 13 COMMENDING THE DELAWARE DENTAL SOCIETY ON THE ACHIEVEMENTS OF ITS SIXTH ANNUAL GIVE KIDS A SMILE PROGRAM. (Passed) p. 82.

HR 14 A RESOLUTION URGING THE DELAWARE DEPARTMENT OF TRANSPORTATION (DELDOT), AND OTHER STATE AGENCIES RECEIVING MONEY FOR CAPITAL PROJECTS VIA THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, ("RECOVERY ACT") TO USE DELAWARE COMPANIES AND DELAWARE LABOR. (House Ready List) p. 39, 51.

HR 15 HONORING JUDGE MERRILL C. TRADER FOR HIS DEDICATED SERVICE TO THE STATE OF DELAWARE. (Passed) p. 44-45.

HR 16 RESOLUTION URGING ALL MEMBERS OF THE DELAWARE HOUSE OF REPRESENTATIVES TO MATCH COMPENSATION AND BENEFIT REDUCTIONS THAT ARE BEING ASKED OF OUR FELLOW STATE EMPLOYEES. (Passed) p. 41, 45.

HR 17 RECOGNIZING APRIL 28, 2009 AS WORKERS MEMORIAL DAY. (Passed) p. 52.

HR 18 ESTABLISHING APRIL 28, 2009 AS “EQUAL PAY DAY” IN THE STATE OF DELAWARE. (Passed) p. 61.

HR 19 URGING CONGRESS TO DEFEAT THE EMPLOYEE FREE CHOICE ACT. (House Administration Committee) p. 68.

HR 20 REQUESTING EACH DELAWARE HIGH SCHOOL TO PROVIDE THE HOUSE OF REPRESENTATIVES WITH THE NAMES AND ADDRESSES OF ITS GRADUATING SENIORS. (Passed) p. 71.

HR 21 A RESOLUTION CELEBRATING ARMED FORCES DAY AND HONORING THE 4TH UNITED STATES COLORED INFANTRY REGIMENT. (Passed) p. 75.

HR 22 CREATING A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS FOR IMPROVING DELAWARE’S LAWS, REGULATIONS AND SCHOOL DISTRICT POLICIES RELATING TO SCHOOL DISCIPLINE AND VIOLATIONS OF SCHOOL CODES OF CONDUCT. (Passed) p. 85.
HR 24 A RESOLUTION CREATING A COMMITTEE TO STUDY IMPLEMENTATION OF A STATEWIDE UNIVERSAL BREAKFAST PROGRAM. (Passed) p. 91.
HR 25 URGING DELAWARE'S CONGRESSIONAL DELEGATION TO SUPPORT H.R. 22 ALLOWING THE UNITED STATES POSTAL SERVICE TO PAY ITS SHARE OF CONTRIBUTIONS FOR ANNUITANTS' HEALTH BENEFITS OUT OF THE POSTAL SERVICE RETIREE HEALTH BENEFITS FUND. (Passed) p. 91.
HR 26 RECOGNIZING DR. ROBERT J. ANDRZEJEWSKI ON THE HONOR OF RECEIVING THE JANE MARONEY AWARD. (Passed) p. 91.
HR 28 CREATING A DART PARATRANSIT CELL PHONE PILOT PROGRAM. (Passed) p. 112.
HR 29 DIRECTING THE OFFICE OF MANAGEMENT AND BUDGET TO STUDY DEFERRED RETIREMENT OPTION PLANS. (Passed) p. 150.
HR 30 COMMENDING THE KIWANIS CLUB OF DOVER FOR SEVENTY-FIVE YEARS OF SERVICE TO THE COMMUNITY. (Passed) p. 163-164.
HR 31 EXTENDING THE REPORTING DATE OF THE SCHOOL DISCIPLINE TASK FORCE. (Passed) p. 167.
HR 32 SUPPORTING THE DELAWARE RIVER MAIN CHANNEL DEEPENING PROJECT. (Natural Resources Committee) p. 169.
HR 33 REQUESTING THE DEPARTMENT OF EDUCATION BEGIN DEVELOPMENT OF STANDARDIZED STUDENT CODE OF CONDUCT POLICIES FOR ALL OF DELAWARE'S PUBLIC SCHOOL DISTRICTS. (Passed) p. 180.
HR 34 CONGRATULATING THE GIRL SCOUTS OF THE CHESAPEAKE BAY COUNCIL'S SCIENCE AND TECHNOLOGY LODGE ON RECEIVING THE FIRST LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN PLATINUM CERTIFICATION IN DELAWARE. (Passed) p. 183.
HR 35 A RESOLUTION RELATING TO THE ROUTE 301 PROJECT. (Passed) p. 185.
HR 38 PROCLAIMING FEBRUARY 21-27, 2010 AS FOOD CHECK-OUT WEEK IN DELAWARE. (Passed) p. 197.
HR 39 REQUESTING THE HEALTH CARE ADVISORY PANEL TO PROVIDE AN UPDATE TO THE LEGISLATURE ON THE IMPACT ON PREMIUM COSTS TO EMPLOYERS AS A RESULT OF ENACTMENT OF THE 2007 WORKERS' COMPENSATION LAW. (Passed) p. 211-212.
HR 41 REQUESTING THE DELAWARE INSURANCE COMMISSIONER TO CONDUCT RANDOM AUDITS OF SMALL BUSINESS HEALTH INSURANCE CARRIERS IN DELAWARE. (Passed) p. 211-212.
HR 42 HONORING THE LONGSTANDING PARTNERSHIP IN PUBLIC SERVICE BETWEEN THE UNIVERSITY OF DELAWARE AND THE STATE OF DELAWARE. (Passed) p. 228.
HR 43 HONORING THE LONGSTANDING PARTNERSHIP IN PUBLIC SERVICE BETWEEN DELAWARE STATE UNIVERSITY AND THE STATE OF DELAWARE. (Passed) p. 228.
HR 44 HONORING THE LONGSTANDING PARTNERSHIP IN PUBLIC SERVICE BETWEEN DELAWARE TECHNICAL & COMMUNITY COLLEGE AND THE STATE OF DELAWARE. (Passed) p. 228.
HR 45 RECOGNIZING MAY 12, 2010 AS FIBROMYALGIA AWARENESS DAY IN DELAWARE. (Passed) p. 237.
HR 46 CELEBRATING THE TENTH ANNIVERSARY OF THE FIRST STATE BALLET THEATRE. (Passed) p. 252.
HR 47 REQUESTING DELDOT CONDUCT A FEASIBILITY STUDY TO FACILITATE THE CREATION OF A ROAD CONNECTION FROM STATE ROUTE ONE TO NEW ROAD, LEWES. (Passed) p. 287.
HR 48 DIRECTING THE DELAWARE ECONOMIC DEVELOPMENT OFFICE TO STUDY THE COSTS AND IMPACT OF UNDOCUMENTED IMMIGRATION ON THE STATE OF DELAWARE. (House Economic Development/Banking/Insurance/Commerce Committee) p. 309.

HOUSE CONCURRENT RESOLUTIONS

HCR 1 URGING CONGRESS TO ENACT THE EMPLOYEE FREE CHOICE ACT. (Stricken 1/19/10) p. 5, 167.
HCR 3 CELEBRATING THE WEEK OF JANUARY 26TH THROUGH JANUARY 31ST AS CATHOLIC SCHOOLS WEEK IN DELAWARE. (Passed) p. 16-17.
HCR 4 RECOGNIZING THE DIVISION OF CORPORATIONS ON RECEIVING THE W.L. GORE AWARD. (Passed) p. 16-17.
HCR 5 COMMENDING MARK TEESDALE FOR BEING SELECTED DELAWARE’S STATE TEACHER OF THE YEAR FOR 2009 AND COMMENDING EACH SCHOOL DISTRICT’S TEACHER OF THE YEAR. (Passed) p. 31, 34.
HCR 6 A RESOLUTION URGING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO REQUIRE ALL FACILITIES THAT OPERATE IN THE DELAWARE ESTUARY WATERS AND UTILIZE COOLING WATER INTAKE STRUCTURES TO IMPLEMENT “CLOSED-CYCLE” COOLING SYSTEMS, AND URGING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO DECLARE THAT “CLOSED CYCLE” COOLING SYSTEMS CONSTITUTE THE BEST TECHNOLOGY AVAILABLE FOR WATER INTAKE STRUCTURES. (Stricken 3/24/09) p. 29, 33.
HCR 7 w/SA 1 A RESOLUTION URGING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO REQUIRE ALL FACILITIES THAT OPERATE IN DELAWARE WATERS AND UTILIZE COOLING WATER INTAKE STRUCTURES TO IMPLEMENT “CLOSED-CYCLE” COOLING SYSTEMS, AND URGING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO DECLARE THAT “CLOSED CYCLE” COOLING SYSTEMS CONSTITUTE THE BEST TECHNOLOGY AVAILABLE FOR WATER INTAKE STRUCTURES. (Passed) p. 32, 72, 89, 124, 141.
HCR 9 DESIGNATING SATURDAY, MAY 2, 2009 AS “BRAIN TUMOR AWARENESS DAY” IN THE STATE OF DELAWARE. (Passed) p. 64.
HCR 10 DECLARING MAY 14, 2009 AS DIRECT SUPPORT PROFESSIONALS DAY IN DELAWARE. (Passed) p. 80-81.
HCR 11 COMMENDING THE NOMINEES FOR THE 2009 DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE. (Passed) p. 65, 71.
HCR 13 COMMENDING THE EFFORTS OF DELAWARE’S CHARTER SCHOOLS IN EDUCATING DELAWARE STUDENTS. (Passed) p. 71.
HCR 14 TO RECOGNIZE MAY AS “POPPY MONTH” IN THE STATE OF DELAWARE. (Passed) p. 82, 86.
HCR 17 EXTENDING SINCERE THANKS TO THE CAREER AND TECHNICAL STUDENT ORGANIZATIONS OF DELAWARE FOR THE PRESENTATION OF THE BEAUTIFUL GERANIUMS AND EXTENDING BEST WISHES FOR MUCH SUCCESS TO EACH OF THESE EXEMPLARY STUDENTS. (Passed) p. 72, 74.
HCR 18 ESTABLISHING THE DELAWARE NATIONAL GUARD AND RESERVIST HEALTH INSURANCE SUPPORT GROUP. (Passed) p. 80-81.
HCR 19 PROCLAIMING THE MONTH OF OCTOBER TO BE “DISABILITY HISTORY AND AWARENESS MONTH” AND ENCOURAGING ALL DELAWARE SCHOOLS TO PROVIDE INSTRUCTION AND EVENTS RELATED THERETO. (Passed) p. 103, 124.
HCR 20 A Concurrent Resolution with this number was not introduced.


HCR 25 URGING CONGRESS TO REQUIRE THE UNITED STATES DEPARTMENT OF DEFENSE TO DESIGNATE "PRISONER OF WAR" AND "MISSING IN ACTION" INTO THE CASUALTY STATUS AND CATEGORY CLASSIFICATION FOR MILITARY PERSONNEL. (Stricken 3/30/10) p. 187, 196, 201.


HCR 27 SUPPORTING THE DESIGNATION OF THE "HONOR AND REMEMBER FLAG" AS A NATIONAL SYMBOL FOR REMEMBERING OUR FALLEN SERVICEMEN AND WOMEN. (Passed) p. 192, 196.

HCR 28 URGING THE 111TH CONGRESS TO ABANDON THE IRRATIONAL PURSUIT OF A FISCALLY IRRESPONSIBLE FEDERAL HEALTHCARE ENTITLEMENT PLAN AND ENACT LESS COSTLY ALTERNATIVES TO REDUCE THE COST OF HEALTHCARE AND INCREASE ITS AVAILABILITY FOR ALL AMERICANS. (House Administration Committee) p. 193.

HCR 29 RECOGNIZING THE VALUABLE CONTRIBUTION THAT THE LIONS CLUBS INTERNATIONAL MAKE TO OUR LOCAL COMMUNITIES, AS WELL AS TO THE WORLD AT-LARGE, BY DESIGNATING THAT MARCH 27, 2010 BE DECLARED AS DELAWARE STATE LIONS DAY. (Passed) p. 195, 196.


HCR 31 URGING CONGRESS TO REQUIRE THE UNITED STATES DEPARTMENT OF DEFENSE TO DESIGNATE "PRISONER OF WAR" AND "MISSING IN ACTION" INTO THE CASUALTY STATUS AND CATEGORY CLASSIFICATION FOR MILITARY PERSONNEL. (Passed) p. 201, 308.


HCR 33 PROCLAIMING APRIL 18, 2010 THROUGH APRIL 24, 2010 AS "DELAWARE'S WEEK OF SERVICE." (Passed) p. 203, 206.


HCR 35 ESTABLISHING APRIL 20, 2010 AS "EQUAL PAY DAY" IN THE STATE OF DELAWARE. (Passed) p. 209, 211.


HCR 38 DESIGNATING SATURDAY MAY 1, 2010, AS "BRAIN TUMOR AWARENESS DAY" IN THE STATE OF DELAWARE. (Passed) p. 216- 217, 223.

HCR 39 THANKING THE PARENT TEACHER ASSOCIATION (THE "PTA") FOR ITS 113 YEARS OF SERVICE AND DEDICATION TO OUR CHILDREN, OUR SCHOOLS AND OUR COMMUNITIES. (Passed) p. 219-220, 223.

HCR 40 DESIGNATING THE MONTH OF MAY 2010 AS "OLDER AMERICANS MONTH". (Passed) p. 228, 232.


HCR 45 IN RECOGNITION OF THE 2010 ALL STAR AWARD RECIPIENTS OF THE DELAWARE HEALTH CARE FACILITIES ASSOCIATION DURING NATIONAL NURSING HOME WEEK. (Passed) p. 238.

HCR 46 SUPPORTING THE CREATION OF A NATIONAL POW/MIA TRAILWAY SYSTEM AND RECOMMENDING THAT THE SEGMENT OF THE ABANDONED PENNSYLVANIA RAILROAD RUNNING FROM SOUTH MARKET STREET IN WILMINGTON TO BATTERY PARK IN NEW CASTLE BE DESIGNATED AS THE FIRST SEGMENT THEREOF. (House Ready List) p. 239, 265.


HCR 48 WELCOMING HOME THE MEMBERS OF THE DELAWARE ARMY NATIONAL GUARD'S 262nd COMPONENT REPAIR COMPANY AND EXPRESSING THE GENERAL ASSEMBLY'S SINCERE APPRECIATION FOR THEIR HEROIC SERVICE IN IRAQ. (Passed) p. 286, 308.

HCR 49 EXPRESSING THE GRATITUDE OF THE GENERAL ASSEMBLY FOR THE TIRELESS WORK OF THE STATISTICAL ANALYSIS CENTER, AND URGING THE DEPARTMENT OF CORRECTION TO WORK COOPERATIVELY WITH THE STATISTICAL ANALYSIS CENTER TO UPDATE THE REPORT REGARDING DELAWARE'S CORRECTIONAL JUSTICE SYSTEM. (Senate Adult & Juvenile Corrections Committee) p. 252.


HCR 51 REQUESTING THAT THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL (DNREC) WORK WITH DELAWARE'S U.S. CONGRESSIONAL DELEGATION, AS WELL AS THE U.S. NATIONAL PARKS SERVICE AND STATE OFFICIALS IN NEW JERSEY AND PENNSYLVANIA, TO FACILITATE THE CREATION OF A TIDAL DELAWARE RIVER NATIONAL RECREATION AREA. (Senate Executive Committee) p. 287.

HCR 52 DESIGNATING OCTOBER 2010 AS "BLINDNESS AWARENESS MONTH" IN DELAWARE. (Passed) p. 287, 308.


HCR 56 CREATING A TASK FORCE TO REVIEW DELAWARE'S AGRICULTURAL OUTLOOK. (Passed) p. 292, 308.

HCR 57 REQUESTING THE DELAWARE BOARD OF VETERINARY MEDICINE DEVELOP REGULATIONS TO ASSURE THAT ANIMAL OWNERS ARE PROVIDED WITH PRODUCT SAFETY INFORMATION ASSOCIATED WITH THE VETERINARY PRESCRIPTION DRUGS ADMINISTERED OR DISPENSED BY THEIR VETERINARIANS. (Passed in the House 6/30/10) p. 324.

HCR 58 HONORING THE YOUNG WOMEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2010 SESSION OF DELAWARE'S GIRLS' STATE. (Passed) p. 303, 308.


HOUSE JOINT RESOLUTIONS

HJR 1 RELATING TO THE ELECTION OF A BILL CLERK OF THE HOUSE OF REPRESENTATIVES. (Signed by the Governor 1/15/09) p. 4, 9, 12.
HJR 2 INCREASING THE ACCOUNTABILITY AND TRANSPARENCY OF THE FUNDS THE STATE OF DELAWARE IS RECEIVING VIA THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 BY REQUIRING THE ADMINISTRATION OF GOVERNOR JACK A. MARKELL TO REPORT ON WHAT FUTURE OBLIGATIONS ACCEPTING SUCH FUNDS WILL PLACE ON THE STATE AND APPROPRIATING THE RECOVERY ACT FUNDS VIA AMENDMENTS ON THE STATE'S OPERATING AND CAPITAL BUDGET BILLS. (House Administration Committee) p. 28-29, 52.

HJR 3 DEDICATING AND ALLOWING AN AREA ON THE SOUTH SIDE OF THE LEGISLATIVE MALL TO BE USED FOR THE PLACEMENT OF A DELAWARE LAW ENFORCEMENT MEMORIAL. (Signed by the Governor 5/5/09) p. 67, 70, 74.

HJR 4 A Joint Resolution with this number was not introduced.

HJR 5 w/HA 1 REQUESTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, THE DELAWARE SOLID WASTE AUTHORITY, AND OTHER INTERESTED PARTIES, TO WORK TOGETHER TO ACHIEVE THE GOAL OF “ZERO WASTE” IN THE STATE OF DELAWARE. (Senate Natural Resources & Environmental Control Committee) p. 141, 148, 154.

HJR 6 THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2009. (Signed by the Governor 7/1/09) p. 151, 158, 161.

HJR 7 THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2010. (Signed by the Governor 7/1/09) p. 151, 158, 161.

HJR 8 CREATING A TASK FORCE TO IMPLEMENT AND REVIEW A PILOT PROGRAM ALLOWING VEHICLE INSPECTIONS TO BE PERFORMED BY DELAWARE NEW FRANCHISE AUTOMOBILE AND TRUCK DEALERSHIPS. (Stricken 3/16/10) p. 178, 181, 184, 188, 189.

HJR 9 REQUESTING CONGRESS TO ENACT FEDERAL LEGISLATION THAT ADDS UNPAID COURT-ORDERED RESTITUTION, FINES, FEES AND COSTS TO DELINQUENT OBLIGATIONS THAT CAN BE INTERCEPTED THROUGH THE UNITED STATES DEPARTMENT OF THE TREASURY OFFSET PROGRAM. (House Ready List) p. 197, 206.

HJR 10 CREATING A COMMITTEE TO DEVELOP CURRICULUM FOR INSTRUCTING STUDENTS IN THE HISTORY OF ORGANIZED LABOR AND THE COLLECTIVE BARGAINING PROCESS IN AMERICA. (Senate Ready List) p. 257, 265, 290.

HJR 11 A Joint Resolution with this number was not introduced.

HJR 12 RECOMMENDING THAT THE COUNTY RECORDER OF DEEDS NO LONGER BE AN ELECTED OFFICE AND THAT A WORKING GROUP BE ESTABLISHED TO DEVELOP RECOMMENDATIONS FOR CREATING A SINGLE STATEWIDE RECORDATION SYSTEM, THEREBY MAKING STATE AND COUNTY GOVERNMENT MORE EFFECTIVE AND EFFICIENT. (House Administration Committee) p. 266, 276.

HJR 13 RECOMMENDING THAT THE COUNTY REGISTER OF WILLS NO LONGER BE AN ELECTED OFFICE AND THAT A WORKING GROUP BE ESTABLISHED TO DEVELOP RECOMMENDATIONS TO TRANSFER THE DUTIES OF THE REGISTER OF WILLS TO THE COURT OF CHANCERY, THEREBY MAKING STATE AND COUNTY GOVERNMENT MORE EFFECTIVE AND EFFICIENT. (House Administration Committee) p. 271.

HJR 14 REQUESTING DELAWARE'S U.S. DELEGATION TO SUPPORT FEDERAL LEGISLATION THAT ADDS UNPAID COURT-ORDERED RESTITUTION, FINES, FEES AND COSTS TO DELINQUENT OBLIGATIONS THAT CAN BE INTERCEPTED THROUGH THE UNITED STATES DEPARTMENT OF THE TREASURY OFFSET PROGRAM. (Signed by the Governor 7/12/10) p. 315, 318, 328, 330.

SENATE BILLS

SB 4 AN ACT TO NAME THE WORSHIP CENTER/MULTI-PURPOSE BUILDING AT BAYLOR WOMEN'S CORRECTIONAL INSTITUTION IN HONOR OF FAY AND NORMAN WHITTLE. (Signed by the Governor 5/14/09) p. 54, 56, 66, 86.

SB 6 w/SA 2 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO FIRE ENGINEERS, CHIEF ENGINEERS, DEPUTY FIRE CHIEFS, AUTHORIZED EMERGENCY VEHICLES, WARNING DEVICES FOR EMERGENCY VEHICLES, AND LIGHTING EQUIPMENT. (Signed by the Governor 3/26/09) p. 19, 21, 26, 28, 39.

SB 7 w/SA 1 & 2 AN ACT TO AMEND TITLES 10 AND 29 OF THE DELAWARE CODE RELATING TO REAL PROPERTY ACQUISITION AND EMINENT DOMAIN. (Signed by the Governor 4/9/09) p. 17, 44, 45-46, 55.

SB 9 w/SA 2 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO VOTER REGISTRATION AND THE CHANGE OF PARTY DESIGNATION. (House Administration Committee) p. 39, 40.
SB 11  AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, THE
CHARTER OF THE TOWN OF LAUREL, AS AMENDED, RELATING TO BORROWING MONEY
AND ISSUING BONDS. (Signed by the Governor 3/26/09) p. 18-19, 26, 32, 39.
SB 14 w/SA 2  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO
SB 19  AN ACT APPROPRIATING BOND PREMIUMS AND SPECIAL FUNDS OF THE
STATE, REVERTING CERTAIN FUNDS OF THE STATE; DEPOSITING CERTAIN FUNDS OF THE
STATE TO THE GENERAL FUND AND SPECIFYING CERTAIN CONDITIONS FOR THE
EXPENDITURE OF CERTAIN FUNDS; AND AMENDING THE LAWS OF DELAWARE. (Signed by
the Governor 1/29/09) p. 17, 20, 23.
SB 24  AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE IV OF THE
DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE JUDICIARY AND THE
CHIEF MAGISTRATE OF THE JUSTICE OF THE PEACE COURT. (Enacted without signature) p. 294,
302, 325, 331.
SB 25  AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO
JUDICIAL BRANCH EMERGENCIES. (Signed by the Governor 5/19/09) p. 50, 52, 64, 78, 87.
SB 26  AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO
COMMERCE AND TRADE. (Signed by the Governor 5/22/09) p. 49, 64, 76, 87.
SB 30 w/SA 1  AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO
NO LIMIT TEXAS HOLD’EM POKER. (Signed by the Governor 5/14/09) p. 50, 52, 64, 66, 86.
SB 31 w/SA 1 & 2  AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO
NONPROFIT CHARITABLE GAMING. (Signed by the Governor 5/14/09) p. 50, 52, 64, 66, 86.
SB 32  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES
AGAINST CHILDREN. (Signed by the Governor 5/22/09) p. 49, 64, 76, 87.
SB 33  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC
OFFENSES. (Signed by the Governor 5/22/09) p. 49, 50, 64, 76, 87.
SB 36  AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO
PROCEDURES APPLICABLE TO TRESPASS, REPLEVIN, AND DETINUE CLAIMS IN THE
JUSTICE OF THE PEACE COURT. (Signed by the Governor 6/26/09) p. 90, 104, 106, 148.
SB 37  AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COSTS
IN THE JUSTICE OF THE PEACE COURT. (Signed by the Governor 6/26/09) p. 90, 104, 121, 148.
SB 38  AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO
WORKERS’ COMPENSATION. (Signed by the Governor 7/6/09) p. 81, 82, 104, 120, 162.
SB 39  AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE
DELAWARE PROFESSIONAL ENGINEERS ACT. (Signed by the Governor 6/18/09) p. 72, 91, 94, 125.
SB 41 w/SA 1  AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO
FOSTER CARE AND THE SEED PROGRAM. (Signed by the Governor 5/18/10) p. 228, 229, 238, 241,
244.
SB 43  AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO
PROCEDURES APPLICABLE TO TRESPASS, REPLEVIN, AND DETINUE CLAIMS IN THE
JUSTICE OF THE PEACE COURT. (Signed by the Governor 6/26/09) p. 90, 104, 106, 148.
SB 44  AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO
CONFIDENTIALITY OF PERSONAL HEALTH INFORMATION. (Signed by the Governor 6/28/10) p.
242, 244, 265, 275-276, 318.
SB 45 w/SA 3 & HA 1  AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE
RELATING TO THE PUBLIC SERVICE COMMISSION. (Signed by the Governor 7/10/09) p. 91, 92,
116, 118, 122-123, 162.
SB 47 w/SA 1  AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO
THE DELAWARE HEALTH STATISTICS CENTER. (Signed by the Governor 6/26/09) p. 85, 87, 104,
113, 148.
SB 48  AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE
CONSERVATION DISTRICTS. (Signed by the Governor 7/6/09) p. 85, 87, 104, 121, 162.
SS 1/SB 49  AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO
SOLAR PHOTOVOLTAIC SYSTEMS AND AMENDMENTS TO DEED RESTRICTIONS. (Signed by
the Governor 7/9/09) p. 114, 115, 128, 143, 162.
SB 50  AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE
DELAWARE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS. (Signed by
the Governor 7/8/09) p. 114, 115, 128, 155, 156, 162.
SB 52 w/SA 1 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE INTERSTATE COMPACT FOR THE PLACEMENT OF CHILDREN. (Signed by the Governor 7/16/09) p. 139, 154, 162.

SB 53 AN ACT TO AMEND THE MUNICIPAL CHARTER OF THE TOWN OF WYOMING (43 DEL. LAWS 189) TO DESIGNATE THE FISCAL YEAR FOR THE TOWN AS JULY 1 THROUGH JUNE 30. (Signed by the Governor 5/7/09) p. 49-50, 64, 66, 75.

SB 54 w/SA 1 AN ACT TO AMEND CHAPTER 138, VOLUME 68, LAWS OF DELAWARE, AS AMENDED, ENTITLED “AN ACT TO INCORPORATE THE TOWN OF Dagsboro”, RELATED TO NOMINATIONS FOR TOWN COUNCIL ELECTIONS. (Signed by the Governor 6/15/09) p. 70, 81, 89, 116.

SB 55 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO TERMINATION AND TRANSFER OF PARENTAL RIGHTS IN ADOPTION PROCEEDINGS. (Signed by the Governor 5/19/09) p. 54, 56, 72, 77, 87.

SB 56 w/SA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO HEAVY VEHICLE REGISTRATION, AND TO CREATE A TASK FORCE TO REVIEW THE EXISTING DELAWARE HEAVY VEHICLE WEIGHT LAW TO DETERMINE THE FEASIBILITY OF ITS IMPLEMENTATION. (Signed by the Governor 7/30/09) p. 148, 149, 156, 167.

SB 59 w/SA 3 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ENERGY CONSERVATION. (Signed by the Governor 7/29/09) p. 79, 91, 121-122, 167.

SB 60 AN ACT PROPOSING AN AMENDMENT TO ARTICLE I, SECTION 12 OF THE DELAWARE CONSTITUTION OF 1897 RELATING TO CRIMINAL PROCEDURES. (House Ready List) p. 90, 126, 193, 202.

SB 61 w/SA 2 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ASSAULTS. (Signed by the Governor 7/8/09) p. 101, 102, 116, 132, 162.

SB 62 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE PERSONAL INCOME TAX CHECKOFF PROGRAMS. (Signed by the Governor 7/9/09) p. 139, 142, 162.

SB 63 AN ACT TO AMEND THE CHARTER OF THE TOWN OF FENWICK ISLAND, DELAWARE, CHAPTER 302, VOLUME 49, LAWS OF DELAWARE, AS AMENDED, ENTITLED “AN ACT TO INCORPORATE THE TOWN OF FENWICK ISLAND, DELAWARE”, TO AMEND SECTION 33, AUTHORIZING THE BORROWING OF MONEY. (Signed by the Governor 5/14/09) p. 54, 56, 64, 65-66, 86.

SB 65 w/SA 2 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO DENTAL INSURANCE AND CHILDREN WITH SEVERE DISABILITIES. (Signed by the Governor 6/25/09) p. 91, 92, 104, 109, 148.

SB 68 w/SA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT ASSESSMENT AND ACADEMIC PROMOTION. (Signed by the Governor 8/13/09) p. 124, 126, 128, 137, 168.

SB 69 AN ACT REVERTING CERTAIN FUNDS OF THE STATE AND DEPOSITING CERTAIN FUNDS OF THE STATE TO THE GENERAL FUND. (Signed by the Governor 4/10/09) p. 50, 52, 53, 55.

SB 71 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JUDGES OF THE SUPERIOR COURT. (House Ready List) p. 148, 149, 164.

SB 72 AN ACT TO AMEND TITLE 26, CHAPTER 13 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES, GAS, WATER AND OIL CORPORATIONS. (Signed by the Governor 7/6/09) p. 91, 92, 104, 132, 162.

SB 73 AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE TO IMPLEMENT THE UNITED STATES SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT OF 2008 (U.S. PUBLIC LAW 110-289). (Signed by the Governor 7/6/09) p. 105, 111, 116, 120, 162.

SB 76 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE SALE OF MOTOR VEHICLES. (Signed by the Governor 7/6/09) p. 116-117, 128, 137-138, 162.

SB 77 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO RECORDATION OF INSTRUMENTS IN KENT COUNTY. (Signed by the Governor 7/8/09) p. 91, 92, 104, 129, 162.

SB 78 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE. (Signed by the Governor 6/17/09) p. 74, 75, 91, 93, 125.

SB 79 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE. (Signed by the Governor 6/17/09) p. 74, 75, 91, 93, 125.

SB 81 w/SA 5 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE REQUIRING RESTAURANTS TO DISPLAY NUTRITION INFORMATION FOR FOOD AND BEVERAGE ITEMS OFFERED FOR SALE. (House Economic Development/Banking/Insurance/Commerce Committee) p. 180.
SB 116  AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE DOMESTIC VIOLENCE COORDINATING COUNCIL. (Signed by the Governor 7/6/09) p. 105, 111, 126, 133, 162.

SB 117  AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DOMESTIC VIOLENCE COORDINATING COUNCIL AND PROXY VOTING. (Signed by the Governor 7/6/09) p. 105, 111, 126, 133, 162.

SB 118  AN ACT TO AMEND CHAPTER 27, TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONAL LAND SURVEYORS. (Signed by the Governor 7/6/09) p. 114, 128, 138, 162.

SS 1/SB 119  AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE RENEWABLE ENERGY PORTFOLIO STANDARDS. (Signed by the Governor 7/28/10) p. 282, 286, 293, 312, 331.

SB 121  AN ACT TO AMEND TITLES 6, 9, 18, 19, 25, AND 29 OF THE DELAWARE CODE RELATING TO DISCRIMINATION IN EMPLOYMENT, PUBLIC WORKS CONTRACTING, HOUSING, EQUAL ACCOMMODATIONS AND THE INSURANCE BUSINESS. (Signed by the Governor 7/20/09) p. 133-134, 161, 228.

SB 122 w/SA 1  AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CRIMINAL HISTORY RECORD CHECKS AND MANDATORY DRUG TESTING. (Signed by the Governor 6/15/10) p. 242, 244, 252, 260-261, 281.

SB 129 w/SA 1  AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO DELAWARE AGRICULTURAL LANDS PROTECTION. (Signed by the Governor 7/8/09) p. 114, 116, 128, 153, 162.

SB 133  AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES AND WEIGHTS LIMITS. (Signed by the Governor 7/8/09) p. 114, 116, 128, 138, 162.

SB 134 w/SA 1  AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO NONPROFIT CHARITABLE GAMING. (Signed by the Governor 7/6/09) p. 139, 140, 143, 162.

SB 135  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PENSIONS FOR STATE POLICE OFFICERS. (Signed by the Governor 7/6/09) p. 157, 158, 162.

SB 138 w/SA 2  AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MEDICAL CERTIFICATION FOR LICENSE PLATES AND PARKING PERMITS FOR PERSONS WITH DISABILITIES. (Signed by the Governor 7/6/09) p. 105, 111, 128, 138, 162.

SB 139  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR THE SALES OF FIREARMS. (Signed by the Governor 7/6/09) p. 105, 111, 116, 131, 162.

SB 140  AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE BOARD OF EDUCATION. (Signed by the Governor 6/18/09) p. 105, 111, 116, 121, 125.

SB 142  AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF INFORMATION AND TECHNOLOGY. (Signed by the Governor 7/6/09) p. 116, 118, 126, 133, 162.

SB 143 w/SA 1  AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM LOCAL TAXES. (Signed by the Governor 7/8/09) p. 124, 126, 154, 162.

SB 145 w/SA 1  AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO BANKS AND OTHER FINANCIAL INSTITUTIONS. (Signed by the Governor 7/8/09) p. 114, 116, 133, 138, 162.


SB 149  AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LICENSURE AND CERTIFICATION OF NONPUBLIC SCHOOL TEACHERS, SPECIALISTS AND ADMINISTRATORS, AND PUBLIC EDUCATION EMPLOYEES. (Signed by the Governor 7/6/09) p. 114, 116, 128, 137, 162.

SB 150 w/SA 1  AN ACT TO AMEND TITLE 14, TITLE 18, AND TITLE 29 OF THE DELAWARE CODE. (Signed by the Governor 7/6/09) p. 116, 118, 126, 133, 162.

SB 151  AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO AN ACADEMIC ACHIEVEMENT AWARD PROGRAM. (Signed by the Governor 8/13/09) p. 114, 116, 128, 137, 168.

SB 152  AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO MUNICIPAL ELECTIONS. (Signed by the Governor 7/10/09) p. 148, 149, 155-156, 162.

SB 153 w/SA 1 & 2  AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO CUSTOMER SITED ENERGY RESOURCES. (Signed by the Governor 9/21/09) p. 154-155, 161, 170.

SB 154  AN ACT PROPOSING AN AMENDMENT TO ARTICLE V OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED RELATING TO VOTING. (House Ready List) p. 148, 149, 170.
SB 155  AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO TRUSTS.  
(Signed by the Governor 7/10/09) p. 148, 149, 153, 162.

SB 156  AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.  (Signed by the Governor 6/24/09) p. 103-104, 116, 129-130, 148.

SB 157 w/SA 1  AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO RESIDENTIAL HOMES AND EXEMPTIONS.  (Signed by the Governor 5/18/10) p. 196-197, 220, 230, 244.

SB 159  AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CIVIL ADMINISTRATIVE PROCEDURES.  (Signed by the Governor 7/8/09) p. 148, 149, 156-157, 162.

SB 160  AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE ADOPTION AND ENFORCEMENT OF A UNIFIED PLUMBING CODE.  (Signed by the Governor 8/21/09) p. 148, 149, 153-154, 169.

SB 161  AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO TAXES.  
(Signed by the Governor 7/8/09) p. 114, 116, 133, 152, 162.

SB 163  AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING, AND FISHING LICENSES.  (Signed by the Governor 7/8/09) p. 148, 149, 152, 162.

SB 164  AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS.  (Signed by the Governor 8/18/09) p. 148, 149, 157, 169.

SB 165 w/SA 1  AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER BEING CHAPTER 175, VOLUME 75, OF THE LAWS OF DELAWARE, AS AMENDED, RELATING TO GOVERNANCE, ELECTIONS, ADMINISTRATION AND FINANCE.  (Signed by the Governor 7/8/09) p. 114, 116, 124-125, 139, 140, 162.

SB 167  AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM TAXATION FOR CERTAIN ORGANIZATIONS.  (Signed by the Governor 4/27/10) p. 148, 149, 164, 210, 220.

SB 168  AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO BICYCLE AND MOTOR VEHICLE SAFETY.  (House Public Safety and Homeland Security Committee) p. 148, 149.

SB 169  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OBSTRUCTION OF INGRESS AND EGRESS TO HEALTH CARE FACILITIES.  (House Judiciary Committee) p. 148, 149.

SB 170  AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO SPEECH/LANGUAGE PATHOLOGY, AUDIOLOGY AND HEARING AID DISPENSERS.  
(Signed by the Governor 7/10/09) p. 148, 149, 152, 162.

SS 1/ SB 171 w/SA 1 & 2 & HA 2 & 3  AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTAGE.  (Signed by the Governor 7/30/10) p. 206, 207, 277, 281, 304, 334.

SB 172  AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM THE PRACTICE OF NURSING.  (Signed by the Governor 2/1/10) p. 148, 149, 182, 184, 187.

SB 173 w/SA 1  AN ACT TO AMEND TITLES 26 AND 29 OF THE DELAWARE CODE RELATING TO THE SUSTAINABLE ENERGY UTILITY AND RENEWABLE ENERGY.  (Signed by the Governor 7/8/09) p. 139, 140, 152, 162.

SB 174  AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO UNIFORMED CONTROLLED SUBSTANCES ACT.  (Signed by the Governor 7/10/09) p. 148, 149, 156, 162.

SB 175  AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE LAW ENFORCEMENT OFFICER’S BILL OF RIGHTS.  (Signed by the Governor 7/13/09) p. 148, 149, 156, 162.

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SCR 5  REORGANIZING THE MOTORCYCLE RIDER EDUCATION ADVISORY COMMITTEE. (Passed) p. 31, 34.

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SCR 8  RECOGNIZING AND OBSERVING THE MONTH OF APRIL AS WORK ZONE SAFETY MONTH IN DELAWARE. (Passed) p. 39, 43.


SCR 10  OBSERVING THE MONTH OF MAY, 2009 AS BOTH DRIVER SAFETY MONTH AND HEALTHY VISION MONTH IN THE STATE OF DELAWARE, AND URGING DELAWAREANS TO MAINTAIN THEIR EYE HEALTH AND THEIR DRIVING SKILLS TO ENSURE SAFE DRIVING. (Passed) p. 50, 64.


SCR 13 CALLING ON DELAWARE’S CHIEF SCHOOL OFFICERS, POLICE CHIEFS AND STATE LEGISLATORS TO CONVENE MEETINGS FOR THE PURPOSE OF FINDING AND IMPLEMENTING STRATEGIES TO REDUCE VIOLENCE AND THE PRESENCE OF WEAPONS IN OUR SCHOOLS. (Passed) p. 54, 55.

SCR 14 RECOGNIZING JUNE 15 THROUGH JUNE 19, 2009 AS PARALEGAL WEEK. (Passed) p. 71, 80.

SCR 15 RECOGNIZING JUNE 11, 2009 AS NATIONAL NETWORK OF CAREER NURSING ASSISTANTS’ DAY AND RECOGNIZING THE VITAL ROLE THAT CERTIFIED NURSING ASSISTANTS PLAY IN PROVIDING HEALTH CARE SERVICES. (Passed) p. 71, 80.


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SCR 18 RECOGNIZING THE WEEK OF JUNE 1-7, 2009 AS NATIONAL CARDIOPULMONARY RESUSCITATION (CPR) AND AUTOMATED EXTERNAL DEFIBRILLATOR (AED) AWARENESS WEEK IN DELAWARE. (Passed) p. 88, 90.

SCR 19 ENCOURAGING ALL DELAWARE PUBLIC AND PRIVATE SCHOOLS TO INCREASE THE AMOUNT OF PHYSICAL ACTIVITY FOR STUDENTS IN ORDER TO DECREASE OBESITY AND IMPROVE THE HEALTH OF DELAWARE’S YOUNG PEOPLE. (Passed) p. 95, 103.


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**TAXES**

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**Important Note:** The table above lists various legislative initiatives, their sponsors, and the corresponding bill numbers. Each initiative is categorized under different subjects ranging from law enforcement, health care, education, taxation, and more. The table provides a clear overview of the legislative actions proposed during the period, highlighting the efforts and focus areas in both state and federal bodies.
### Estate/Sunset/Remove
- Ramone HB 497

### Gross Receipts/Decrease Rates
- Kovach HB 495

### Gross Receipts/Exempt Pharmaceuticals Wholesaler
- Viola HB 477

### Gross Receipts/Increase Rates
- Longhurst HB 266
- Longhurst HB 289

#### Income
- **Active Military Pay/DE Resident**
  - Hudson HB 8
- **Multiple Sclerosis Society Check off**
  - Hudson HB 191
- **Ovarian Cancer Check off**
  - Oberle HB 228
- **Increase**
  - Kowalko HB 238
  - Kowalko HB 242
  - Longhurst HS1/HB 264
- **Lottery Winnings/Eliminate Tax Exemption**
  - Gilligan HB 260
- **Pension Exclusion/$37,500**
  - Hocker HB 97
- **Secretary of State/Increase Fees & Taxes**
  - Gilligan HS1/HB 267
- **LLC/Tax Increase**
  - Kowalko HB 239
  - Kowalko HB 241
- **Limit Realty Transfer Tax Exemption**
  - Viola HB 327
- **Predatory Lending Prevention/Tax Refunds**
  - Keeley HB 303
- **Real Estate Sale/Nonresident**
  - Gilligan HB 349
- **Satellite Service/Add**
  - Gilligan HB 261
  - Gilligan HB 288
- **Voluntary Tax Compliance/Establish**
  - Gilligan HS1/HB 268
- **Third-Party Visitation/Amends**
  - George HB 423

### TOBACCO
- **Cigarette/Tax Increase**
  - Schwartzkopf HB 211
- **Destruction/Untaxed Tobacco**
  - Mitchell HB 408
- **Sale/Proof of Age Under 27**
  - Mitchell HB 269

### TRANSPORTATION
- **Public Carriers/Updates**
  - Mitchell HB 161
- **Public Carriers/Violations/Cease Enforcement/Not Guilty**
  - Hudson HB 318

### TRANSPORTATION, DEPARTMENT OF
- **Scenic and Historic Highway/Graffiti**
  - Hudson HB 276
- **Tree Replacement/DeDOT Projects**
  - Carson HB 421

### UNEMPLOYMENT
- **Seasonal Employer/Fund Contributions**
  - Cathcart HB 130

### VETERANS
- **Also see “Military” & “National Guard” Operation Enduring Freedom**
  - Special Plates Q. Johnson HB 383

### VIDEO LOTTERY - Also see “Gaming” & “Lottery”
- **Authorize Table Games**
  - Schwartzkopf HB 310
- **Equalize State Share**
  - Hudson HB 11
- **Harness Racing Venues/Video Lottery Agent**
  - Schwartzkopf HB 194
- **Private Club/Establish**
  - Viola HB 389
- **Purse Distribution/Adjust**
  - Gilligan HB 257
- **Reporting Date/Amend**
  - Schwartzkopf HB 319
- **Sports Betting/Allow**
  - Schwartzkopf HS 1/HB 100
- **Winnings/Eliminate Tax Exemption**
  - Gilligan HB 260

### WEAPONS
- **Deadly Weapon/Brandishing/ Law Enforcement**
  - Oberle HB 62
- **Concealed/Adjustments**
  - Atkins HB 258
- **Concealed/Increase Penalties**
  - Mitchell HB 115
  - Mitchell HB 226
- **Public Housing/Right to Bear Arms**
  - Atkins HS 1/HB 357

### WILMINGTON
- **Charter Change**
  - J. Johnson HB 98
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