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# **STATE OF DELAWARE**



## **Journal of the STATE SENATE**

**Session  
of the  
141<sup>st</sup> General Assembly**

**Convened  
Tuesday, January 09, 2001  
Dover, Delaware**

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**2001-2002**



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# **MEMBERSHIP**



## **MEMBERS - DELAWARE STATE SENATE**

### **141<sup>ST</sup> GENERAL ASSEMBLY**

Lt. Governor John C. Carney, Jr., President of the Senate  
Senator Thomas B. Sharp, President Pro Tempore

<b><u>DISTRICT</u></b>	<b><u>SENATOR</u></b>
------------------------	-----------------------

1 <sup>st</sup>	Harris B. McDowell, III - 2311 Baynard Boulevard, Wilmington, 19802
2 <sup>nd</sup>	Margaret Rose Henry - Elliott Run, 110 West 21 <sup>st</sup> Street, Wilmington, 19802
3 <sup>rd</sup>	Robert I. Marshall - 601 South duPont Street, Wilmington, 19805
4 <sup>th</sup>	Dallas Winslow - 4629 Talley Hill Lane, Wilmington, 19803
5 <sup>th</sup>	Catherine L. Cloutier - 2404 Heather Road East, Wilmington, 19803
6 <sup>th</sup>	Liane McD. Sorenson - 417 Snuff Mill Hill, Hockessin, 19707
7 <sup>th</sup>	Patricia M. Blevins - 209 Linden Avenue, Elsmere, Wilmington, 19805
8 <sup>th</sup>	David P. Sokola - 24 Beech Hill Drive, Newark, 19711
9 <sup>th</sup>	Thomas B. Sharp - 2226 E. Huntington Drive, Wilmington, 19808
10 <sup>th</sup>	Steven H. Amick - 449 West Chestnut Hill Road, Newark, 19713
11 <sup>th</sup>	Anthony J. DeLuca - 27 Trevett Drive, Newark, 19702
12 <sup>th</sup>	Dorinda A. Connor - 18 Crippen Drive, New Castle, 19720
13 <sup>th</sup>	David B. McBride - 7 Nicole Court, New Castle, 19720-3760
14 <sup>th</sup>	James T. Vaughn - 201 Washington Avenue, Clayton, 19938
15 <sup>th</sup>	Nancy W. Cook - Post Office Box 127, Kenton, 19955
16 <sup>th</sup>	Colin R. J. Bonini - 255 South Shore Drive, Dover, 19901
17 <sup>th</sup>	John C. Still, III - Post Office Box 311, Dover, 19903-0311
18 <sup>th</sup>	F. Gary Simpson - 6 W. Clarke Avenue, Milford, 19963
19 <sup>th</sup>	Thurman Adams, Jr. - Post Office Box 367, Bridgeville, 19933
20 <sup>th</sup>	George H. Bunting, Jr. - Post Office Box 1497, Bethany Beach, 19930
21 <sup>st</sup>	Robert L. Venables, Sr. - 116 Hearn Avenue, Laurel, 19956

Majority Leader - Thurman Adams, Jr.  
Majority Whip - Robert I. Marshall  
Minority Leader - Steven H. Amick  
Minority Whip - Liane McD. Sorenson





# **COMMITTEE MEMBERSHIP**



**SENATE COMMITTEES  
141<sup>ST</sup> GENERAL ASSEMBLY**

**ADMINISTRATIVE SERVICES:** Nancy W. Cook, Chair, Thurman Adams, Jr., George H. Bunting, Jr., F. Gary Simpson.

**ADULT & JUVENILE CORRECTIONS:** James T. Vaughn, Chair, Patricia M. Blevins, Nancy W. Cook, Colin R. J. Bonini.

**AGRICULTURE:** George H. Bunting, Jr., Chair, Thurman Adams, Jr., Nancy W. Cook, Robert L. Venables, Sr., F. Gary Simpson, John C. Still, III.

**BANKING:** Thurman Adams, Jr., Chair, Thomas B. Sharp, David P. Sokola, Liane McDowell Sorenson.

**BOND BILL:** Patricia M. Blevins, Chair, Nancy W. Cook, David B. McBride, Robert L. Venables, Sr., Dorinda A. Connor, Colin R. J. Bonini.

**CHILDREN, YOUTH & FAMILIES:** Harris B. McDowell, III, Chair, Patricia M. Blevins, Robert I. Marshall, Dorinda A. Connor.

**COMBAT DRUG ABUSE:** Margaret Rose Henry, Chair, Robert I. Marshall, Thomas B. Sharp, Catherine A. Cloutier.

**COMMUNITY/COUNTY AFFAIRS:** David P. Sokola, Chair, Anthony J. DeLuca, Robert L. Venables, Sr., Catherine A. Cloutier.

**EDUCATION:** David P. Sokola, Chair, Patricia M. Blevins, Anthony J. DeLuca, F. Gary Simpson.

**ENERGY & TRANSIT:** Harris B. McDowell, III, Chair, Nancy W. Cook, Robert L. Venables, Sr., Dallas Winslow.

**ETHICS:** Thomas B. Sharp, Chair, Thurman Adams, Jr., Robert I. Marshall, Steven H. Amick, Liane McDowell Sorenson.

**EXECUTIVE:** Thurman Adams, Jr., Chair, Thomas B. Sharp, David P. Sokola, James T. Vaughn, Steven H. Amick, Liane McDowell Sorenson.

**FINANCE:** James T. Vaughn, Chair, Nancy W. Cook, David B. McBride, Margaret Rose Henry, Dallas Winslow, Catherine A. Cloutier.

**HEALTH & SOCIAL SERVICES:** Patricia M. Blevins, Chair, Margaret Rose Henry, Harris B. McDowell, III, Steven H. Amick.

**HIGHWAYS & TRANSPORTATION:** Anthony J. DeLuca, Chair, Nancy W. Cook, David P. Sokola, James T. Vaughn, Colin R. J. Bonini, Dallas Winslow.

**INSURANCE & ELECTIONS:** Nancy W. Cook, Chair, Patricia M. Blevins, Thomas B. Sharp, Colin R. J. Bonini.

**JUDICIARY:** Thomas B. Sharp, Chair, Thurman Adams, Jr., James T. Vaughn, Dallas Winslow.

**LABOR & INDUSTRIAL RELATIONS:** Robert I. Marshall, Chair, Thomas B. Sharp, David B. McBride, Dorinda A. Connor.

**LEGISLATIVE COUNCIL:** Thomas B. Sharp, Chair, Thurman Adams, Jr., James T. Vaughn, Steven H. Amick, Liane McDowell Sorenson.

**NATURAL RESOURCES & ENVIRONMENTAL CONTROL:** David B. McBride, Chair, George H. Bunting, Jr., Robert L. Venables, Sr., Dorinda A. Connor.

**PERMANENT RULES:** James T. Vaughn, Chair, Thurman Adams, Jr., Colin R. J. Bonini.

**PUBLIC SAFETY:** Margaret Rose Henry, Chair, Patricia M. Blevins, Anthony J. DeLuca, Catherine A. Cloutier.

**REVENUE & TAXATION:** Robert I. Marshall, Chair, Nancy W. Cook, Anthony J. DeLuca, John C. Still, III.

**SMALL BUSINESS:** Robert L. Venables, Sr., Chair, George H. Bunting, Jr., Harris B. McDowell, III, John C. Still, III.

**SUNSET:** Anthony J. DeLuca, Chair, George H. Bunting, Jr., David P. Sokola, F. Gary Simpson, John C. Still, III.



# **RULES OF THE SENATE**



## SENATE RESOLUTION NO. 2

### IN REFERENCE RULES OF THE DELAWARE STATE SENATE

BE IT RESOLVED by the Senate of the 141st General Assembly that the following Rules of the Senate be and they hereby are adopted as Rules for the governing of the present session, until further action of the Senate:

#### RULE 1. ORDER OF BUSINESS

1. Calling of the Senate to Order.
2. Prayer.
3. Salute to Flag.
4. Roll Call.
5. Reading of Journal.
6. Presentation of petitions, memorials or communications.
7. Reports from Standing and Special Committees.
8. Reporting by the Secretary of prior filed bills, resolutions and citations.
9. Introductions of all other bills and resolutions by members.
10. Agenda for the day.
11. Miscellaneous business.

#### RULE 2. CONVENING OF SENATE

Unless otherwise ordered by a majority of its members, the Senate will convene Tuesday, Wednesday, Thursday at 2:00 p.m. All proceedings of the Senate shall be public.

#### RULE 3. ATTENDANCE OF MEMBERS

(a) Every member shall be in their place at the time to which the Senate stands recessed.

(b) No Senator shall absent themselves from the service of the Senate without notifying the President Pro Tem.

#### RULE 4. ROLL CALL; READING OF JOURNAL

Each legislative day and before the Senate proceeds to the consideration of any business, the Secretary shall call the names of the members in alphabetical order, and shall then read the Journal of the preceding legislative day, which shall be approved or corrected by order of the Senate.

#### RULE 5. CONTENTS OF JOURNAL

The proceedings of the Senate shall be briefly and accurately stated on the Journal; messages to the Governor in full; the titles of all bills and resolutions; every motion with the name of the member making the same, except motions for adjournment; the names of the members voting on all roll calls.

#### RULE 6. PRESENTATION OF PETITIONS, MEMORIAL OR COMMUNICATIONS TO THE SENATE

(a) After the Journal is read, the Presiding Officer shall lay before the Senate communications or messages from the Governor, reports and communications from Departments or State Boards, and other communications addressed to the Senate, and such bills, joint resolutions and other messages from the House of Representatives as may be upon the presiding officer's table, undisposed of.

(b) When petitions, memorials and other papers addressed to the Senate are presented by the President, or a member, the contents thereof shall be briefly stated.

(c) Messages from the Governor or from the House of Representatives may be received at any stage of proceedings with the concurrence of the Presiding Officer, except while the Journal is being read, while a question of order or a motion to adjourn is pending, or while a bill is on the floor.

(d) When a message is brought to the Senate by the Governor or the Governor's messenger, or by a member of the House of Representatives, or any officer thereof, the members of the Senate shall rise upon their feet, if so directed by the Presiding Officer.

**RULE 7. DELIVERY OF MESSAGES FROM THE SENATE:**

**DUTIES OF SECRETARY**

Messages shall be delivered to the House of Representatives by the Secretary, or by a Senator or other officer of the Senate directed by the Presiding Officer. The Secretary shall certify previous to delivery the determination of the Senate upon all bills, joint resolutions, and other resolutions which may be communicated to the House, or in which its concurrence may be requested; and the Secretary shall also certify and deliver to the Governor all resolutions and other communications which may be directed to the Secretary by the Senate.

**RULE 8. PREPARATION OF BILLS AND RESOLUTIONS**

(a) No bill or resolution shall be received by the Senate unless it be prefaced by a brief statement of the purpose of the bill or resolution, which shall be known as the title, and shall also contain the text of the bill or resolution in full. The original of all bills and resolutions shall be printed or stenciled on permanent rag content bond paper, be properly backed, contain no erasures or interlineations and shall be produced in such a manner as shall be approved by the State Archivist and Director of Legislative Council. At the end of each bill, Joint Resolution or amendments there shall be placed the name of the author and/or Department who was responsible for writing same and a brief synopsis of the intent of the bill. In the lower left hand corner of page one there shall be the initials of the unit preparing the bill or resolution, the initials of the author and the typist, and, if prepared by automatic equipment, the identification number. Each bill or resolution shall have an appropriate enacting or resolving clause. The first name listed after the word "sponsor" on the first page of a bill or resolution shall be the "prime" sponsor. Once a bill or resolution has been pre-filed or introduced, the addition or deletion of a sponsor shall not cause the bill to be reprinted. The change in sponsorship shall be noted in the calendar, on the jacket of the original bill and on the first page of the original bill.

(b) Every bill or resolution introduced in the Senate which establishes and/or creates a committee, commission, task force or similar body, either for a specified period of time or on a permanent statutory basis shall require that the following functional details be incorporated in the bill and/or resolution, if necessary; provided, however, the requirements of subparagraph (4) in drafting legislation affecting the Delaware Code need not be made a part of the Code.

- (1) The date on which the report is due;
- (2) to whom the report is to be presented;
- (3) the appointing authority or authorities;
- (4) the designation of a temporary chairperson to enable the committee to commence its duties.



(c) Every bill and resolution to which the concurrence of both Houses of the General Assembly may be necessary, shall be introduced with one original and one backed copy. The original shall at all times remain in the custody of the Chairman of the Committee to which it was referred, or of the Secretary of the Senate; and one backed copy shall be delivered to the Legislative Council. In addition, every Senator shall be provided with an unbacked copy of the text of the bill or resolution.

(d) The master used to produce the bill or resolution together with a minimum 160 true copies of the bill or resolution, shall be made available to the Legislative Council immediately after the introduction of a bill.

(e) All bills for the amendment of any statutes contained in the Delaware Code of 1974 shall be made with reference to the statutes or parts of statutes contained in said Code, and shall conform to the arrangement of said Code.

#### **RULE 9. PROCEDURE APPLICABLE TO BILLS AND JOINT RESOLUTIONS**

(a) Unless the bill or joint resolution has been placed upon a President Pro Tem's pre-filed list, every bill and joint resolution when introduced shall be read one time by title only, after which it shall be assigned to the proper committee.

(b) No bill or joint resolution shall be considered on the same day it is reported out of committee, or in the absence of the prime sponsor who introduced it, unless by his or her written consent. After any bill has reached its order of preference on the agenda, it may be deferred twice to the end of the agenda. After it has been deferred twice it must be considered when its order of preference is next reached or removed to the ready list by the Secretary of the Senate. In the event of such removal, no bill shall again be placed on the agenda for the same or the next legislative day.

(c) When considered, each bill or resolution shall be given its final reading by title only unless any member requests a reading in full.

(d) An agenda of bills to be considered on the succeeding legislative day shall be kept by the Secretary of the Senate; and announced at the end of each calendar day; and published each day and a copy thereof distributed to each member, and any bill placed upon the agenda by any member of the Senate, without otherwise limiting the right of any member to put a bill upon its passage, stand in the same order of preference for consideration by the Senate unless otherwise ordered by it.

(e) Every bill or resolution shall be introduced by a member or group of members or by order of the Senate or by report of a committee. Introduction may be by either of two methods:

##### **A. Filing of Bills and Resolutions with the Secretary of the Senate.**

(1) A bill or resolution may be introduced by being filed with the Secretary of the Senate at any time while the General Assembly is meeting.

(2) A bill or resolution that is presented to the Secretary of the Senate while the Senate stands in recess, in adjournment, or is not otherwise meeting, may be given a number, entered upon a docket kept for that purpose.

(3) As soon as may be practicable following the filing of a bill or resolution with the Secretary, unless the bill or resolution was placed upon a President Pro Tem's pre-filed list, the Reading Clerk shall read the bill or resolution number and title of all bills filed with the Secretary and entered upon the docket prior to the convening of the Senate which have not been previously read.

(4) Such reading of the bill or resolution by the Reading Clerk shall constitute the first reading of such bill or resolution.

(5) Upon such first reading, or upon placement upon the President Pro Tem's pre-filed list, copies of the bill, amendments or resolutions shall be distributed as provided in Rule 8.

**B. Other Methods of Introduction.**

(1) A bill or resolution may also be introduced from the floor while the Senate is in session.

**C. President Pro Tem's pre-filed list.**

(1) A bill or resolution filed with the Secretary may, in the discretion of the President Pro Tem, be placed upon the "President Pro Tem's pre-filed list" and the bill or resolution shall at such time be assigned to a Committee by the President Pro Tem. Copies of the President Pro Tem's pre-filed list shall be distributed to members prior to its reading by the Reading Clerk. The President Pro Tem's pre-filed list shall be read as soon as practicable by the Reading Clerk.

(f) No bill that has been tabled, shall be lifted from the table for further consideration until such bill is first placed upon the agenda, unless such bill is lifted for further consideration on the same legislative day the bill was tabled.

(g) No Senate Bill returning from the House shall be acted on by the Senate unless the bill is first placed on the agenda.

**RULE 10. MOTIONS**

(a) All motions shall be reduced to writing, if desired by the Presiding Officer or by any Senator, and shall be read before the same shall be debated.

(b) Any motion or resolution may be withdrawn or modified by the mover at any time before a decision, amendment or ordering of the yeas and nays.

(c) A motion shall be in order at any time to amend or substitute a title to any bill or resolution only in order to correct typographical errors.

(d) When a question is pending, no motions shall be received but:

To adjourn;

To adjourn to a certain day.

To take a recess;

To proceed to the consideration of executive business;

To lay on the table;

To postpone indefinitely;

To postpone to a certain day;

To commit;

To amend.

Which several motions shall have precedence as they stand arranged; and the motion to adjourn, to take recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

**RULE 11. VOTING**

Every bill, amendment, joint resolution, concurrent resolution, or simple resolution shall be decided by a roll call vote and shall require a majority vote of all members elected to the Senate for adoption. The names of the Senators shall be called alphabetically and each Senator shall without debate answer "Yes" or "No" or "Not Voting"; and no Senator shall be permitted to vote after the roll call shall have been announced by the Secretary, but may change their vote prior to said announcement. No Senator shall be granted privilege of the floor from the time the Secretary has announced the roll call to the time the roll call is declared by the presiding officer of the Senate. Tabling of roll calls is prohibited.

**RULE 12. RECONSIDERATION**

Any motion for reconsideration must be made by a member of the prevailing side within three (3) legislative days of the original action. When a motion for reconsideration is granted, there can be no further consideration until the sponsor or floor manager rescinds the roll call and takes appropriate action.

**RULE 13. PROCEDURE WHEN BILL OR OTHER MATTER  
SOUGHT TO BE RECONSIDERED HAS BEEN SENT  
TO THE HOUSE OF REPRESENTATIVES OR TO THE  
GOVERNOR**

When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives, or to the Governor, the motion to reconsider shall be accompanied by a motion to request the House or 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 14. QUESTION OF ORDER**

A question of order may be raised at any stage of the proceedings, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate, subject to an appeal to the Senate. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the Presiding Officer without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the Presiding Officer. The Presiding Officer may submit any question of order for the decision of the Senate.

**RULE 15. SPECIAL ORDER OF BUSINESS**

Any subject may, without objection by any member elected to the Senate, be made a special order; and when the time so fixed for its consideration arrives, the Presiding Officer shall lay it before the Senate.

**RULE 16. PETITION OUT OF COMMITTEE**

Upon written request signed by the majority of the members elected to the Senate and directed to the Presiding Officer, any bill,

joint resolution or other business, which shall have been referred to a committee, shall be reported to the Senate.

**RULE 17. CONDUCT**

(a) When a Senator desires to speak, the Senator shall rise and address the Presiding Officer, and shall not proceed until recognized, and the Presiding Officer shall recognize the Senator who shall first address him or her.

(b) No Senator shall interrupt another in debate without his or her consent, and to obtain such consent the Senator shall first address the Presiding Officer; and no Senator shall speak more than three times upon any one question in debate on the same day without leave of the Senate which shall be determined without debate.

(c) No Senator in debate shall, directly, or indirectly by any form of words, impute to any Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

(d) If any Senator, in speaking or otherwise, transgresses the rules of the Senate, the Presiding Officer shall, or any Senator may, call the Senator to order; and when a Senator shall be called to order, the Senator shall sit down and not proceed without leave of the Senate, which, if granted, shall be upon motion that the Senator be allowed to proceed in order, which motion shall be determined without debate.

(e) If any person who is not a member of the Senate shall be granted the privilege of the floor for the purpose of addressing the Senate, such person and the Senate members shall then accord each other the same courtesies and respect that is required among members of the Senate.

(f) Any person in the chamber and/or balcony who is not a member of the Senate and who refuses to salute the American flag at the time such ceremony occurs shall leave the chamber and/or balcony.

**RULE 18. APPOINTMENT OF COMMITTEES**

The President Pro Tempore shall appoint all committees; however, the President Pro Tempore, on at the Pro Tem's own initiative or upon order of the Senate, may appoint special or select committees.

**RULE 19. STANDING COMMITTEE**

The following standing committees shall be appointed, to whom business appropriate to them shall be referred:

- Administrative Services
- Adult and Juvenile Corrections
- Agriculture
- Banking
- Bond Bill
- Children, Youth and Their Families
- Committee on Combat Drug Abuse
- Community/County Affairs
- Education
- Energy and Transit
- Ethics
- Executive
- Finance
- Health and Social Services/Aging
- Highways and Transportation
- Insurance and Elections
- Judiciary

Labor and Industrial Relations  
Natural Resources and Environmental Control  
Permanent Rules  
Public Safety  
Revenue and Taxation  
Small Business  
Sunset

**RULE 20. DELIBERATIVE PROCESS AND PROCEDURES OF  
STANDING COMMITTEES**

- (a) Each bill, resolution or other legislative matter assigned to a standing committee shall pass through deliberative process before being brought to the floor of either House, unless it is sooner petitioned out of committee. Such deliberative process shall include pre-announced meetings whereby the committee receives testimony from the general public, including those affected by the proposed legislation; considers an analysis of the proposed legislation; and by notice to the sponsor, makes time available for each formal sponsor to explain the legislation and answer possible committee questions.
- (b) Regular standing committee meetings may be held every Wednesday, while the Senate is in session, between the hours of noon and 3 P.M. The scheduling of the regular meetings shall be coordinated with the Secretary of the Senate. The Chairman of a standing committee may call other meetings as deemed necessary.
- (c) At least five calendar days before a meeting 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. Nominations may be exempted from the 5 calendar day notice requirement.
- (d) Minutes shall be taken at each formal standing committee meeting, and the results of any committee votes shall be recorded. Committee members who dissent from any committee decision shall be permitted, in the minutes, to state such dissent and the reasons therefor.
- (e) A quorum does not have to be present to constitute a committee meeting.
- (f) Committee members unable to attend pre-announced meetings may subsequently affix their signatures to legislation considered at such meetings.
- (g) Nothing in this rule shall preclude the option of a committee chairman to cancel regular or special meeting or call additional meetings when necessary.
- (h) All committee meetings shall be scheduled in a space large enough to accommodate everyone reasonably anticipated to attend. If there are more attempting to attend a committee meeting than there is room for, the Chair shall move the meeting to a different space which is large enough to accommodate those wishing to attend.

**RULE 21. CONTESTS**

Any contest for a seat in this body shall be referred to the Leadership.

**RULE 22. UNDER THE LEADERSHIP, SUPERVISION OF ATTACHES**

The officers, attaches and employees of the Senate shall be under the supervision of the Leadership in the performance of the duties of their respective offices.

**RULE 23. PRIVILEGE OF THE FLOOR**

(a) No person who is not a member of the Senate shall be granted the privilege of the floor, or be seated, stand or allowed to proceed in that area in front of the rear line of the last row of members' seats from the rostrum, to the left of the right line of the farthest right row of members' seats, as facing the rostrum and to the right of the left line of the farthest left row of members' seats as facing the rostrum, while the Senate is in session except:

The Governor of the State

The Secretary of the State

Ex-Governors of the State

Ex-Lieutenant Governors of the State

Ex-Members of the General Assembly

Members of the Congress of the United States

Ex-Members of the Congress of the United States

Members of the House of Representatives of the State

Attorneys, Officers and Employees of the Senate

Attorneys, Officers and Employees of the House

of Representatives of the State

The staff of Legislative Council

(b) Notwithstanding anything contained in subsection (a) of this Rule, any other person or persons may be granted the privilege of the floor, or of being seated or to stand in front of the rear line of the last row of member seats aforesaid, by and with the consent of this body.

**RULE 24. CHANGE OR SUSPENSION OF RULES**

Any rules of the Senate may be changed or suspended by approval of a majority of all members elected to the Senate.

**RULE 25. RULES OF ORDER**

All questions of parliamentary procedure not covered or provided for by the Rules of the Senate or the Constitution of the State of Delaware shall be decided in accordance with Mason's Manual of Legislative Procedure.

**RULE 26. NEWS MEDIA**

Members of the press, with permission of the President Pro Tempore, may use personal recording devices in the Senate Chamber during live session of that body.

**RULE 27. TRAVEL BY MEMBERS OF THE SENATE**

Any member of the State Senate who takes an out-of-state trip on official business at taxpayer expense shall upon the Senator's return and at the request of the Senate, give an oral report to the Senate on the extent of the Senator's travel, the nature of the official business and a summary of the convention, conference, seminar, or other proceedings.

**RULE 28. CONSENT CALENDAR**

(a) Any member of the Senate may propose any Senate Resolution, Senate Concurrent Resolution or House Concurrent Resolution, which ever the case may be, for inclusion on a Consent

Calendar for the purpose of a final reading; provided that no amendment to the resolution is proposed.

(b) Any proposal by a member of the Senate for inclusion of a Senate Resolution, Senate Concurrent Resolution, or House Concurrent Resolution on a Consent Calendar shall be made to the Secretary of the Senate.

(c) Upon receipt of a proposal for inclusion the Secretary of the Senate shall prepare the Consent Calendar noting each inclusion thereon and present the Consent Calendar to the membership at an appropriate time during each legislative day.

(d) All resolutions included on the Consent Calendar shall be read and voted on collectively as a single group.

(e) Any resolution may be removed from the Consent Calendar for individual action if objection is made to its inclusion by any member.

#### **RULE 29. CITATIONS**

Every member of the Senate shall be granted the privilege to issue citations, in the categories or classifications available, at anytime during his or her tenure; provided, however, the procedures herein prescribed are adhered to. Citations, unlike resolutions which are highly detailed, invoking the entire Delaware State Senate as a body shall be sequentially numbered by the Secretary of the Senate and made a part of the permanent record of the Senate. Each citation before becoming an official document of the Senate shall be signed by the sponsor and/or sponsors, the President Pro Tempore of the Senate and the Secretary of the Senate. When the Senate is in session pursuant to Article II, Section 4 of the 1897 Constitution, as amended, the President Pro Tempore or their designee shall cause to be read into the permanent record of the Senate, for informational and archival purposes, on one of the three (3) legislative days mentioned in Rule 2, such citations as have been filed with the Secretary of the Senate, by topical notation along with the name of the Chief sponsor thereof. Such citations shall not require an official vote; however, at the time such citations are officially read into the record, any member of the Senate may comment, elaborate or simply expand on the content of the citation. Citations requested and issued by members of the Senate when the Senate stands in recess or adjournment (July 1 - December 31st) shall be administratively managed by the Secretary of the Senate and in the duties of compiling the permanent record of the Senate proceedings (the Senate Journal) shall cause such citations to be made a part of the official proceedings of the Senate.

#### **RULE 30. PROHIBITING SMOKING IN SENATE CHAMBER, CAUCUS ROOMS AND GALLERY**

No member of the Senate, staff person, member of the press or visitor shall smoke a cigarette, cigar, pipe or other smoking object or equipment in the Senate chamber, caucus rooms and gallery while the Senate is in session.





## **SENATE STAFF**



## SENATE STAFF

### 141<sup>ST</sup> GENERAL ASS0EMBLY

Bernard J. Brady - Secretary of the Senate  
Donna Kay Sandstrom - Assistant Secretary of the Senate  
Joy C. Bower - Journal/Calendar Clerk

Issac W. Allen  
Scotty Wallace Amerine  
Katherine E. Artigliere  
William A. Baker  
Madeleine M. Bayard  
Molly B. Bayard  
Mary Lou Berry  
Philip R. Birk  
Julia E. Blevins  
Tara C. Bower  
Jodi A. Campbell  
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Leigh Ann Harrison  
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Harold M. Hilyard  
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Winifred H. Hulme  
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Charlotte L. Shirey  
Andrea M. Simpson  
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# **LEGISLATIVE DAYS**



**LEGISLATIVE DAYS**  
**141<sup>ST</sup> GENERAL ASSEMBLY**  
**FIRST SESSION**

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## **SENATE ACTION**



**1<sup>ST</sup> LEGISLATIVE DAY**  
**141<sup>ST</sup> GENERAL ASSEMBLY**  
**1<sup>ST</sup> SESSION**  
**JANUARY 9, 2001**

Pursuant to Section 4, Article 2 of the Constitution of the State of Delaware, the Senate met at Legislative Hall in Dover, Delaware at 02:12 PM on January 09, 2001 with the President Pro Tempore, Thomas B. Sharp presiding.

A prayer was offered by Senator Venables followed by the Pledge of Allegiance to the Flag.

Welcoming remarks were made by Senator Sharp.

On motion of Senator Marshall, Bernard J. Brady was appointed temporary Secretary of the Senate and Patricia Moore was appointed temporary Reading Clerk of the Senate. No objection.

A roll call of the hold over Senators was taken and revealed the following attendance:

**PRESENT:** Senator(s) Amick, Bonini, DeLuca, Henry, Marshall, Simpson, Sorenson, Still, Venables, Winslow - 10.

Senator Marshall moved that Senator Sharp elect two members to examine Certificates of Election.

Senator Sharp appointed Senators DeLuca and Winslow to inspect Certificates of Election of the newly elected Senators.

Senator Sharp calls a short recess for the purpose of the examination of the Certificates of Election.

The Senate reconvened and Senator DeLuca reported that the Certificates of Election were examined and found to be in order.

Senator Marshall moved that the reading of one Certificate of Election be considered the reading of all the Certificates. No objection.

Pursuant to the above motion, the Certificate of Election of Senator McDowell was read:

The State of Delaware  
New Castle County, ss

BE IT REMEMBERED, That at the General Election held on the Tuesday, the Seventh day in November, in the year of our Lord Two Thousand for New Castle County, according to the Constitution and Laws of the State of Delaware, Harris B. McDowell, III was duly elected Senator -- 1st 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, HENRY duPONT RIDGELY 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 9th day of November, A.D. 2000.

(Signed)

William Swain Lee, Resident Associate Judge

(Signed)

T. Henley Graves, Associate Judge

Senator Marshall moves that the Oath of Office be administered to the newly elected Senators.

Senator Sharp announced in order to facilitate the need for a presiding officer during my oaths as Senator and President Pro Tempore, I will call upon our Senior Member, Thurman Adams, Jr. as the first to be sworn in. There after we will follow by district number.

The Senators-elect were then sworn in the following order: from Sussex County: Thurman Adams, Jr. by Justice Randy J. Holland. Justice Holland commented.

From New Castle County: Harris B. McDowell, III by Associate Judge Peggy L. Ableman; Catherine L. Cloutier by Judge Susan C. DelPesco, Patricia M. Blevins by Chief Judge Vincent J. Poppiti, David P. Sokola by Justice Randy J. Holland.

Senator Adams presiding at 2:43 PM in order for Senator Sharp to take his oath by Judge T. Henley Graves, Dorinda A. Connor by President Judge Henry duPont Ridgely, David B. McBride by Chief Judge Vincent J. Poppiti, James T. Vaughn by Resident Judge James T. Vaughn, Jr., from Kent County: Nancy W. Cook by Retired Justice Maurice A. Hartnett, III; from Sussex County: George H. Bunting, Jr. by Chancellor William B. Chandler, III.

## OATH OF OFFICE MEMBER OF THE STATE SENATE:

"I, (Name of Senator), do Proudly swear (or affirm) to carry out the responsibilities of the office of Senator 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 (or affirm) 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 State, so help me God."

\* \* \*

The call of the roll of the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

**SR 1** was introduced and brought before the Senate for consideration on motion of Senator Adams.

**SR 1 - IN REFERENCE TO THE ROLL OF MEMBERS OF THE SENATE.** Sponsors: Senators Sharp & Adams & Sen. Marshall.

Roll call vote on **SR 1** was taken and revealed:

**SR 1** was declared Adopted.

**SR 2** was introduced and brought before the Senate for consideration on motion of Senator Vaughn.

**SR 2 - IN REFERENCE TO RULES OF THE DELAWARE STATE SENATE.** Sponsor: Senator Vaughn; Sens. Adams, Sharp, Marshall

Senator Amick commented.

Roll call vote on **SR 2** was taken and revealed:

YES: 21

**SR 2** was declared Adopted.

**SR 3** was introduced and brought before the Senate for consideration on motion of Senator Adams.

**SR 3 - IN REFERENCE TO THE ELECTION OF THE PRESIDENT PRO TEMPORE.** Sponsor: Sens. Adams & Sen. Marshall.

Roll call vote on **SR 3** was taken and revealed:

YES: 21

**SR 3** was declared Adopted.

At 03:17 PM, Senator Adams congratulates Senator Sharp and asks that he come forward to be administered the Oath of Office of President Pro Tempore, which was administered by Judge William B. Chandler, III:

## OATH OF OFFICE MEMBER OF THE STATE SENATE

"I, Thomas B. Sharp, do Proudly swear (or affirm) to carry out the responsibilities of the office of President Pro Tempore 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 (or affirm) 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 State, so help me God."

(Signed) Thomas B. Sharp, President Pro Tempore

Sworn (or affirmed) and subscribed before me this 26th day of November A.D. 1996

(Signed) The Honorable T. Henley Graves, Judge, Superior Court, State of Delaware

\* \* \*

Senator Sharp made brief comments upon his swearing in as President Pro Tempore.

Senator Sharp presiding at 03:20 PM.

**SR 4** was introduced and brought before the Senate for consideration on motion of Senator Adams.

**SR 4 - IN REFERENCE TO THE ELECTION OF OFFICERS.** Sponsor: Sen. Sharp & Sens. Adams & Marshall.

Roll call on **SR 4** was taken and revealed:

YES: 21

**SR 4** was declared Adopted.

Senator Sharp sworn in the Secretary of the Senate, Bernard J. Brady.

#### OATH FOR SECRETARY OF THE SENATE

I, Bernard J. Brady, Secretary of the Senate, do proudly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Secretary of the Senate according to the best of my ability.

(Signed) Bernard J. Brady

Sworn to and subscribed before me this 9<sup>th</sup> day of January, 2001, A. D.

(Signed) Thomas B. Sharp  
President Pro Tempore

\* \* \*

Senator Sharp announced the Majority Caucus leadership. Senator Thurman Adams, Jr. as Majority Leader and Senator Robert I. Marshall as Majority Whip for the First Session of the 141st General Assembly.

Senator Amick announced the Minority Caucus met and officially elected Senator Steven H. Amick as Minority Leader and Senator Liane McD. Sorenson as Minority Whip.

Senator Adams moved for the introduction and suspension of rules to consider **SJR 1**.

**SJR 1** - IN REFERENCE TO ELECTION OF OFFICERS. Sponsor: Sen. Sharp & Sen. Adams & Sen. Marshall.

Roll call vote on **SJR 1** was taken and revealed:

YES: 21

**SJR 1** was declared passed the Senate and sent to the House for consideration.

**SR 5** was introduced and brought before the Senate for consideration on motion of Senator Adams.

**SR 5** - APPOINTING A COMMITTEE TO NOTIFY THE GOVERNOR THAT THE SENATE IS ORGANIZED. Sponsor: Senators Sharp & Adams & Marshall.

Roll call on **SR 5** was taken and revealed:

YES: 21

**SR 5** was declared Adopted.

Pursuant to the above resolution, Senator Sharp appointed Senators Blevins and Simpson to notify the Governor that the Senate is now organized.

**SR 6** was introduced and brought before the Senate for consideration on motion of Senator Adams.

**SR 6** - APPOINTING A COMMITTEE TO NOTIFY THE HOUSE OF REPRESENTATIVES THAT THE SENATE IS ORGANIZED. Sponsor: Sen. Sharp & Sens. Adams & Marshall.

Roll call vote on **SR 6** was taken and revealed:

YES: 19

ABSENT: Senator(s) Blevins, Simpson - 2

**SR 6** was declared Adopted.

Pursuant to the above resolution, Senator Sharp appointed Senators Cloutier and Cook to notify the House of Representatives that the Senate is now organized and ready for business.

At 03:33 PM on motion of Senator Adams, the Senate recessed until 04:00 PM on January 10, 2001.

The Senate reconvened at 05:00 PM on January 10, 2001 with Senator Sharp presiding.

The Secretary of the Senate announced a message from the House informing the Senate that it had passed **HJR 1; SJR 1**.

**SCR 1** was introduced and brought before the Senate for consideration on motion of Senator Adams.

**SCR 1** - PROVIDING FOR A JOINT SESSION OF THE HOUSE AND SENATE FOR THE PURPOSE OF ANNOUNCING THE VOTE FOR GOVERNOR AND LT. GOVERNOR OF THE STATE OF DELAWARE. Sponsor: Sen. Sharp; Sen. Adams; Reps. Spence, Smith.

Roll call vote on **SCR 1** was taken and revealed:

YES: 18

ABSENT: Senator(s) Amick, Cloutier, McDowell - 3

SCR 1 was declared Adopted by the Senate and sent to the House for consideration.

HJR 1 was brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Adams.

HJR 1 - IN REFERENCE TO OFFICERS. Sponsor: Rep. Smith & Rep. Lee.

Roll call vote on HJR 1 was taken and revealed:

YES: 19

ABSENT: Senator(s) Amick, Cloutier - 2

HJR 1 was declared passed by the Senate and returned to the House.

At 05:00 PM on motion of Senator Adams, the Senate adjourned to immediately convene the 2<sup>nd</sup> Legislative Day.

**2<sup>ND</sup> LEGISLATIVE DAY**  
**141<sup>ST</sup> GENERAL ASSEMBLY**  
**1<sup>ST</sup> SESSION**  
**JANUARY 10, 2001**

The Senate convened at 5:00 PM with Senator Sharp presiding.

A prayer was offered by Senator Marshall followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 20.

**ABSENT:** Senator(s) Amick - 1

The journal of the previous day was approved as read on motion of Senator Adams.

No objections.

A communication from Senator Venables to Bernard J. Brady was read requesting Representatives Ewing, Representative Price and Senator Bunting be added as cosponsors of SB 12.

The Reading Clerk was requested to read the new committee memberships for the 139<sup>th</sup> General Assembly. Copies were available to the Senators.

A copy of this communication is on file for this legislative day. (See Table of Content – Committee Membership)

On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially ready and copies were made available.

**DELAWARE STATE SENATE**  
**PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION**  
**READ TO THE SENATE RECORD**  
**1/10/01**

**SB 4** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ANATOMICAL GIFTS AND STUDIES. Sponsor: Sen. Adams; Reps. Buckworth, & Ewing; **Executive**.

**SB 5** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, HOME HEALTH AGENCIES AND HOME CAREGIVERS. Sponsor: Sen. Marshall; Sharp, Rep. Spence, & Rep. Maier; Sens. Blevins, Connor, Henry, McDowell; Reps. Lofink, Scott, Wagner; **Health & Social Services**.

**SB 8** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE. Sponsor: Sen. Blevins; Maier, Sens. DeLuca, Henry, Marshall, Sokola, Simpson, Sorenson; Reps. DiPinto, Price, Viola, Wagner, West; **Insurance & Elections**.

**SB 9** - AN ACT TO REINCORPORATE THE TOWN OF SELBYVILLE. Sponsor: Sen. Bunting; Price; **Community/County Affairs**.

**SB 10** - AN ACT TO AMEND CHAPTER 64, VOLUME 63, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW IN SUSSEX COUNTY, DELAWARE." Sponsor: Sen. Bunting; Price; **Community/County Affairs**.

**SB 11** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE; AND PROVIDING FOR A HEALTH WELLNESS

PROMOTION ACT. Sponsor: Sen. Venables; Sen. Blevins; Reps. Spence, Carey & Ewing; Small Business.

**SB 12** - AN ACT TO AMEND TITLE 11, DELAWARE CODE, RELATING TO LICENSE TO CARRY CONCEALED WEAPONS. Sponsor: Sen. Venables; Sen. Simpson; Rep. Quillen; Small Business.

**SB 13** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SALE AND DISTRIBUTION OF TOBACCO PRODUCTS. Sponsor: Sen. Bunting; Hudson; Health & Social Services.

\* \* \*

Senator Adams moved to recess for Party Caucus at 05:17 PM.

The Senate reconvened at 06:15 PM with Senator Sharp presiding.

Additions to the agenda, committee and other legislative meetings were announced.

Senator Cook announced to the Senate that she and Senator Cloutier informed the House of Representatives that the Senate is organized and ready for business.

Senator Blevins announced to the Senate that she and Senator Simpson informed the Governor that the Senate is organized and ready for business.

The Secretary of the Senate announced the agenda for January 11, 2001.

On motion of Senator Adams, the Senate recessed at 06:18 PM until January 11, 2001 at 02:00 PM.

The Senate reconvened at 02:20 PM on January 11, 2001 with Senator Sharp presiding.

Senator Cloutier marked present.

At 02:27 PM on motion of Senator Adams, the Senate adjourned to immediately convene the 3rd Legislative.

**3<sup>RD</sup> LEGISLATIVE DAY  
141<sup>ST</sup> GENERAL ASSEMBLY  
1<sup>ST</sup> SESSION  
JANUARY 11, 2001**

The Senate convened at 02:27 PM with Senator Sharp presiding.

A prayer was offered by Senator Simpson followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Blevins, Bonini, Bunting, Cloutier, Cook, Connor, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 20.

**ABSENT:** Senator(s) Amick - 1.

The journal of the previous day was approved as read on motion of Senator Adams. No objections.

The following committee report was announced:

From Executive: **SB 4** - 5 Merits.

At 02:25 PM, Senator Adams announced pursuant to **SCR 1** the Senate will now recess for joint session to announce results of election from the three counties for the offices of Governor and Lt. Governor.

The Sergeant of Arms announced the members of the House were ready to be admitted and seated.

Senator Sharp extended an invitation to the Speaker of the House to be his guest on the podium.

Senator Adams moved at 02:28 PM that the Senate and House convene in Joint Session.

The Secretary announced a message from the House informing the Senate that it had passed **SCR 1**.

Senator Adams moved that the President Pro Tempore preside over the Joint Session. No objection.

Senator Adams moved that the Secretary of the Senate and the Chief Clerk of the House act as secretaries to the Joint Session. No objection.

Senator Sharp announced that under the provision of Article III of the State Constitution, the election results for Governor and Lt. Governor must be opened and published in the presence of the members of both Houses in Joint Session.

Senator Sharp moved that the Certificates of Elections for Governor and Lt. Governor from the three counties be therefore read in.

The readings of the Certificates of Elections took place 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 for New Castle County, according to the Constitution and Laws of the State of Delaware, One- hundred twenty-seven thousand one hundred and twelve (127,112) votes were given for **(D) RUTH ANN MINNER** for Governor, Eighty-one thousand three hundred and eleven (81,311) votes were given for **(R) JOHN M. BURRIS** for Governor, Two thousand four hundred and sixty-two (2,462) votes were given for **(I) FLOYD E. McDOWELL, SR.** 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, **HENRY duPONT RIDGELY** 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 9<sup>th</sup> day of November, A.D. 2000.

(Signed) Henry duPont Ridgely, President Judge

(Signed) 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 for Kent County, according to the Constitution and Laws of the State of Delaware, Twenty Seven Thousand, One Hundred and Sixty Four (27,164) votes were given for **(D) RUTH ANN MINNER** for Governor, Twenty Thousand, One Hundred and Sixty Three (20,073) votes were given for **(R) JOHN M. BURRIS** for Governor, Three Hundred and Fifty Six (356) votes were given for **(I) FLOYD E. McDOWELL, SR.** 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, **JAMES T. VAUGHN, JR.** and **WILLIAM L. WITHAM, JR.**, constituting the Superior Court for Kent, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set out hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 9<sup>th</sup> day of November, A.D. 2000.

(Signed) James T. Vaughn, Jr., Resident Judge

(Signed) William L. Witham, Jr., 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 for Sussex County, according to the Constitution and Laws of the State of Delaware, Thirty-seven thousand four hundred nineteen (37,419) votes were given for **(D) RUTH ANN MINNER** for Governor, Twenty-seven thousand two hundred nineteen (27,219) votes were given for **(R) JOHN M. BURRIS** for Governor, Four hundred fifty three (453) votes were given for **(I) FLOYD E. McDOWELL, SR.** 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, **T. Henley Graves** and **E. Scott Bradley**, 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 out hands and caused the seal of the said Superior Court to be hereunto affixed at the Courthouse in said County, on this 9<sup>th</sup> day of November, A.D. 2000.

(Signed) T. HENLEY GRAVES, Resident Associate Judge

(Signed) E. SCOTT BRADLEY, Associate Judge

\* \* \*

**The State of Delaware**

New Castle County, ss



BE IT REMEMBER, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord Two Thousand for New Castle County, according to the Constitution and Laws of the State of Delaware, One hundred thirty thousand one hundred and ninety-three (130,193) votes were given for **(D) JOHN C. CARNEY, JR.**, for Lieutenant Governor, Seventy-three thousand eight hundred thirty-seven (73,837) votes were given for **(R) DENNIS ROCHFORD** 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, HENRY duPONT RIDGELY 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 9<sup>th</sup> day of November, A.D. 2000.

(Signed) Henry duPont Ridgely, President Judge

(Signed) 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 for Kent County, according to the Constitution and Laws of the State of Delaware, Twenty Six Thousand, Four Hundred and Seventy Eight (26, 478) votes were given for **(D) JOHN C. CARNEY, JR.** for Lieutenant Governor, Nineteen Thousand, Four Hundred and Fifty Seven (19,457) votes were given for **(R) DENNIS ROCHFORD** 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, JAMES T. VAUGHN, JR. and WILLIAM L. WITHAM, JR., 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 out hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 9<sup>th</sup> day of November, A.D. 2000.

(Signed) James T. Vaughn, Jr., Resident Judge

(Signed) William L. Witham, Jr., 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 for Sussex County, according to the Constitution and Laws of the State of Delaware, Thirty-six thousand six hundred seventy-seven (36,677) votes were given for **(D) JOHN C. CARNEY, JR.** for Lieutenant Governor, Twenty-six thousand six hundred forty-nine (26,649) votes were given for **(R) DENNIS ROCHFORD** 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 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 Courthouse in said County, on this 9<sup>th</sup> day of November, A.D. 2000.

(Signed) T. Henley Graves, Resident Associate Judge

(Signed) E. Scott Bradley, Associate Judge

\* \* \*

Senator Adams moved that the election results for the Governor and Lt. Governor as 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 of the Delaware Constitution. No objection.

Senator Adams moved that the Secretary of the Senate and the Chief Clerk of the House compare their Journals to see if they agree. No objection.

The Secretary of the Senate, Bernard J. Brady announced that he and Mrs. Hedrick, Chief Clerk of the House, compared their Journals and found them to agree.

At 02:43 PM on motion of Senator Adams and without objection, the Joint Session adjourned and the two Houses separated to reconvene in their respective Chambers. No objection.

At 03:52 the Senate reconvened with Senator Sharp presiding.

On motion of Senator Adams, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially ready and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
1/11/01**

**SB 23** - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2002 DEAUTHORIZING STATE GUARANTEED BOND AUTHORIZATIONS; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY, REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. Sponsor: Sen. Sharp; Gilligan, Adams, Marshall, Blevins, Van Sant; **Finance**.

The following nomination(s) assigned to the **Executive** Committee:

Ms. Lisa L. Blunt-Bradley 8 Alfred Court Welden Ridge Wilmington, DE 19803	To be appointed as Director of the Delaware State Personnel office to serve a term during the pleasure of the Governor.
Ms. Cari DeSantis 30 Clark Ridge Hockessin, DE 19707	To be appointed as Secretary of the Department of Children, Youth, and their Families to serve a term during the pleasure of the Governor.
Mr. Nicholas A. DiPasquale 45 Shady Lane Dover, DE 19901	To be appointed as Secretary of the Department of Natural Resources & Environmental Control to serve a term during the Pleasure of the Governor.
Mr. James L. Ford 41 Turnbury Drive Dover, DE 19901	To be appointed as Secretary of the Department of Public Safety to serve a term during the pleasure of Governor.

Mr. Nathan Hayward, III 1 New London Road Box 36 Montchanin, DE 19710	To be appointed as Secretary of the Department of Transportation to serve a term during the pleasure of the Governor.
Ms. Gloria Wenicki Homer 205 Quail Run Wyoming, DE 19934	To be appointed as Secretary of the Department of Administrative Services to serve a term during the pleasure of the Governor.
Ms. Sandra Ross Johnson 32 Longspur Drive Limestone Hills Wilmington, DE 19808	To be appointed as Director of the Delaware State Housing Authority to serve a term during the pleasure of the Governor.
Mr. Vincent P. Meconi 105 Churchill Lane Wilmington, DE 19808	To be appointed as Secretary of the Department of Health & Social Services to serve a term during the pleasure of the Governor.
Mr. Peter M. Ross 726 Bent Lane Newark, DE 19711	To be appointed as Director of the Budget Office to serve a term during the pleasure of the Governor.
Mr. David W. Singleton 929 Westover Road Wilmington, DE 19807	To be appointed as Secretary of the Department of Finance to serve a term during the pleasure of the Governor.
Mr. Harold E. Stafford 75 Quail Hollow Drive Dover, DE 19901	To be appointed as Secretary of the Department of Labor to serve a term during the pleasure of Governor.
Mr. John F. Tarburton RR 1, Box 186 Milford, DE 19963	To be appointed as Secretary of the Department of Agriculture to serve a term during the pleasure of the Governor.
Mr. Stanley W. Taylor, Jr. P.O. Box 238 Ocean View, DE 19970	To be appointed as Commissioner of the Department of Corrections to serve a term during the pleasure of the Governor.
Major General Frank D. Vavala 5 Lindberg Avenue Wilmington, DE 19804	To be appointed as Adjutant General of the Delaware National Guard to serve a term during the pleasure of the Governor.

Ms. Harriet N. Smith Windsor, Ed. D.  
106 Sussex Court  
Lewes, DE 19958

To be appointed as  
Secretary of the  
Department of State to  
serve a term during the  
pleasure of the Governor.

Ms. Valerie A. Woodruff  
146 Country Side Lane  
Bear, DE 19701

To be appointed as  
Secretary of the  
Department of Education to  
serve a term during the  
pleasure of the Governor.

\* \* \*

**SB 5** was introduced and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Marshall.

**SB 5** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, HOME HEALTH AGENCIES AND HOME CAREGIVERS. Sponsor: Sen. Marshall & Sen. Sharp & Rep. Spence & Rep. Maier; Sens. Blevins, Connor, Henry, McDowell; Reps. Lofink, Scott, Wagner.

**SA 1 to SB 5** was brought before the Senate for consideration on the motion of Senator Marshall.

Roll call vote on **SA 1 to SB 5** was taken and revealed:

YES: 20

ABSENT: Senator(s) Amick - 1.

**SA 1 to SB 5** was declared part of the bill.

Senator Connor marked present during the above roll call.

**SB 5 w/SA 1** was now before the Senate.

Several Senators commented.

Roll call vote on **SB 5 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Amick - 1.

**SB 5 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

**SB 9** was introduced and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Bunting.

**SB 9** - AN ACT TO REINCORPORATE THE TOWN OF SELBYVILLE. Sponsor: Sen. Bunting & Rep. Price.

**SA 1 to SB 9** was brought before the Senate for consideration on the motion of Senator Bunting.

Roll call vote on **SA 1 to SB 9** was taken and revealed:

YES: 20

ABSENT: Senator(s) Amick - 1.

**SA 1 to SB 9** was declared part of the bill.

**SB 9 w/SA 1** was now before the Senate.

Several Senators commented.

Roll call vote on **SB 9 w/SA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Amick - 1.

**SB 9 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

Additions to the agenda, committee and other legislative meetings were announced. Senator Bunting made comments regarding Delaware Department of Transportation. The Secretary read the agenda for January 17, 2001.

On motion of Senator Adams, the Senate recessed at 04:21 PM until January 17, 2001 at 04:00 PM.

The Senate reconvened at 04:38 PM on January 17, 2001 with Lt. Governor Carney presiding.

The following committee reports were announced.

From Executive: **John D. Wik** - 2 Favorable, 4 Merits; **Harriet N. Smith-Windsor** - 6 Merits; **Valerie A. Woodruff** - 1 Favorable, 5 Merits; **Stanley W. Taylor, Jr.** - 6 Favorable; **John F. Tarburton** - 6 Favorable; **Harold E. Stafford** - 6 Favorable; **David W. Singleton** - 4 Favorable, 2 Merits; **Lisa L. Blunt-Bradley** - 6 Favorable; **Maj. Gen. Frank D. Vavala** - 6 Favorable; **Peter M. Ross** - 6 Favorable.

From Small Business: **SB 12** - 4 Merits.

From Education: **SB 14** - 3 Merits; **SB 15** - 3 Merits.

On motion of Senator Adams, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD**

1/17/01

1/11/01

**SB 6** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO TELEMARKETING REGISTRATION AND FRAUD PREVENTION. Sponsor: Sen. Marshall; Sharp, Rep. Price; Sens. Blevins, Henry, Sokola, Venables, Simpson, Reps. Boulden, Buckworth, Maier, B. Ennis, Gilligan, Keeley; **Revenue & Taxation**.

**SB 14** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO NEIGHBORHOOD SCHOOLS. Sponsor: Sen. Sokola; Maier, Reps. Miro & Oberle; **Education**.

**SB 15** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LICENSURE AND CERTIFICATION OF TRADE AND INDUSTRIAL TEACHERS. Sponsor: Sen. Sharp; Spence, Sens. Marshall, Adams, Blevins, Bunting, DeLuca, Henry, Sokola, Vaughn, Venables, Bonini, Cloutier, Simpson, Sorenson, Still, Winslow, Reps. D. Ennis, Hudson, Lee, Maier, Oberle, Smith, Thornburg, Valihura; **Education**.

1/17/01

**SB 7** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEES' PENSION PLAN. Sponsor: Sen. McBride; Spence, Sen. Vaughn, & Sen. Cook, & Rep. Miro & Rep. Schroeder, & Rep. Wagner, & Rep. Ewing; Sens. Blevins, Bonini, Bunting, Cloutier, Connor, DeLuca, Henry, Marshall, McDowell, Sharp, Sokola, Still, Venables, Winslow; Reps. Boulden, Brady, Buckworth, Carey, Cathcart, DiLiberto, DiPinto, B. Ennis, D. Ennis, Fallon, Gilligan, Houghton, Hudson, Keeley, Lee, Lofink, Mulrooney, Oberle, Price, Quillen, Reynolds, Roy, Scott, Ulbrich, Van Sant, Viola, West, Williams; **Finance**.

**SB 17** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO JURISDICTION OVER CERTAIN CRIMINAL VIOLATIONS AND APPEAL UPON CONVICTION. Sponsor: Sen. Winslow; Wagner; **Executive**.

The following nomination(s) assigned to the **Executive** Committee.

John D. Wik  
2 East 3<sup>rd</sup> Street  
New Castle, DE 19720

To be appointed as  
Director of the  
Department of  
Delaware Economic  
Development Office to  
serve a term during the  
pleasure of the Governor.

\* \* \*

A communication from Senator Blevins to Secretary of the Senate, Bernard J. Brady was read requesting Senators Bunting, Connor, McDowell and Representatives DiLiberto, Ewing and Hudson be added as co-sponsors of **SB 8**.

At 04:45 PM on motion of Senator Adams, the Senate adjourned to immediately convene the 4th Legislative Day.

**4<sup>TH</sup> LEGISLATIVE DAY**  
**141<sup>ST</sup> GENERAL ASSEMBLY**  
**1<sup>ST</sup> SESSION**  
**JANUARY 17, 2001**

The Senate convened at 04:45 PM with Lt. Governor Carney presiding.  
A prayer was offered by Senator Adams followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams.  
No objections.

**SB 4** was brought before the Senate for consideration on the motion of Senator Adams.

**SB 4 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ANATOMICAL GIFTS AND STUDIES.**

Senator Adams requested the privilege of the floor for Jan Weinstock, representing Gift of Life Donor Program.

Several Senators questioned the witness, after which the witness was excused.

Senator McDowell marked present.

Senator McBride and Still requested to be added as co-sponsors of **SB 4**.

**SA 1 to SB 4** was brought before the Senate for consideration on the motion of Senator Adams.

Roll call vote on **SA 1 to SB 4** was taken and revealed:

YES: 21

**SA 1 to SB 4** was declared part of the bill.

**SB 4 w/SA 1** was now before the Senate.

Roll call vote on **SB 4 w/SA 1** was taken and revealed:

YES: 21

**SB 4 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

Additions to the agenda, committee and other legislative meetings were announced.

The Secretary announced the agenda for January 18, 2001.

Lt. Governor asked the indulgence of the Senate to make comments on the first day as presiding officer.

On motion of Senator Adams the Senate recessed at 05:18 PM until January 18, 2001 at 04:00 PM.

The Senate reconvened at 05:10 PM on January 18, 2001 with Senator Sharp presiding.

The following committee reports were announced:

From Executive: **Vincent Meconi** - 1 Favorable, 5 Merits; **Nathan Hayward** - 4 Favorable, 2 Merits; **Gloria Homer** - 1 Favorable, 5 Merits; **Sandra Johnson** - 2 Favorable, 3 Merits; **Cari DeSantis** - 3 Favorable, 3 Merits; **James Ford** - 6 Favorable.  
Lt. Governor Carney presiding at 05:15 PM.

The Secretary announced a message from the House informing the Senate that it had passed **HB 17; HB 12; HB 8; HB 1; HB 42; HB 25; HCR 2; SB 9 w/SA 1**.

A communication from Senator Bunting to the Secretary of the Senate, Bernard J. Brady was read requesting Senator Winslow and Representative Keeley be added as co-sponsors of **SB 20**.

A communication from Senator Venables to the Secretary of the Senate, Bernard J. Brady was read requesting Representative Maier be added as co-sponsor of **SB 11**.

At 05:15 PM on motion of Senator Adams, the Senate adjourned to immediately convene the 5th Legislative Day.

**5<sup>th</sup> LEGISLATIVE DAY**  
**141<sup>st</sup> GENERAL ASSEMBLY**  
**1<sup>st</sup> SESSION**  
**JANUARY 18, 2001**

The Senate convened at 05:15 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Venables followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams.  
No objections.

On motion of Senator Adams, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE**  
**PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION**  
**READ TO THE SENATE RECORD**  
**1/18/01**

**SB 16** - AN ACT AMENDING THE FISCAL YEAR 2000 BOND AND CAPITAL IMPROVEMENTS ACT AND THE FISCAL YEAR 2001 BOND AND CAPITAL IMPROVEMENTS ACT AND RELATING TO PUBLIC EDUCATION SCHOOL CONSTRUCTION. Sponsor: Sen. Blevins; Roy, Sens. Cook, McBride, Venables, Bonini, Connor, Reps. Carey, Lofink, Oberle, Schroeder, Williams, Cathcart, Miro, Stone, Wagner, Keeley **Bond Bill**.

**SB 20** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAXES. Sponsor: Sen. Bunting; Sens. Connor, Simpson, Sokola, Still; Reps. Brady, Buckworth, Carey, Ewing, Maier, Price, Quillen, Reynolds, Schroeder, Spence, Thornburg, Valihura, Wagner, West; **Revenue & Taxation**.

**SB 21** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE DOVER HOUSING AUTHORITY. Sponsor: Sen. Still; Stone, Wagner; **Executive**.

**HB 1** - AN ACT TO AMEND TITLE 5 AND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES; AND PROVIDING FOR A HISTORIC PRESERVATION TAX CREDIT ACT. Sponsor: Rep. DiPinto; Hudson, Sen. Adams, & Sen. McDowell & Sen. Sharp & Sen. Sorenson; Reps. Brady, Carey, B. Ennis, D. Ennis, Fallon, Gilligan, Houghton, Keeley, Lavelle, Lee, Miro, Price, Schroeder, Scott, Spence, Ulbrich, Valihura, Williams; Sens. Amick, Blevins, Bunting, Cloutier, Connor, Henry, McBride, Still, Winslow; **Executive**.

**HB 8** - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE V, § 2 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO REFERENCES TO PEOPLE WITH MENTAL ILLNESS AND PAUPERS. Sponsor: Rep. DiLiberto; Blevins; **Judiciary**.

**HB 12** - AN ACT TO AMEND CHAPTER 64, VOLUME 63, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW IN SUSSEX COUNTY, DELAWARE" TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF OCEAN VIEW. Sponsor: Rep. Price; Bunting; **Community/County Affairs**.

**HB 17** - AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO SUBSTITUTE TEACHERS. Sponsor: Rep. Wagner; Sokola, Reps. Smith, Lee, Buckworth, Carey, Cathcart, DiPinto, D. Ennis, Ewing, Fallon, Hudson, Maier, Miro, Quillen, Stone, Ulbrich, Valihura, Van Sant, Brady, B. Ennis, Schroeder, Viola; Sen. Blevins; **Education**.

**HB 25** - AN ACT TO AMEND TITLE 14 AND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTH CARE COMMISSION, THE DELAWARE INSTITUTE FOR DENTAL EDUCATION AND RESEARCH AND THE PRACTICE OF DENTISTRY IN DELAWARE. Sponsor: Rep. Maier; Blevins, Reps.

Hudson, Keeley, Stone, Ulbrich; Sens. Cloutier, Henry, Simpson, Sorenson; **Health & Social Services.**

**HB 42** - AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, THE CHARTER OF THE TOWN OF LAUREL, AS AMENDED, TO ELIMINATE ONE AT-LARGE TOWN COUNCIL SEAT, TO PROVIDE THE MAYOR WITH THE RIGHT TO VOTE, AND TO PRESIDE AT COUNCIL MEETINGS, AND TO MANDATE THE ELECTION OF A PRESIDENT OF COUNCIL TO PRESIDE OVER COUNCIL MEETINGS IN THE ABSENCE OR DISABILITY OF THE MAYOR. Sponsor: Rep. Lee; Venables; **Community/County Affairs.**

\* \* \*

**SCR 2** was introduced and brought before the Senate for consideration on the motion of Senator Sharp.

**SCR 2** - PROVIDING THAT A JOINT SESSION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES BE CONVENED FOR THE PURPOSE OF RECEIVING THE ANNUAL STATE OF THE STATE ADDRESS BY THE HONORABLE RUTH ANN MINNER, GOVERNOR OF THE STATE OF DELAWARE. Sponsor: Sen. Sharp & Sen. Adams; Sens. Marshall, Amick, Sorenson; Reps. Spence, Smith, Lee, Gilligan, Van Sant.

Roll call vote on **SCR 2** was taken and revealed:

YES: 20

ABSENT: Senator(s) Still - 1.

**SCR 2** was declared Adopted by the Senate and sent to the House for Consideration. Senator Blevins marked present during the above roll call.

**SB 12** was brought before the Senate for consideration on the motion of Senator Venables.

**SB 12** - AN ACT TO AMEND TITLE 11, DELAWARE CODE, RELATING TO LICENSE TO CARRY CONCEALED WEAPONS.

Roll call vote on **SB 12** was taken and revealed:

YES: 20

ABSENT: Senator(s) Still - 1.

**SB 12** was declared passed the Senate and sent to the House for Consideration.

Additions to the agenda, committee and other legislative meetings were announced.

The Secretary announced the agenda for January 23, 2001.

On motion of Senator Adams the Senate recessed at 05:33 PM until January 23, 2001 at 02:00 PM.

The Senate reconvened at 02:37 PM on January 23, 2001 with Lt. Governor Carney presiding.

The following committee report was announced:

From Bond Bill: **SB 16** - 5 Merits.

A communication from Senator Marshall to the Secretary of the Senate, Bernard J. Brady was read requesting Senator DeLuca be added as a co-sponsor of **SB 6**.

A communication from the House was read requesting Representative Buckworth name be removed as co-sponsor of **SB 6**.

The following committee reports were announced:

From Community and County Affairs: **SB 10** - 3 Merits; **HB 12** - 3 Merits; **HB 42** - 3 Merits.

At 02:45 PM on motion of Senator Adams, the Senate adjourned to immediately convene the 6th Legislative Day.

**6<sup>TH</sup> LEGISLATIVE DAY  
141<sup>ST</sup> GENERAL ASSEMBLY  
1<sup>ST</sup> SESSION  
JANUARY 23, 2001**

The Senate convened at 02:45 PM. with Lt. Governor Carney presiding.

A prayer was offered by Senator Still followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:



**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams.  
No objections.

**SB 15** was brought before the Senate for consideration on the motion of Senator Sharp.

**SB 15** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LICENSURE AND CERTIFICATION OF TRADE AND INDUSTRIAL TEACHERS.

Roll call vote on **SB 15** was taken and revealed:

YES: 20

ABSENT: Senator(s) Henry - 1.

**SB 15** was declared passed the Senate and sent to the House for Consideration.

**SB 14** was brought before the Senate for consideration on the motion of Senator Sokola.

**SB 14** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO NEIGHBORHOOD SCHOOLS.

**SA 1 to SB 14** was brought before the Senate for consideration on the motion of Senator Sokola.

Senator Sokola requested the privilege of the floor for Dr. Nicholas Fisher, representing Christina School District.

Several Senators questioned the witness, after which the witness was excused.

Roll call vote on **SA 1 to SB 14** was taken and revealed:

YES: 18

NO: Senator(s) Henry, Marshall, McDowell - 3.

**SA 1 to SB 14** was declared part of the bill.

Senator Henry marked present during the above roll call.

**SA 2 to SB 14** was brought before the Senate for consideration on the motion of Senator Amick.

Senator Amick moved to lay **SA 2 to SB 14** on the Table. No objection.

**SA 3 to SB 14** was brought before the Senate for consideration on the motion of Senator Amick.

Several Senators commented.

Roll call vote on **SA 3 to SB 14** was taken and revealed:

YES: 17

NO: Senator(s) Henry, Marshall, Sokola - 3.

NOT VOTING: Senator(s) McDowell - 1.

**SA 3 to SB 14** was declared part of the bill.

Senator Amick requested that **SA 2 to SB 14** be Lifted from the Table and brought before the Senate for Consideration.

Senators Sokola, Sorenson and McDowell commented.

Roll call vote on **SA 2 to SB 14** was taken and revealed:

YES: 8

NO: Senator(s) Blevins, Bonini, Connor, Cook, DeLuca, McBride, Sokola, Sorenson, Still - 9.

NOT VOTING: Senator(s) Bunting, Henry, McDowell, Sharp - 4.

**SA 2 to SB 14** was Defeated.

**SB 14 w/SA 1 & 3** was now before the Senate.

Senator Winslow requested a letter from Dr. Fisher be distributed to each member. A copy of this communication is on file for this legislative day.

Senator(s) Winslow and Sokola commented.

Senator Winslow requested the privilege of the floor for Dr. Nicholas Fisher, representing Christina School District.

Senators Still, Simpson and McBride questioned the witness, after which the witness was excused.

Senator Bonini commented.

Senator Sokola moved to lay **SB 14 w/SA 1 & 3** on the Table. No objection.

Senator Cook requested the personal privilege of the floor for Roland Neeman.

Senator Cook requested a tribute to Mr. Neeman be read its entirety. Senator Sharp presented Mr. Neeman with a token of appreciation.

Senators Bonini, Simpson and McBride commented, after which the witness was excused.

Senator Adams moved to recess for Party Caucus at 04:26 PM.

The Senate reconvened at 05:18 PM with Senator Sharp presiding.

On motion of Senator Adams, the President Pro Tempore's List of Pre-Filed

Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
1/23/01**

1/18/01

**SA 1 to SB 14** - Sen. Sokola - Placed with the bill.

**SB 22** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR CARRIER SAFETY. Sponsor: Sen. McDowell; Oberle; **Energy & Transit**.

**SB 24** - AN ACT TO AMEND TITLES 14 AND 29 OF THE DELAWARE CODE RELATING TO SCHOOL TAXES. Sponsor: Sen. Cook & Rep. Oberle; Sens. Sharp, Adams, Marshall, Amick, Sorenson, Blevins, Bunting, DeLuca, Henry, McBride, McDowell, Sokola, Vaughn, Venables, Bonini, Cloutier, Connor, Simpson, Still & Winslow; Reps. B. Ennis, Price, Spence, Smith, Lee, Gilligan, Van Sant, Boulden, Brady, Buckworth, Carey, Cathcart, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Hudson, Lavelle, Lofink, Maier, Miro, Quillen, Reynolds, Roy, Stone, Thornburg, Ulbrich, Valihura, Wagner, DiLiberto, Houghton, Keeley, Mulrooney, Scott, Viola, West & Williams; **LOT**.

1/23/01

**SB 25** - AN ACT TO AMEND CHAPTER 101, TITLE 29, DELAWARE CODE RELATING TO ADOPTION OF REGULATIONS. Sponsor: Sen. Sharp; Rep. Spence; Sens. Adams, Vaughn, Amick, Sorenson; Reps. Smith, Lee, Gilligan, Van Sant; **Executive**.

**SB 26** - AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, DIVISION OF FISH AND WILDLIFE, TO ISSUE A COMMERCIAL CRAB DREDGERS LICENSE TO SAMUEL J. FOX, III OF LEPSIC, DELAWARE, WHO IS PRESENTLY PROHIBITED FROM OBTAINING A PERMIT UNDER §1918(b), TITLE 7 OF THE DELAWARE CODE. Sponsor: Sen. Still; Vaughn, Reps. B. Ennis, Stone, Wagner; **Natural Resources & Environmental Control**.

**SB 27** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PARENTAL INVOLVEMENT IN EDUCATION AND TEACHER CERTIFICATION. Sponsor: Sen. McDowell; Stone; **Education**.

\* \* \*

The Secretary announced a message from the House informing the Senate that it had passed **HB 16; HB 26; HJR 3; SCR 2**.

Lt. Governor Carney presiding at 05:19 PM.

On motion of Senator Adams and without objection, the following nominations from the Governor were considered:

**Blunt-Bradley, Lisa L.:** 21 Senator(s) voting YES Appointment was declared CONFIRMED.

**Ford, James L.:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Homer, Gloria Wernicki:** 21 Senator(s) voting YES Appointment was declared CONFIRMED.

**Ross, Peter M.:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Singleton, David W.:** 21 Senator(s) voting YES Appointment was declared CONFIRMED.

**Smith Windsor, Harriet N.:** 21 Senator(s) voting YES Appointment was declared CONFIRMED.

**Wik, John D.:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**SB 16** was brought before the Senate for consideration on the motion of Senator Blevins.

**SB 16** - AN ACT AMENDING THE FISCAL YEAR 2000 BOND AND CAPITAL IMPROVEMENTS ACT AND THE FISCAL YEAR 2001 BOND AND CAPITAL IMPROVEMENTS ACT AND RELATING TO PUBLIC EDUCATION SCHOOL CONSTRUCTION.

Roll call vote on **SB 16** was taken and revealed:

YES: 21

**SB 16** was declared passed the Senate and sent to the House for Consideration.

Additions to the agenda, committee and other legislative meetings were announced.

The Secretary announced the agenda for January 24, 2001.

On motion of Senator Adams, the Senate recessed at 05:45 PM until January 24, 2001 at 04:00 PM.

The Senate reconvened at 04:29 PM on January 24, 2001 with Senator Sharp presiding.

The following committee reports were announced:

From Energy and Transit: **SB 22** - 3 Merits.

From Executive: **HB 1** - 4 Favorable, 2 Merits; **John H. Cordrey** - 6 Favorable; **Nicholas DiPasquale** - 6 Favorable.

Lt. Governor Carney presiding at 04:30 PM.

At 04:30 PM on motion of Senator Adams, the Senate adjourned to immediately convene the 7th Legislative Day.

**7<sup>th</sup> LEGISLATIVE DAY**  
**141<sup>ST</sup> GENERAL ASSEMBLY**  
**1<sup>st</sup> SESSION**  
**JANUARY 24, 2001**

The Senate convened at 04:30 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Simpson followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams. No objections.

**HCR 1** was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

**HCR 1** - COMMENDING JULIA N. HARPER FOR BEING SELECTED DELAWARE'S STATE TEACHER OF THE YEAR FOR 2001 AND COMMENDING EACH SCHOOL DISTRICT'S TEACHER OF THE YEAR. Sponsor: Rep. Reynolds & Sen. Sokola; On behalf of all Representatives & On behalf of all Senators.

Senator Sokola requested the privilege of the floor for Delaware's Teacher of the Year, Julia N. Harper and the Honorees from various school districts. After each teacher was introduced and school district announced, Mrs. Harper delivered her remarks.

Senator(s) Sharp, Venables, Sokola commented.

Mrs. Harper was then excused.

Roll call vote on **HCR 1** was taken and revealed:

YES: 21

**HCR 1** was declared Adopted by the Senate and was returned to the House.

Senator Winslow marked present during the above roll call.

**HCR 2** was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

**HCR 2** - DECLARING MARCH 2, 2001 AS READ ACROSS AMERICA DAY IN DELAWARE. Sponsor: Rep. Reynolds & Sen. Sokola.

Roll call vote on **HCR 2** was taken and revealed:

YES: 21

**HCR 2** was declared Adopted by the Senate and was returned to the House.

Senator Cloutier commented.

On motion of Senator Adams and without objection, the following nominations by the Governor were considered:

**Taylor, Stanley W.:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Cordrey, John H.:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**DiPasquale, Nicholas A.:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Stafford, Harold E.:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Tarburton, John F.:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Woodruff, Valerie A.:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Vavala, Frank D.:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD**

1/24/01

1/23/01

**SA 1 to HB 1** - Sponsor: Sen. Sharp; Adams; Placed with the bill.

1/24/01

**SB 28** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTIES AND THE VALUATION, ASSESSMENT AND TAXATION OF PROPERTY. Sponsor: Sen. Vaughn; Winslow, Reps. Caulk, & B. Ennis; **Revenue & Taxation**.

**SB 29** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES. Sponsor: Sen. Venables; Sen. Bunting; Reps. Spence, Keeley, Wagner; **Small Business**.

**SB 30** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO BOILER SAFETY. Sponsor: Sen. DeLuca & Rep. Ulbrich; Sens. Bunting, Sokola, Simpson, Still; Reps. Hudson, Valihura, Keeley & Price; **Sunset**.

**SB 31** - AN ACT TO AMEND AN ACT BEING CHAPTER 504, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF HENLOPEN ACRES" TO PROVIDE THAT NEWLY ELECTED COMMISSIONERS MAY BEGIN ACTION AT THE ORGANIZATION MEETING AND THAT COMMISSIONERS ARE NO LONGER HEADS OF DEPARTMENTS, TO CLEARLY AUTHORIZE THE ELECTION BOARD TO BE THE SOLE AND FINAL JUDGE AS TO THE CONDUCT OF THE ELECTION, THE LEGALITY OF VOTES OFFERED AND THE ELECTION RESULTS, AND TO PROVIDE FOR ABSENTEE BALLOTING IN MUNICIPAL ELECTIONS. Sponsor: Sen. Bunting; Schroeder; **Community/County Affairs**.

**SB 32** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO USE OF IGNITION INTERLOCK DEVICES. Sponsor: Sen. Sorenson; Price, Sens. Amick, Bonini, Bunting, Cloutier, Connor, Henry, Still, Venables, Winslow; Reps. Carey, Hudson, Maier, Ulbrich, Viola, Wagner; **Executive**.

**SJR 2** - ESTABLISHING THE DELAWARE ADVISORY COUNCIL ON CANCER INCIDENCE AND MORTALITY. Sponsor: Sen. Sharp; Rep. Spence; On behalf of all Senators, On behalf of all Representatives. **LOT**.

**SJR 3** - ESTABLISHING AN INDEPENDENT, NON-PARTISAN COMMISSION ON THE DEATH PENALTY TO STUDY ALL ASPECTS OF THE DEATH PENALTY AS CURRENTLY ADMINISTERED IN DELAWARE. Sponsor: Sen. Simpson; Sens. Amick, Bunting, Cloutier, Connor, Henry, Marshall, McDowell, Sokola,

Sorenson, Still, Venables, Winslow; Reps. Fallon, Hudson, Maier, Miro, Mulrooney, Price, Quillen, Scott, Viola, Wagner; **Judiciary**.

**HB 16** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THEFT AND RELATED OFFENSES. Sponsor: Rep. Price; Reps. Brady, Buckworth, DiLiberto, Keeley, Maier, Quillen, Valihura; **Judiciary**.

**HB 26** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PLATES. Sponsor: Rep. Lee; **Judiciary**.

**HJR 3** - DIRECTING THE DELAWARE DIVISION OF HISTORICAL AND CULTURAL AFFAIRS TO WORK WITH THE NATIONAL PARK SERVICE TO IDENTIFY AND MARK OUT THE EXACT ROUTE THROUGH DELAWARE TAKEN BY GENERALS WASHINGTON'S AND ROCHAMBEAU'S TROOPS. Sponsor: Rep. Smith & Sen. Sharp; Rep. Gilligan; Sen. Cloutier; **LOT**.

**SB 33** - AN ACT TO AMEND TITLE 7 AND TITLE 29 OF THE DELAWARE CODE WITH RESPECT TO NOTIFICATION OF ENVIRONMENTAL RELEASES, FACILITY PERFORMANCE, AND ESTABLISHMENT OF THE COMMUNITY INVOLVEMENT ADVISORY COUNCIL. Sponsor: Sen. McBride; Quillen, Adams, Blevins, Bunting, Cook, DeLuca, Marshall, McDowell, Sharp, Sokola, Vaughn, Bonini, Cloutier, Connor, Simpson, Sorenson, Still, & Winslow, Reps. Carey, Lofink, Oberle, Reynolds, Roy, Spence, Brady, DiLiberto, B. Ennis, Gilligan, Houghton, Keeley, Mulrooney, Price, Schroeder, Scott, Van Sant, Viola, West, & Williams; **Natural Resources & Environmental Control**.

The following nomination(s) assigned to the **Executive** committee:

Mr. John H. Cordrey 17 Fairway Avenue Georgetown, DE 19947	To be appointed as Commissioner of the Alcoholic Beverage Control Commission to serve a term during the pleasure of the Governor
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**SB 24** was Lifted from the Table and brought before the Senate for consideration, under the suspension of the necessary rules on motion of Senator Cook.

**SB 24** - AN ACT TO AMEND TITLES 14 AND 29 OF THE DELAWARE CODE RELATING TO SCHOOL TAXES.

Senator McDowell commented.

Roll call vote on **SB 24** was taken and revealed:

YES: 21

**SB 24** was declared passed the Senate and sent to the House for Consideration.

Lt. Governor Carney commented regarding **SB 24** and the hard work of Michael Strine.

**SB 22** was brought before the Senate for consideration on the motion of Senator McDowell.

**SB 22** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR CARRIER SAFETY.

Senators Bonini, Still and McBride commented.

Roll call vote on **SB 22** was taken and revealed:

YES: 19

NO: Senator(s) Amick, McBride - 2.

**SB 22** was declared passed the Senate and sent to the House for Consideration.

**SB 10** was brought before the Senate for consideration on the motion of Senator Bunting.

**SB 10** - AN ACT TO AMEND CHAPTER 64, VOLUME 63, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW IN SUSSEX COUNTY, DELAWARE."

Roll call vote on **SB 10** was taken and revealed:

YES: 21

**SB 10** was declared passed the Senate and sent to the House for Consideration.

**HB 12** was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

**HB 12** - AN ACT TO AMEND CHAPTER 64, VOLUME 63, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE

TOWN OF OCEAN VIEW IN SUSSEX COUNTY, DELAWARE" TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF OCEAN VIEW.

Senator Sharp questioned the floor manager, after which Senator Sokola requested the privilege of the floor for Jeffrey Clark, Senate Attorney.

The witness was excused after addressing the Senate.

Senators DeLuca, Bunting and Amick commented.

Roll call vote on **HB 12** was taken and revealed:

YES: 21

**HB 12** was declared passed the Senate and returned to the House.

**HB 42** was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

**HB 42** - AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, THE CHARTER OF THE TOWN OF LAUREL, AS AMENDED, TO ELIMINATE ONE AT-LARGE TOWN COUNCIL SEAT, TO PROVIDE THE MAYOR WITH THE RIGHT TO VOTE, AND TO PRESIDE AT COUNCIL MEETINGS, AND TO MANDATE THE ELECTION OF A PRESIDENT OF COUNCIL TO PRESIDE OVER COUNCIL MEETINGS IN THE ABSENCE OR DISABILITY OF THE MAYOR.

Roll call vote on **HB 42** was taken and revealed:

YES: 21

**HB 42** was Defeated.

**HB 1** was brought before the Senate for consideration on the motion of the floor manager, Senator Adams.

**HB 1** - AN ACT TO AMEND TITLE 5 AND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES; AND PROVIDING FOR A HISTORIC PRESERVATION TAX CREDIT ACT.

**SA 1 to HB 1** was brought before the Senate for consideration on the motion of Senator Sharp.

Roll call vote on **SA 1 to HB 1** was taken and revealed:

YES: 21

**SA 1 to HB 1** was declared part of the bill.

**HB 1 w/SA 1** was now before the Senate.

Senator(s) Marshall, Cook, Venables, Sokola, Amick and Simpson requested to be added as co-sponsors. No objection.

Roll call vote on **HB 1 w/SA 1** was taken and revealed:

YES: 21

**HB 1 w/SA 1** was declared passed the Senate and sent to the House for Reconsideration.

Senator Henry commented on the Kinship Task Force Report, which were distributed to each member. A copy of the communication is on file for this legislative day.

**SJR 2** was Lifted from the Table and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Sharp.

**SJR 2** - ESTABLISHING THE DELAWARE ADVISORY COUNCIL ON CANCER INCIDENCE AND MORTALITY.

Roll call vote on **SJR 2** was taken and revealed:

YES: 21

**SJR 2** was declared passed the Senate and was sent to the House for Consideration.

Additions to the agenda, committee and other legislative meetings were announced.

The Secretary announced the agenda for January 25, 2001.

On motion of Senator Adams, the Senate recessed at 06:10 PM until January 25, 2001 at 01:45 PM.

The Senate reconvened at 01:53 PM on January 25, 2001 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Health and Social Services: **HB 25** - 4 Merits; **SB 13** - 4 Merits.

At 01:55 PM on motion of Senator Adams, the Senate adjourned to immediately convene the 8th Legislative Day.

**8<sup>th</sup> LEGISLATIVE DAY  
141<sup>st</sup> GENERAL ASSEMBLY  
1<sup>ST</sup> SESSION  
JANUARY 25, 2001**

The Senate convened at 01:55 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Henry followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams.

No objections.

Senator Adams moved the Senate recess at 01:59 PM in order to convene for a Joint Session pursuant to **SCR 2**.

At 2:00 PM the Sergeant-of-Arms announced the members of the House of Representatives were ready to enter the Chamber. They were admitted and welcomed to the Senate Chamber.

Lt. Governor Carney invited Representative Spence, Speaker of the House and Senator Sharp, President Pro Tempore, to join him on the rostrum.

The Sergeant-of-Arms announced the members of the Judiciary were ready to enter the Chamber. They were admitted and welcomed.

The Sergeant-of-Arms announced the statewide elected officials are ready to enter the Chamber for the Joint Session. They were admitted and welcomed to the Senate Chamber.

The Sergeant-of-Arms announced the members of the Governor's cabinet officials are ready to enter the Chamber for the Joint Session along with the Presidents of the University of Delaware, Delaware State University and Delaware Technical and Community College. They were admitted and welcomed to the Senate Chamber.

**JOINT SESSION - SENATE CHAMBER  
State of the State Message  
January 25, 2001**

At 02:10 PM on motion of Senator Adams, the Senate and the House of Representatives meet in Joint Session for the purpose of hearing an address from the Honorable Ruth Ann Minner, Governor of the State of Delaware. No objection.

On motion of Senator Adams, Lt. Governor Carney presided over the Joint Session. No objection.

On motion of Senator Adams, the Secretary of the Senate and the Chief Clerk of the House act as Secretaries to the Joint Session. No objection.

On motion of Senator Adams, the Lt. Governor appointed a committee of four Senator Venables, spokesperson, Senator Sorenson, Representative Gilligan, and Representative Stone to form the committee to escort the Governor to the Senate Chamber.

Lt. Governor Carney announced that the Joint Session stands in a temporary recess until the Governor arrives.

The Joint Session reconvened and the Sergeant-of-Arms announced the arrival of the escort party with the Governor.

Governor Minner was admitted and introduced by Senator Venables.

The Governor was welcomed by the Lt. Governor and invited to the rostrum.

The Governor addressed the assembly as follows:

Distinguished guests, to my family, to my fellow Delawareans, thank you for the opportunity to address you today on the state of our great state.

To the members of the General Assembly, let me express my sincerest appreciation for the kindness and consideration you have shown me in my first weeks, also to my staff and to my Cabinet. I am most grateful and I am more confident than ever that I will have the best relationship with the members of the General Assembly that any Governor has ever had and for that I am grateful as well. Thank you very much.

In return, I am going to make you this promise. As a legislator and Lieutenant Governor, I've sat through many of these speeches and I know what it's like to sit through these speeches.

So I promise you that this State of the State, like a good pizza, will be delivered in 25 minutes.

### Financial Picture

So let me begin: We have benefited from the longest economic expansion in recent history. Delaware, like other states, has seen extraordinary revenue surpluses over the last four years.

These surpluses have allowed us to cut taxes, pay down our debt, expand and improve our education, our welfare reform, make capital investments of over 1 billion dollars in preserving our state's farmland and historic sites and open spaces, improving our water, wiring our schools - all while keeping the balance sheet well and solidly in the black.

But our revenue picture changed, changed significantly in the last year. The rate of growth in state revenues has slowed due to sizeable tax cuts and a slowing of our economy.

Our auto plants face competitive pressure. A landmark Delaware company is up for sale. And the cost of environmental compliance is making it tough for Delaware's agricultural to prosper.

And on the expenditure side, the picture is changing as well. Medicaid has run large deficits over the last eighteen months. In part, this deficit is a result of the expansion of the health care for Delaware's children.

But, more generally, the Medicaid deficit may result from a slowing economy, rising cost of health care, and other trends that may continue - and escalate - over the next several years.

I was here during our last recession, just as many of you were. And we know we have to heed these early warning signs and make hard choices if we're going to keep our economy strong.

I begin my administration with more limited resources than the last one did. Two months ago, it was projected that we would end the current fiscal year with a 35 million dollars deficit. Thanks to the hard work in our state agencies and by Budget Director Pete Ross and his deputy Bert Scoglietti, I am happy to report to you today that we are back on course and we'll end this year in the black.

And for the future, the state has sufficient revenue and borrowing authority to meet the most pressing needs. But gone are the days of the \$200 million, the \$400 million surpluses we've had.

Commitments to fund schools, school construction for the referenda that has already passed will consume most of the available revenue. And if this year's pending referenda pass, we're looking at another 452 million dollars bill - a necessary but a high cost we must address before we even can talk about any other school buildings.

In this year, and in coming years as well, we'll have to make tough choices, choices between competing and equally deserving priorities. I am prepared to do that.

### Patient's Rights and Right-To-Know

I have already announced two of my priorities for the year. First, working with Sen. Blevins and Rep. Maier, we have started the Patient's Bill of Rights. This will ensure that Delawareans, especially our seniors, get the health care they need, the health care they deserve, that they paid for and- in some cases - are not getting. I ask you to work with me to achieve this goal.

I have announced, with the help of Sen. McBride, an Environmental Right-To-Know measure, providing for more timely notification to residents in the event of an environmental incident. Again, I ask you to work with me to provide better protection and more information to our citizens.

Today, I want to focus on two additional areas that Delawareans have asked me and you as elected officials to address. And they are education and growth.

### Reading Specialists



Education is certainly the most pressing issue we face in our state, and for good reason. Every facet of our state and our society depends on preparing today's children for the challenges of tomorrow, in work and in life.

Over the past several years, we've built the framework for improvement in our schools - established standards, developed tests to measure those standards, supported our teachers and implemented accountability. I believe we are beginning to see the fruit of those labors and we must remain committed and on the path that we started. But we are far from where we want to be. And so the work is just beginning.

There are many possible solutions for improving our schools. Most of them are worthy and would work - if only we had the resources to do them all. But as I have said before, this is the time for tough choices.

I believe, as do many experts, that reading is the most crucial aspect of education. Without a proper foundation in reading, it is not possible for a student to master math, or science, or history, or literature. And so every child who leaves the early grades without good reading skills is a child who will struggle through their remaining school days - and in life.

That's why I will focus on the one reform that I believe will make the most difference in the educational lives of our children. And that's my promise to put reading specialists in every elementary school, a reading specialist who can spend time with students in their early grades and help smooth the path for them for their years to come.

As I was preparing this address this week, I read a letter to the editor that mirrored my feelings on education. The letter was titled, "Help children learn before they fall back academically," and it was written by Mary Beth Evans, a schoolteacher at our own Drew Pyle Elementary School. Her message is a simple one and I quote. "Preventing children from falling behind has to be simpler and less expensive than treating the problems later." End quote. Think about it. I am glad that Mary Beth could join us today as my special guest to help me stress the need for reading specialists in our elementary schools. Please join me in welcoming Mary Beth Evans.

It is been estimated that putting a reading specialist in every elementary school will cost 5 million dollars. But I pledge to make it my number one priority, and I ask that the members of the General Assembly work with me to ensure our children's educational future.

### Growth Agenda

The other area that cries out for attention from state government is growth.

Delaware is growing faster than any northeastern state. Each new resident costs Delaware taxpayers almost 10,000 dollars in new infrastructure and services - including roads and water and sewer, schools, libraries, emergency services.

If that growth is poorly planned - leapfrogging over development areas into unincorporated and rural parts of our state - the cost of the growth goes even higher. Already, 72 percent of our Delawareans live outside town and city limits.

Zoning is a local matter. But because government in Delaware is so centralized at the state level, every taxpayer bears the cost of land-use decisions that ignore all the efforts to plan growth.

The state, with an eye on the bigger picture, must play a role in encouraging growth in areas that we've agreed and they are ready to accept growth.

We need to pursue a strategy that will keep sprawl in check, reduce traffic congestion, strengthen our towns and cities, protect our huge investment in roads and schools and other infrastructure. I propose to call it "Livable Delaware."

But "Livable Delaware" is not anti-growth. It offers carrots, not sticks, to channel development to growth zones that already have been designed and designated by the state, the county and local communities for growth.

Elements of such a strategy already are in place. Open space and farmland preservation. Redevelopment of brownfield sites. Preservation of our major highway corridors to promote safer travel and minimize the need to build new roads. Tax credits for historic preservation. Coordination and cooperation among state agencies, the county and the communities on projects like AstraZeneca.

I plan to unveil my full "Livable Delaware" strategy in the coming months.

### E-Government

The Minner-Carney Administration is not only the first administration of the new millennium. It also represents the first Delaware administration to exist entirely during the Internet era. For the first time in Delaware's history, from the first day this Governor took office, the Internet is a regular fixture in the lives of a large number of Delaware citizens.

In fact, this State of the State is being broadcast live on the Internet, so to those who are joining you, joining me on the web, I say welcome.

And I especially welcome the classes at the Milford Middle School, who I know are watching in their school computer lab.

Today, thousands of Delawareans have incorporated the Internet into their daily lives. We had four million hits on the state's Internet website last month. Four million hits. The time is right for the State to fully incorporate the Internet into the way it conducts its business daily providing services for our citizens. And the goal should be to harness the technology, making it easier to interact with government - easier on people and easier on resources like paper or fuel.

Last year, the State of Delaware conducted an e-Government assessment, comparing the numbers and types of services comparing the Internet with other states. We found that Delaware was behind most states in what we do.

And that's a result, state agencies have already completed projects, the polling place locator provided by the State Election Commissioner and the on job, on site job applications through our State Personnel Office.

Today, we are in the middle of several more projects.

First, a complete overhaul of the State's web site. On our new home page, we will organize services and information in a way that makes the user's experience easier, more efficient more enjoyable. Web users will see our new website up and operational by spring.

Second, a new state-of-the-art web presence for the Division of Motor Vehicles. The "next generation" website will utilize the latest technologies to meet the needs of our DMV customers in a way that no other state is doing it today.

And finally, we will establish a statewide set technical and policy standards that will be a consistent framework for our state agencies as they move services and information onto the Internet.

And I want to stop a minute and thank State Treasurer, Jack Markell, for his leadership. Thank you, Jack for the leadership that you provided. We look forward to moving Delaware government even further onto the web.

### Air Quality

Well now let me speak for just a few minutes about some of the challenges I have inherited.

Between 1994 and 1997, vehicle miles traveled on Delaware highways increased by more than 12 percent - about three times faster than our population growth. During that same period, the number of Delaware-registered vehicles grew by 10 percent.

All that traffic generates ground-level ozone, which irritates the lungs and the eyes and can temporarily decrease lung capacity by as much as 20 percent. Delaware is falling short of meeting its federal ozone emissions target. We have until July 24 to demonstrate to the federal Environmental Protection Agency that we can meet the target by 2005.

Therefore, we must study our options and decide the best course. About 85 percent of our shortfall could be met by lowering the speed limit on SR-1 and I-495 during the summer, if that's the way we choose to go. We can also look at our vehicle inspection process changes in our land-use policies. But this is an issue we must face between now and summer.

### DUI Sanctions

Last October, Delaware's federal highway construction funds were reduced by 2.1 million dollars because we have not passed a tougher open-container, repeat-offender DUI law in Delaware.

If we don't act, we will continue to lose that amount of federal highway funds every year until October 2003, when the sanctions will grow and we will lose \$4.2 million a year.

Likewise, we face a loss of up to 16 million dollars in federal aid beginning in 2003 unless we lower the legal blood-alcohol limit from .10 to .08. These funds can be restored if we enact these highway safety standards, we may even qualify for additional money as well.

In the coming months, we should consider this on its merits but understand the consequences - on our bottom line as well as the public safety.

### PHRST

One more issue: For some time now, state government has been designing and implementing an integrated payroll and human resources system called PHRST. Phase one of the project, the human resources system, was completed successfully and has been operating for nearly two years. But the payroll system, as many of you know, has been delayed and delayed, and the cost of the project is now over 30 million dollars.

To evaluate the current status of PHRST and determine the best option for moving forward, I have asked that an independent assessment be made of the project. I hope to have a report back soon, and to be able to make a recommendation on the future course for the time the General Assembly returns in March.

### Goals For The Year

There are many other challenges, many goals that I have for the coming year.

I will focus on Delaware's children - working to improve our foster care system and making child safety first priority for our children's agencies.

I charge my Secretary of Transportation with boosting morale at DelDOT and the public's confidence in their employees.

I will ensure that we continue to make progress towards a clean and safer environment.

And I pledge to make state government a better partner, a better business partner, especially fostering growth for small businesses - minority businesses in women owned businesses.

I recognize farming as a valuable part of our state's economy and our culture, and I will work to keep it viable.

### Conclusion

These are my priorities for the year. I'll add to them in the coming weeks as I unveil my legislative agenda and prepare my own budget recommendations for the General Assembly's consideration.

I have been Governor now for 22 days. It's been a fast start, but I am pleased by and proud of what we have been able to accomplish already.

As we forge into the next year and the next chapter of Delaware's history, I look forward to working with you to resolve all our state's challenges.

At the end of the presidential elections in 1984, one columnist wrote this: "We love the blather and boast, the charges and countercharges of campaigning. Governing is a tougher deal."

Well, Governing will indeed be a tougher deal in Delaware over the next several years. But I have prepared for a long time for your service as your Governor.

I did not come here just to make easy decisions. I came to help face the hard ones. And I look forward to working with each one of you to continue our financial stability and our wonderful quality of life.

Thank you.

\* \* \*

Lt. Governor Carney thanked Governor Minner for her speech and requested that the escort party that arrived with the Governor escort the Governor back to her executive office.

Senator Adams moved that the Secretary of the Senate and the Chief Clerk of the House compare their journal to see if they agree.

Lt. Governor Carney recognized the Secretary of the Senate.

The Secretary of the Senate announced that he and the Chief Clerk of the House compared their journals and found that they agreed.

Lt. Governor Carney recognized Senator Adams.

Senator Adams moved that the Joint Session adjourn and the two Houses separate.

Lt. Governor Carney recognized Senator Adams.

Senator Adams moved the Senate recess for Party Caucus.

The Senate reconvened at 04:01 PM with Lt. Governor Carney presiding.

On motion of Senator Adams, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD**

1/25/01

1/24/01

**SB 38** - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO SPEED ENFORCEMENT BY MUNICIPALITIES. Sponsor: Sen. Sharp; Lee, Sens. Blevins, Bunting, Cook, DeLuca, Henry, Marshall, Sokola, Vaughn, Bonini, Cloutier, Connor, Sorenson, & Winslow, ;, Reps. Buckworth, Carey, Cathcart, Ewing, Fallon, Hudson, Oberle, Spence, Stone, Ulbrich, Wagner, Gilligan, Keeley, Van Sant & West; **Judiciary**.

1/25/01

**SA 1 to SB 38** - Sponsor: Sen. Amick; Placed with the bill.

**SB 34** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO RECALL. Sponsor: Sen. Still; Sen. Cloutier; Reps. Miro, Quillen, Valihura; **Executive**.

**SB 35** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI OF THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO THE POWER OF RECALL. Sponsor: Sen. Still; Sen. Cloutier; Reps. Miro, Quillen, Valihura; **Executive**.

**SB 36** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO COMPOSITION AND REAPPOINTMENT OF THE GENERAL ASSEMBLY. Sponsor: Sen. Still; Sens. Amick, Bonini, Bunting, Cloutier, Simpson, Sorenson; Reps. Maier, Stone, Valihura; **Executive**.

**SB 37** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL BOARDS. Sponsor: Sen. Still; Sen. Sorenson; Reps. Quillen, Valihura; **Executive**.

**SB 39** - AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO EDUCATION AND INTERSCHOLASTIC ATHLETICS. Sponsor: Sen. Vaughn; Schroeder; **Finance**.

**SB 40** - AN ACT TO AMEND VARIOUS TITLES OF THE DELAWARE CODE BY UPDATING AND REPLACING REMAINING REFERENCES TO THE "DEPARTMENT OF PUBLIC INSTRUCTION", THE "SUPERINTENDENT OF PUBLIC INSTRUCTION", AND THE "STATE BOARD OF EDUCATION". Sponsor: Sen. Cloutier; Sokola, Sens. Amick, Bonini, Connor, Simpson, Sorenson, Still, Winslow; Reps. Brady, Buckworth, B. Ennis, DiLiberto, Ewing, Fallon, Hudson, Keeley, Lofink, Miro, Reynolds, Schroeder, Valihura, Viola, West; **Executive**.

**SB 41** - AN ACT TO AMEND TITLES 6 AND 26 OF THE DELAWARE CODE RELATING TO TELEMARKETING REGISTRATION AND FRAUD PREVENTION. Sponsor: Sen. Marshall; Sharp, Rep. Price; Sens. Blevins, Henry, Sokola, Venables, Simpson, DeLuca; Reps. Boulden, Buckworth, Maier, B. Ennis, Gilligan, Keeley; **Revenue & Taxation**.

**SB 42** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL REGISTRATION PLATES. Sponsor: Sen. DeLuca; Viola, Sens. Blevins, Connor, Sokola; Reps. DiLiberto, Keeley, Mulrooney, Van Sant; **Judiciary**.

**SB 43** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PASSENGERS IN VEHICLES; AND PROHIBITING THE CARRYING OF PASSENGERS IN ANY UNENCLOSED AREA OF A TRUCK. Sponsor: Sen. Bonini; Sens. Amick, Blevins, Cloutier, Connor, Sokola, Sorenson, Winslow; Reps. Buckworth, Lofink, Maier, Miro, Reynolds, Smith, Spence, Stone; **Public Safety.**

**SB 44** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE INCLUSION OF SERVICE IN THE MILITARY AS CREDITED SERVICE FOR PENSION PURPOSES. Sponsor: Sen. Bonini; Sens. Amick, Blevins, Bunting, Cloutier, Henry, Simpson, Sokola, Sorenson, Venables, Winslow, Reps. Boulden, Brady, Buckworth, Carey, Cathcart, Caulk, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Keeley, Lavelle, Lee, Lofink, Maier, Miro, Oberle, Price, Quillen, Reynolds, Roy, Schroeder, Scott, Smith, Spence, Stone, Thornburg, Ulbrich, Valihura, Van Sant, Viola, Wagner, West, Williams; **Executive.**

**SB 45** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LEAVE TO SERVE ON VETERAN FUNERAL DETAIL. Sponsor: Sen. Winslow; Cathcart, Sen. Bonini; **Administrative Services.**

**SB 46** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO USE TAXES. Sponsor: Sen. Simpson; Carey; **Revenue & Taxation.**

**SB 47** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO UNLAWFULLY DEALING WITH A CHILD. Sponsor: Sen. Winslow; DiLiberto; **Children; Youth & Families.**

**SB 48** - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO MUNICIPAL SPENDING. Sponsor: Sen. Winslow; Cathcart, Sens. Blevins, Cloutier, Sokola, Sorenson, Still, Vaughn; Reps. Lavelle, Valihura; **Administrative Services.**

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**SCR 3** was brought before the Senate for consideration on the motion of Senator Cook.

**SCR 3** - OFFERING A FOND FAREWELL AND THANK YOU TO DR. JAMES L. SPARTZ ON HIS RETIREMENT AS PRESIDENT OF THE STATE BOARD OF EDUCATION. Sponsor: Sen. Cook & Rep. Buckworth; Sens. Sokola & Bonini, On behalf of all Senators; Reps. Reynolds & Gilligan, On behalf of all Representatives.

Several Senators commented.

Roll call vote on **SCR 3** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1.

**SCR 3** was declared Adopted by the Senate and sent to the House for Consideration. Senator Sharp presented a token of appreciation from the Senate to Dr. Spartz.

**HB 25** was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

**HB 25** - AN ACT TO AMEND TITLE 14 AND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTH CARE COMMISSION, THE DELAWARE INSTITUTE FOR DENTAL EDUCATION AND RESEARCH AND THE PRACTICE OF DENTISTRY IN DELAWARE.

Roll call vote on **HB 25** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1.

**HB 25** was declared passed the Senate and returned to the House.

On motion of Senator Adams and without objection, the following nominations from the Governor were considered.

**Johnson, Sandra Ross:** 19 Senator(s) voting YES, 2 (Bonini, Sharp) ABSENT. Appointment was declared CONFIRMED.

**DeSantis, Cari:** 19 Senator(s) voting YES, 2 (Bonini, Sharp) ABSENT. Appointment was declared CONFIRMED.

**Hayward, Nathan:** 20 Senator(s) voting YES, 1 (Bonini) ABSENT. Appointment was declared CONFIRMED.

**Meconi, Vincent P.:** 18 Senator(s) voting YES, 1 (Vaughn) NOT VOTING, 2 (Bonini, McDowell) ABSENT. Appointment was declared CONFIRMED.

Senator Sharp, the floor manager, requested that **HJR 3** be Lifted from the Table and brought before the Senate for consideration under the suspension of the necessary rules.

**HJR 3** - DIRECTING THE DEPAWARE DIVISION OF HISTORICAL AND CULTURAL AFFAIRS TO WORK WITH THE NATIONAL PARK SERVICE TO IDENTIFY AND MARK OUT THE EXACT ROUTE THROUGH DELAWARE TAKEN BY GENERALS WASHINGTON'S AND ROCHAMBEAU'S TROOPS.

Roll call vote on **HJR 3** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bonini - 1.

**HJR 3** was declared passed the Senate and returned to the House.

Additions to the agenda, committee and other legislative meetings were announced.

The Secretary announced the agenda for March 13, 2001.

On motion of Senator Adams the Senate recessed at 04:37 PM until 02:00 PM on March 13, 2001 or to the Call of the President Pro Tempore.

The Senate reconvened at 03:25 PM on March 13, 2001 with Lt. Governor Carney presiding.

The following committee report was announced:

From Sunset: **SB 30** - 5 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 35 w/HA 1; HB 9; HB 10; HB 55; HB 7 w/HA 1; SB 16; SB 12; SB 5 w/SA 1; SB 24; SCR 3; SB 4 w/SA 1; HCR 1.**

A communication from Senator Winslow to the Secretary of the Senate, Bernard J. Brady was read for the purpose of the Senate record, add Representative D. Ennis as a co-sponsor of **SB 48**.

A communication from Senator Blevins was read requesting the addition of Senator Winslow as a co-sponsor of **SB 8**.

A communication from Senator was read requesting the addition of Representative Wet as a co-sponsor of **SB 29**.

A communication from Senator Marshall was read informing the Senate that on January 26, 2001, **SB 6** was Stricken.

At 03:39 PM on motion of Senator Adams, the Senate adjourned to immediately convene the 9th Legislative Day.

**9th LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
MARCH 13, 2001**

The Senate convened at 03:34 PM with Lt. Governor Carney presiding

A prayer was offered by Senator Bunting followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams. No objections.

**LEGISLATIVE ADVISORIES #1 through #6**, from the Office of Counsel to the Governor were announced for the record, partially read and copies made available to the members upon request.

**LEGISLATIVE ADVISORY #1**, dated January 08, 2001, the Governor signed the following legislation on the dates indicated:

**HJR #1** (01/18/01) - IN REFERENCE TO OFFICERS. (Rep. Smith & Rep. Lee)

**SJR #1** (01/18/01) - IN REFERENCE TO ELECTION OF OFFICERS. (Sen. Sharp & Sen. Adams & Sen. Marshall)

\* \* \*

**LEGISLATIVE ADVISORY #2**, February 01, 2001, the Governor signed the following legislation on the dates indicated:

**SB #4 aab SA 1** (1/31/01) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ANATOMICAL GIFTS AND STUDIES. (Sponsors: Sen. Adams; Reps. Buckworth and Ewing) (Volume 73, Chapter 1, Laws of Delaware.)

**SB #9 aab SA 1** (1/31/01) - AN ACT TO REINCORPORATE THE TOWN OF SELBYVILLE. (Sponsors: Sen. Bunting and Rep. Price) (Volume 73, Chapter 2, Laws of Delaware.)

**HB #12** (1/31/01) - AN ACT TO AMEND CHAPTER 64, VOLUME 63, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW IN SUSSEX COUNTY, DELAWARE" TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF OCEAN VIEW. (Sponsors: Rep. Price and Sen. Bunting) (Volume 73, Chapter 3, Laws of Delaware)

**HB #25** (1/31/01) - AN ACT TO AMEND TITLE 14 AND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTH CARE COMMISSION, THE DELAWARE INSTITUTE FOR DENTAL EDUCATION AND RESEARCH AND THE PRACTICE OF DENTISTRY IN DELAWARE. (Sponsors: Rep. Maier and Sen. Blevins; Reps. Hudson, Keeley, Stone, and Ulbrich; Sens. Cloutier, Henry, Simpson, and Sorenson) (Volume 73, Chapter 4, Laws of Delaware.)

**HB #42** (1/31/01) - AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, THE CHARTER OF THE TOWN OF LAUREL, AS AMENDED, TO ELIMINATE ONE AT-LARGE TOWN COUNCIL SEAT, TO PROVIDE THE MAYOR WITH THE RIGHT TO VOTE, AND TO PRESIDE AT COUNCIL MEETINGS, AND TO MANDATE THE ELECTION OF A PRESIDENT OF COUNCIL TO PRESIDE OVER COUNCIL MEETINGS IN THE ABSENCE OR DISABILITY OF THE MAYOR. (Sponsors: Rep. Lee and Sen. Venables) (Volume 73, Chapter 5, Laws of Delaware.)

\* \* \*

**LEGISLATIVE ADVISORY #3**, dated February 06, 2001, the Governor signed the following legislation on the dates indicated:

**HB #1 aab SA 1** (2/2/01) - AN ACT TO AMEND TITLE 5 AND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXES; AND PROVIDING FOR A HISTORIC PRESERVATION TAX CREDIT ACT. (Sponsors: Rep. DiPinto and Rep. Hudson and Sen. Adams and Sen. McDowell and Sen. Sharp and Sen. Sorenson; Reps. Brady, Carey, B. Ennis, D. Ennis, Fallon, Gilligan, Houghton, Keeley, Lavelle, Lee, Miro, Price, Schroeder, Scott, Spence, Ulbrich, Valihura, Williams; Sens. Amick, Blevins, Bunting, Cloutier, Connor, Henry, McBride, Still, Winslow) (Volume 73, Chapter 6, Laws of Delaware)

\* \* \*

**LEGISLATIVE ADVISORY #4**, dated February 16, 2001, the Governor signed the following legislation on the dates indicated:

**SB #12** (02/07/01) - AN ACT TO AMEND TITLE 11, DELAWARE CODE, RELATING TO LICENSE TO CARRY CONCEALED WEAPONS. (Sponsors: Sen. Venables; Sens. Simpson and Bunting; Reps. Quillen, Ewing, and Price) (Volume 73, Chapter 7, Laws of Delaware.)

\* \* \*

**LEGISLATIVE ADVISORY #5**, dated February 27, 2001, the Governor signed the following legislation on the dates indicated:

**SB #16** (2/16/01) - AN ACT AMENDING THE FISCAL YEAR 2000 BOND AND CAPITAL IMPROVEMENTS ACT AND THE FISCAL YEAR 2001 BOND AND CAPITAL IMPROVEMENTS ACT AND RELATING TO PUBLIC EDUCATION SCHOOL CONSTRUCTION. (Sponsors: Sen. Blevins and Rep. Roy; Sens. Cook, McBride, Venables, Bonini, and Connor; Reps. Carey, Lofink, Oberle, Schroeder, Williams, Cathcart, Miro, Stone, Wagner, and Keeley) (Volume 73, Chapter 8, Laws of Delaware.)

**SB #24** (2/16/01) - AN ACT TO AMEND TITLES 14 AND 29 OF THE DELAWARE CODE RELATING TO SCHOOL TAXES. (Sponsors: Sen. Cook and Rep. Oberle; Sens. Sharp, Adams, Marshall, Amick, Sorenson, Blevins, Bunting, DeLuca, Henry, McBride, McDowell, Sokola, Vaughn, Venables, Bonini, Cloutier, Connor, Simpson, Still, and Winslow; Reps. B. Ennis, Price, Spence, Smith, Lee, Gilligan, Van Sant, Boulden, Brady, Buckworth, Carey, Cathcart, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Hudson, Lavelle, Lofink, Maier, Miro, Quillen, Reynolds, Roy, Stone, Thornburg, Ulbrich, Valihura, Wagner, DiLiberto, Houghton, Keeley, Mulrooney, Scott, Viola, and Williams) (Volume 73, Chapter 9, Laws of Delaware.)

\* \* \*

**LEGISLATIVE ADVISORY #6**, date February 28, 2001, the Governor signed the following legislation on the dates indicated:

**SB #5 aab SA 1** (2/25/01) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, HOME HEALTH AGENCIES AND HOME CAREGIVERS. (Sponsors: Sen. Marshall

& Sen. Sharp & Rep. Wagner, Rep. Spence, & Rep. Maier; Sens. Blevins, Connor, Henry, and McDowell; Reps. Lofink and Scott) (Volume 73, Chapter 10, Laws of Delaware.)

\* \* \*

On motion of Senator Sharp, the President Pro Tempore's List of Pre-filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
3/13/01**

**January 25, 2001**

**SA 1 to HB 16** - Sponsor Sen. Sharp; Placed with the bill.

**SB 49** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE CALCULATION OF BENEFITS IN THE STATE EMPLOYEES' PENSION PLAN. Sponsor: Sen. DeLuca; Quillen, Sens. Bonini, Connor, Henry, Sokola, Still; Reps. Brady, B. Ennis, Ewing, Keeley, Miro, Mulrooney, Price, Reynolds, Roy, Schroeder, Scott, Van Sant, Viola, West; **Finance**.

**SB 50** - AN ACT TO AMEND AN ACT, BEING CHAPTER 128, VOLUME 33, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MIDDLETOWN" RELATING TO THE AUTHORITY TO ANNEX PROPERTY. Sponsor: Sen. Sharp; Spence; **Judiciary**.

**SB 51** - AN ACT TO AMEND AN ACT, BEING CHAPTER 32, VOLUME 47, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF FREDERICA" RELATING TO THE POWERS OF ANNEXATION OF PROPERTY. Sponsor: Sen. Sharp; Spence; **Judiciary**.

**March 13, 2001**

**SB 54** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO POST-RETIREMENT LUMP SUM DEATH BENEFITS. Sponsor: Sen. Cook; DiPinto, Sens. Cloutier, Henry, McBride, Sorenson, Vaughn, Winslow & Reps. Oberle, Buckworth, D. Ennis, Fallon, Brady, DiLiberto, Houghton; **Finance**.

**SB 55** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO WATER UTILITIES. Sponsor: Sen. Winslow; Cathcart, Sens. McBride, Cloutier, Sorenson; Reps. D. Ennis, Lavelle, Valihura; **Community/County Affairs**.

**SB 56** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO TELEMARKETERS. Sponsor: Sen. McBride; Administrative Services.

**SB 57** - AN ACT TO ALLOW SCHOOL BUSES TO USE TOLL ROADS WITHOUT PAYMENT OF TOLLS. Sponsor: Sen. Bonini; Connor, Rep. Reynolds; Sens. Blevins, Simpson, Sorenson, Still, Winslow; Reps. Buckworth, Caulk, Lavelle, Lofink, Miro, Spence, Stone; **Highways & Transportation**.

**HB 7 w/HA 1** - AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO THE UTILIZATION OF PROFESSIONAL EDUCATORS IN CRITICAL CURRICULAR AREAS. Sponsor: Rep. Wagner; Sokola; **Education**.

**HB 9** - AN ACT DIRECTING THE DEPARTMENT OF EDUCATION TO DEVELOP, IMPLEMENT, AND ENHANCE PROGRAMS FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY. Sponsor: Rep. Price; Reps. Keeley, Miro, Schroeder, Viola; Sens. Bunting, Sokola; **Education**.

**HB 10** - AN ACT CONCURRING IN A PROPOSED AMENDMENT OF ARTICLE IV OF THE CONSTITUTION OF THE STATE OF DELAWARE BY THE ADDITION OF A NEW SECTION 39 CREATING THE JUDICIAL OFFICE OF SENIOR JUDGE. Sponsor: Rep. DiLiberto; Wagner, Sens. Adams, Winslow; **Judiciary**.

**HB 35 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE STATUTE OF LIMITATIONS FOR CRIMINAL OFFENSES. Sponsor: Rep. Miro; Blevins; **Executive**.



**HB 55** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO DUTIES OF AN OFFICER HAVING A CHILD IN CUSTODY. Sponsor: Rep. Wagner; Bunting, Reps. Lee, Carey, Cathcart, Ewing, B. Ennis, Price; **Public Safety**.

\* \* \*

Senator Adams moved to recess for Party Caucus at 03:43 PM.

The Senate reconvened at 05:50 PM with Lt. Governor Carney presiding.

Additions to the agenda, committee and other legislative meetings were announced.

On motion of Senator Adams, the Senate recessed at 05:54 PM until March 14, 2001 at 04:00 PM.

The Senate reconvened at 04:21 PM on March 14, 2001 with Lt. Governor Carney presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 27 w/HA 1 & 2; HB 53; HB 44; HB 49**.

The following committee reports were announced:

From Executive: **Thomas P. Conaty** - 1 Favorable, 5 Merits; **Robert L. Everett** - 5 Merits; **Kenneth E. Williamson** - 6 Merits; **Carolyn Wilson** - 5 Merits.

**SENATE CITATION ANNOUNCEMENT NO. #1**, – S141-1-107 inclusive was introduced and a copy made available to each Senator.

At 04:25 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 10<sup>th</sup> Legislative Day.

**10th LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
MARCH 14, 2001**

The Senate convened at 04:25 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Still followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams. No objections.

On motion of Senate Sharp, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
3/14/01**

3/13/01

**SB 53** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE CREATING AN OFFICE OF WOMEN'S HEALTH. Sponsor: Sen. Henry; Sorenson, Rep. Hudson; Sens. Blevins, Cook, McDowell, Sokola, Cloutier & Connor; Reps. Fallon, Stone, Ulbrich, Wagner, Keeley, Plant & Price; **Executive**.

3/14/01

**SB 58** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO LICENSING OF DEALERS IN AGRICULTURAL PRODUCTS. Sponsor: Sen. Bunting; **Agriculture**.

**SB 59** - AN ACT TO AMEND TITLES 5 AND 6 OF THE DELAWARE CODE RELATING TO THE SOLICITATION OF CREDIT CARDS AND SIMILAR LOAN PRODUCTS. Sponsor: Sen. McBride; **Education**.

**SB 60** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE EMPLOYMENT OF PERSONNEL BY THE DEPARTMENT OF CORRECTION. Sponsor: Sen. Vaughn; Lee; **Adult & Juvenile Corrections**.

**SB 61** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LICENSES TO CARRY CONCEALED DEADLY WEAPONS. Sponsor: Sen. Winslow; Lavelle, Sens. Cloutier, Connor, Still; Rep. D. Ennis; **Public Safety**.

**SB 62** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PUBLIC DEFENDER ACCESS TO CRIMINAL HISTORY RECORDS. Sponsor: Sen. Winslow; Rep. Wagner; **Judiciary**.

**SB 63** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PERSONS PROHIBITED. Sponsor: Sen. Winslow; Sen. Amick; Rep. Lavelle; **Public Safety**.

**SB 64** - AN ACT TO AMEND SECTION 47, CHAPTER 158, VOLUME 36, LAWS OF DELAWARE, BEING THE CHARTER OF THE CITY OF DOVER, RELATING TO REVALUATION AND REASSESSMENT OF REAL PROPERTY. Sponsor: Sen. Still; Stone, Rep. Wagner; **Administrative Services**.

**SB 65** - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO THE GENERAL POWERS AND DUTIES OF THE DELAWARE DEPARTMENT OF TRANSPORTATION. Sponsor: Sen. Cloutier; Valihura, Sen. Sorenson; Sens. Amick, Connor, Henry, McBride, Simpson, Sokola, Winslow; Reps. Brady, Buckworth, B. Ennis, Carey, Ewing, Lofink, Miro, Quillen, Reynolds, Spence, Stone; **Highways & Transportation**.

**SB 66** - AN ACT TO AMEND TITLES 11 AND 16 OF THE DELAWARE CODE RELATING TO MINIMUM MANDATORY SENTENCES. Sponsor: Sen. Sorenson; Hudson, Sens. Bunting, Cloutier, Henry, McDowell, Simpson, Winslow; Reps. Buckworth, D. Ennis, Keeley, Quillen, Schroeder, Williams; **Judiciary**.

**SB 67** - AN ACT TO AMEND CHAPTER 1, TITLE 23 OF THE DELAWARE CODE RELATING TO PILOTAGE RATES AND PILOT LICENSES. Sponsor: Sen. Adams; Sens. Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow; Reps. Boulden, Brady, Buckworth, Carey, Cathcart, Caulk, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Hudson, Keeley, Lavelle, Lee, Lofink, Maier, Miro, Mulrooney, Oberle, Plant, Price, Quillen, Reynolds, Roy, Schroeder, Scott, Smith, Spence, Stone, Thornburg, Ulbrich, Valihura, Van Sant, Viola, Wagner, West; **Executive**.

**SB 68** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ADMINISTRATION OF MEDICATIONS ON SCHOOL FIELD TRIPS. Sponsor: Sen. Blevins; Maier, Reps. Price, Stone, Wagner; **Health & Social Services**.

**HB 27 w/HA 1 & HA 2** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO WORKERS COMPENSATION. Sponsor: Rep. Price; Oberle; **Labor & Industrial Labor**.

**HB 44** - AN ACT CONCURRING IN A PROPOSED AMENDMENT OF ARTICLE III, § 10 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO A RESIDENCY REQUIREMENT FOR THE SECRETARY OF STATE. Sponsor: Rep. DiLiberto; Reps. Brady, Buckworth, Carey, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Hudson, Keeley, Lavelle, Lofink, Maier, Mulrooney, Price, Schroeder, Scott, Spence, Stone, Thornburg, Van Sant, Viola, Wagner, West, Williams; Sens. Blevins, Bunting, Sokola, Venables; **Executive**.

**HB 49** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JURIES. Sponsor: Rep. DiLiberto; **Executive**.

**HB 53** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE. Sponsor: Rep. Oberle; Reps. Spence, Boulden, Buckworth, Carey, Cathcart, DiPinto, Hudson, Lofink, Miro, Stone, Ulbrich, Valihura, Wagner, DiLiberto, Houghton, Keeley, Mulrooney, Price, Viola; **Judiciary**.

The following nomination(s) assigned to the **Executive** Committee:

Mr. Robert L. Everett  
852 Sudlersville Road

To be appointed  
member of the

Mr. Robert L. Everett 852 Sudlersville Road Post Office Box 79 Clayton, DE 19938	To be appointed member of the Delaware Harness Racing Commission to serve a six year term to expire April twenty- second, two thousand and seven.
Mr. Kenneth E. Williamson RD 1, Box 136-C Georgetown, DE 19947	To be appointed member of the Delaware Harness Racing Commission to serve a six year term to expire April twenty- second, two thousand and seven.
Mr. Thomas P. Conaty 907 Bancroft Parkway Wilmington, DE 19805	To be appointed member of the Delaware Harness Racing Commission to serve a six year term to expire April twenty- second, two thousand and seven.
Ms. Carolyn Wilson PO Box 84 Lincoln, DE 19960	To be appointed member of the Delaware Thoroughbred Racing Commission to serve an expired term to end September twenty- second two-thousand and four.

\* \* \*

On motion of Senator Adams and without objection, the following nominations by the Governor were considered.

**Conaty, Thomas P.:** 21 Senator(s) voting YES. Appointment CONFIRMED.

Senator Bonini marked present during the above roll call.

**Everett, Robert:** 21 Senator(s) voting YES. Appointment CONFIRMED.

**Williamson, Kenneth:** 21 Senator(s) voting YES. Appointment CONFIRMED.

**Wilson, Carolyn:** 21 Senator(s) voting YES. Appointment CONFIRMED.

**SB 30** was brought before the Senate for consideration on the motion of Senator DeLuca.

**SB 30** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE  
RELATING TO BOILER SAFETY.

Roll call vote on **SB 30** was taken and revealed:

YES: 21

**SB 30** was declared passed the Senate and sent to the House for Consideration.

Additions to the agenda, committee and other legislative meetings were announced.

The Secretary announced the agenda for March 15, 2001.

On motion of Senator Adams, the Senate recessed at 04:44 PM until March 15, 2001 at 02:00 PM.

The Senate reconvened at 03:40 PM on March 15, 2001 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Executive: **SB 67** - 1 Favorable, 5 Merits.

From Community/County Affairs: **SB 31** - 3 Merits.

At 03:44 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 11<sup>th</sup> Legislative Day.

**11th LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
MARCH 15, 2001**

The Senate convened at 03:44 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Venables followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Cook, Connor, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

Senator Cook marked present.

The journal of the previous day was approved as read on motion of Senator Adams.  
No objections.

On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
3/15/01**

**SB 69** - AN ACT TO AMEND TITLE 11 AND TITLE 16 OF THE DELAWARE CODE RELATING TO HIV TESTING. Sponsor: Sen. Amick; Sens. Cloutier, Connor; Reps. Brady, Buckworth, Carey, DiPinto, B. Ennis, Ewing, Houghton, Lee, Quillen, Schroeder, Spence, Valihura, Viola, Williams; **Adult & Juvenile Corrections**.

**SB 70** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TEACHER CONTROL OF THE CLASSROOM. Sponsor: Sen. Sokola; Reynolds, Sens. Bunting, DeLuca & Simpson; Reps. Miro, Roy, Ulbrich & Valihura; **Education**.

**SB 71** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE PERSONAL INCOME TAX. Sponsor: Sen. Henry; Keeley, Sens. Marshall, McDowell & Connor; Reps. Plant & Viola; **Executive**.

**SB 72** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE PERSONAL INCOME TAX. Sponsor: Sen. Marshall; Lofink, Sens. Blevins, Bunting, DeLuca, Henry, McBride, McDowell, Sharp, Sokola & Venables; Reps. Oberle, Spence, Plant, Scott & Williams; **Revenue & Taxation**.

**SB 73** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CLASSIFICATION PROCEDURES FOR CERTAIN CRIMINAL OFFENSES. Sponsor: Sen. Blevins; Miro, Sens. Simpson, Still; Reps. Brady, Houghton, Keeley, Maier, Valihura, Viola, Buckworth, Hudson, Wagner; **Judiciary**.

\* \* \*

**SB 67** was brought before the Senate for consideration on the motion of Senator Adams.

**SB 67** - AN ACT TO AMEND CHAPTER 1, TITLE 23 OF THE DELAWARE CODE RELATING TO PILOTAGE RATES AND PILOT LICENSES.

Roll call vote on **SB 67** was taken and revealed:

YES: 21

**SB 67** was declared passed the Senate and sent to the House for Consideration.

Senator McBride marked present during the above roll call.

Senator Adams moved to recess for Party Caucus at 03:50 PM.

The Senate reconvened at 05:09 PM with Lt. Governor Carney presiding.

Additions to the agenda, committee and other legislative meetings were announced.

Senator Marshall requested his name be added as an additional co-sponsor of **SB 53**.

The Secretary announced the agenda for March 20, 2001.

On motion of Senator Adams, the Senate recessed at 05:10 PM until March 20, 2001 at 02:00 PM.

The Senate reconvened at 03:12 PM on March 20, 2001 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Executive: **SB 25** - 5 Merits; **HB 44** - 5 Merits.

At 03:15 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 12<sup>th</sup> Legislative Day.

**12th LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
MARCH 20, 2001**

The Senate convened at 03:15 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Simpson followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Bonini, Blevins, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams. No objections.

On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
3/20/01**

**SB 74** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO COMPUTER RELATED OFFENSES. Sponsor: Sen. Winslow; Lavelle, Sens. Sorenson, Amick, Sokola, McBride, Still; **Administrative Services**.

**SB 75** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO COMMERCIAL SHELLFISHING. Sponsor: Sen. Simpson; Quillen, Sens. Bonini, Henry, Still; Reps. Buckworth, Carey, Caulk, DiPinto, D. Ennis, Hudson, Lee, Miro, Reynolds, Smith, Thornburg, Valihura, Wagner, West, Williams; **Natural Resources & Environmental Control**.

**SB 76** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO COMMERCIAL FISHING. Sponsor: Sen. Simpson; Quillen, Sen. McBride; Sens. Bonini, Still; Reps. Buckworth, Carey, Cathcart, Caulk, DiPinto, Ewing, Houghton, Hudson, Miro, Price, Reynolds, Thornburg, West; **Natural Resources & Environmental Control**.

**HB 67** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE POLICE. Sponsor: Rep. B. Ennis; Lee, Sen. Simpson & Sen. Vaughn; Reps. Brady, Carey, Caulk, DiLiberto, D. Ennis, Gilligan, Houghton, Keeley, Mulrooney, Oberle, Plant, Price, Quillen, Schroeder, Spence, Van Sant, Viola, Wagner, West, Williams; **Public Safety**.

**HB 69** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO ADOPTION. Sponsor: Rep. Wagner; Stone, Sen. Blevins; Reps. Spence, Carey, D. Ennis, Ewing, Lofink, Quillen, Houghton, Price, Schroeder, Valihura, Viola, West; **Health & Social Services**.

**HB 76** - AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF LAUREL, AS AMENDED, WITH REGARD TO PHASING OUT THE DISCOUNT CURRENTLY PROVIDED TO PROPERTY OWNERS WHO PAY THE TAXES ASSESSED AGAINST THEIR REAL PROPERTY ON OR BEFORE SEPTEMBER 30TH OF EACH YEAR. Sponsor: Rep. Lee; Venables; **Community/County Affairs**.

**HB 87** - AN ACT TO AMEND SECTION 2702 OF TITLE 11 OF THE DELAWARE CODE RELATING TO JUSTICE OF THE PEACE COURTS

JURISDICTION. Sponsor: Rep. Wagner; Henry, Reps. Buckworth, D. Ennis, Lee, Maier, Quillen, Ulbrich, West; **Public Safety**.

**HB 98** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO SALARIES OF JUSTICES OF THE PEACE, PROHIBITED ACTIVITIES AND EMPLOYMENT. Sponsor: Rep. Wagner; Venables, Reps. Boulden, Carey, Cathcart, DiPinto, D. Ennis, Hudson, Quillen, Stone, Valihura, Brady, DiLiberto, Keeley, Price, Schroeder; **Finance**.

**HB 107** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXECUTIONS AS REGARDS THE DELAWARE COLLEGE INVESTMENT PLAN. Sponsor: Rep. Oberle; Sokola, Reps. Smith, Buckworth, Ewing, Fallon, Stone, Valihura, Brady, Price; **Finance**.

\* \* \*

The Secretary announced a message from the House informing the Senate that it had passed **HB 76; HB 107; HB 67; SB 10; HB 98; HB 87; HB 69; SJR 2**.

**SB 31** was brought before the Senate for consideration on the motion of Senator Bunting.

**SB 31** - AN ACT TO AMEND AN ACT BEING CHAPTER 504, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF HENLOPEN ACRES" TO PROVIDE THAT NEWLY ELECTED COMMISSIONERS MAY BEGIN ACTION AT THE ORGANIZATION MEETING AND THAT COMMISSIONERS ARE NO LONGER HEADS OF DEPARTMENTS, TO CLEARLY AUTHORIZE THE ELECTION BOARD TO BE THE SOLE AND FINAL JUDGE AS TO THE CONDUCT OF THE ELECTION, THE LEGALITY OF VOTES OFFERED AND THE ELECTION RESULTS, AND TO PROVIDE FOR ABSENTEE BALLOTING IN MUNICIPAL ELECTIONS.

Roll call vote on **SB 31** was taken and revealed:

YES: 21

**SB 31** was declared passed the Senate and sent to the House for Consideration.

Senators Blevins, McDowell and Winslow marked present during the above roll call.

Senator Adams moved to recess for Party Caucus at 03:21 PM.

The Senate reconvened at 05:08 PM with Lt. Governor Carney presiding.

Additions to the agenda, committee and other legislative meetings were announced.

The Secretary announced the agenda for March 21, 2001.

On motion of Senator Adams, the Senate recessed at 05:12 PM until March 21, 2001 at 04:00 PM.

The Senate reconvened at 04:55 PM on March 21, 2001 with Lt. Governor Carney presiding.

At 04:55 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 13<sup>th</sup> Legislative Day.

**13th LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
MARCH 21, 2001**

The Senate convened at 04:55 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Bonini followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams. No objections.

**SB 25** was brought before the Senate for consideration on the motion of Senator Sharp.

**SB 25** - AN ACT TO AMEND CHAPTER 101, TITLE 29, DELAWARE CODE RELATING TO ADOPTION OF REGULATIONS.

Roll call vote on **SB 25** was taken and revealed:

YES: 20

NOT VOTING: Senator(s) McDowell - 1.

**SB 25** was declared passed the Senate and sent to the House for Consideration. Additions to the agenda, committee and other legislative meetings were announced. The Secretary announced the agenda for March 22, 2001.

On motion of Senator Adams, the Senate recessed at 05:04 PM until March 22, 2001 at 02:00 PM.

The Senate reconvened at 02:16 PM on March 22, 2001 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Executive: **Patricia Ann Bailey** - 5 Merits; **Taube R. Carpenter** - 2 Favorable, 3 Merits; **Samuel E. Latham** - 1 Favorable, 4 Merits; **Mary M. Maloney-Huss** - 5 Merits; **Gary Patterson** - 3 Favorable, 2 Merits; **Nancy J. Shevock** - 5 Merits; **Kenneth Wicks** - 1 Favorable, 4 Merits; **SB 80** - 4 Merits.

From Banking: **SB 77** - 3 Merits.

From Public Safety: **HB 67** - 4 Merits.

From Revenue and Taxation: **SB 28** - 4 Merits; **SB 41** - 1 Favorable, 3 Merits.

From Health and Social Services: **SB 68** - 4 Merits.

From Education: **SB 70** - 3 Merits.

A communication from Representative Spence was read requesting his name be removed as co-sponsor of **SB 38** dated March 14, 2001.

The Secretary announced a message from the House informing the Senate that it had passed **SB 22 w/HA 1; HB 62; HB 72; HCR 3**.

At 02:25 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 14<sup>th</sup> Legislative Day.

**14th LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
MARCH 22, 2001**

The Senate convened at 02:25 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Venables followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams. No objections.

**HB 44** was brought before the Senate for consideration on the motion of the floor manager, Senator Adams.

**HB 44** - AN ACT CONCURRING IN A PROPOSED AMENDMENT OF ARTICLE III, § 10 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO A RESIDENCY REQUIREMENT FOR THE SECRETARY OF STATE.

Roll call vote on **HB 44** was taken and revealed:

YES: 20

ABSENT: Senator(s) Cloutier - 1.

**HB 44** was declared passed the Senate and returned to the House.

Senators Blevins and McDowell marked present during the above roll call.

**HB 67** was brought before the Senate for consideration on the motion of the floor manager, Senator Henry.

**HB 67** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE POLICE.

Senator Sharp questioned the floor manager, after which Senator Henry requested the privilege of the floor for Jeffrey Clark, Senate Attorney.

Senator McBride questioned the witness.

Senator Connor requested her name be added as a co-sponsor to the bill.

Senator Amick questioned the witness, after which the witness was excused.

Roll call vote on **HB 67** was taken and revealed:

YES: 21

**HB 67** was declared passed the Senate and returned to the House.

Senator Cloutier marked present during the above roll call.

**SB 22 w/HA 1**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on the motion of Senator McDowell.

**SB 22 w/HA 1** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR CARRIER SAFETY.

Roll call vote on **SB 22 w/HA 1** was taken and revealed:

YES: 21

**SB 22 w/HA 1** was declared passed the Senate and sent to the Governor.

**SB 77** was brought before the Senate for consideration on the motion of Senator Adams.

**SB 77** - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO THE CORPORATION LAW FOR STATE BANKS.

Senator Adams requested the privilege of the floor for Robert Glenn, Banking Commissioner.

Several Senators questioned the witness, after which the witness was excused.

Senator Bonini commented.

Roll call vote on **SB 77** was taken and revealed:

YES: 16

NO: Senator(s) McBride, McDowell, Sharp - 3.

NOT VOTING: Senator(s) Blevins, DeLuca - 2.

**SB 77** was declared passed the Senate and sent to the House for Consideration.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 3**.

**HCR 3** was brought before the Senate for consideration on the motion of the floor manager, Senator Bunting.

**HCR 3** - ESTABLISHING A JOINT COMMITTEE ON FINANCIAL LITERACY TO REVIEW AND IMPROVE THE PERSONAL MONEY MANAGEMENT SKILLS OF DELAWARE HIGH SCHOOL STUDENTS. Sponsor: Rep. D. Ennis & rep. Stone & Rep. Spence & Rep. Wagner & Rep. Van Sant & Rep. Schroeder; Sen. Bunting & Sen. Simpson & Sen. Sorenson & Sen. Winslow.

Senator Bunting requested the privilege of the floor for Susan Molinari, representing Americans for Consumer Ed. & Competition.

The witness was excused after addressing the Senate.

Several Senators commented.

Roll call vote on **HCR 3** was taken and revealed:

YES: 21

**HCR 3** was declared Adopted by the Senate and returned to the House.

Senator Still welcomed a group of students visiting from Japan.

**SB 80** was brought before the Senate for consideration on the motion of Senator Adams.

**SB 80** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE FRANCHISING PRACTICES.

**SA 1 to SB 80** was brought before the Senate for consideration on the motion of Senator Adams.

Roll call vote on **SA 1 to SB 80** was taken and revealed:

YES: 21

**SA 1 to SB 80** was declared part of the bill.

**SB 80 w/SA 1** was now before the Senate.

Senator Adams requested the privilege of the floor for Jeff Townsend, representing Delaware Automobile Dealers.

Roll call vote on **SB 80 w/SA 1** was taken and revealed:

YES: 21

**SB 80 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

**SB 68** was brought before the Senate for consideration on the motion of Senator Blevins.

**SB 68** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ADMINISTRATION OF MEDICATIONS ON SCHOOL FIELD TRIPS.

Senator Simpson commented.

Roll call vote on **SB 68** was taken and revealed:

YES: 21

**SB 68** was declared passed the Senate and sent to the House for Consideration.



**SB 78** was Lifted from the Table and brought before the Senate for consideration under the suspension of the necessary rules on motion of Senator Marshall.

**SB 78 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE NEIGHBORHOOD SCHOOLS ACT.**

Roll call vote on **SB 78** was taken and revealed:

YES: 21

**SB 78** was declared passed the Senate and sent to the House for Consideration.

On motion of Senator Adams and without objection, the following nominations by the Governor were considered.

**Shevock, Nancy:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Maloney-Huss, Mary:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Wicks, Kenneth:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Carpenter, Taube:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Bailey, Patricia:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**SENATE CONSENT CALENDAR #1** was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

**SCR 4 - REQUESTING THE DIVISION OF PARKS AND RECREATION TO ALLOW ALL MASTER GARDENERS FREE ACCESS TO ALL STATE PARKS.**  
Sponsor: Sen. Amick.

**SCR 6 - MOURNING THE PASSING OF PAMELA CUNNINGHAM COPELAND, AND NOTING HER LIFE ACHIEVEMENTS.** Sponsor: Sen. Sen. Sorenson; Rep. Hudson.

A roll call vote was taken on **SENATE CONSENT CALENDAR #1** and revealed 21 Senators voting YES; therefore, the **Senate Consent Calendar** was declared Adopted by the Senate. The Senate Concurrent Resolutions were sent to the House for Consideration.

Additions to the agenda, committee and other legislative meetings were announced.

On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
3/22/01**

**March 20, 2001**

**SB 77 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO THE CORPORATION LAW FOR STATE BANKS.** Sponsor: Sen. Adams; Stone, Sens. Sokola & Sorenson; Reps. Carey, D. Ennis, Fallon, Hudson, Valihura, Gilligan & Houghton; **Banking**.

**SB 78 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE NEIGHBORHOOD SCHOOLS ACT.** Sponsor: Sen. Marshall; Sens. McDowell & Henry; **LOT**.

**SB 79 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MUNICIPAL REVENUES AND TO THE DISPOSITION OF CERTAIN FINES.** Sponsor: Sen. Bonini; **Judiciary**.

**SB 80 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE FRANCHISING PRACTICES.** Sponsor: Sen. Adams; DiPinto, Sens. Vaughn, Simpson & Still; Reps. Buckworth, Carey, D. Ennis, Ewing, Fallon, Hudson, Maier, Quillen, Spence, Stone, Ulbrich, B. Ennis, Gilligan & Price; **Executive**.

**SB 81 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE JUSTICE OF THE PEACE CONSTABLES.** Sponsor: Sen. Cook; Oberle, Sens. Adams & McDowell Reps. Spence & Lee; **Judiciary**.

The following nomination(s) assigned to the **Executive** Committee:

Mr. Samuel E. Lathem  
20 Lochview Drive  
Bear, DE 19701

To be appointed  
Commissioner of the  
Delaware River and Bay  
Authority to serve a term to  
expire July first, two  
thousand and five.

Mr. Gary Patterson  
41 Park Drive  
Dover, DE 19901

To be appointed  
Commissioner of the  
Delaware River and Bay  
Authority to serve a term to  
expire July first, two  
thousand and three.

Ms. Patricia Ann Bailey  
606 North Van Buren Street  
Wilmington, DE 19805

To be reappointed  
member of the  
Unemployment Insurance  
Appeals Board to serve a  
term to expire May first, two  
thousand and six.

Ms. Nancy J. Shevock  
300 Carnoustie Road  
Dover, DE 19904

To be appointed  
member of the Pension  
Board of Trustees to serve a  
term to expire May fourth,  
two thousand and two.

Ms. Mary M. Maloney-Huss  
2204 Regal Drive  
Wilmington, DE 19810

To be reappointed  
member of the Delaware  
Advisory Council on Natural  
Areas to serve a term to  
expire July fifth, two  
thousand and four.

Mr. Kenneth Wicks  
208 Green Giant Road  
Townsend, DE 19734

To be reappointed  
member of the Governor's  
Council on Agriculture to  
serve a term to expire  
December thirty, two  
thousand and three.

Ms. Taube R. Carpenter  
11 Horseshoe Drive  
Milford, DE 19963

To be reappointed  
member of the  
Unemployment Insurance  
Appeals Board to serve a  
term to expire May first, two  
thousand and six.

#### **March 21, 2001**

**SA 1 to SB 59** - Sponsor: Sen. McBride; Placed with the bill.

**SA 1 to SB 70** - Sponsor: Sen. Sokola; Placed with the bill.

**SB 82** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE  
RELATING TO CRIMES AND CRIMINAL PROCEDURE AND COMMUNITY  
NOTIFICATION OF SEX OFFENDERS. Sponsor: Sen. Sharp; Spence; **Judiciary.**

**SB 83** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE  
RELATING TO CONVICTED SEX OFFENDER ATTENDANCE AT ALTERNATIVE  
PUBLIC SCHOOLS. Sponsor: Sen. Sharp; Spence; **Judiciary.**

**SB 84** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE  
RELATING TO THE ADMINISTRATION OF PRISON EDUCATION PROGRAMS.  
Sponsor: Sen. Sokola; Cook; **Adult & Juvenile Corrections.**

**SB 85** - AN ACT TO AMEND CHAPTER 13, TITLE 24 OF THE DELAWARE CODE RELATING TO PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES. Sponsor: Sen. Bunting; **Executive**.

**HB 62** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO APPEALS FROM THE INDUSTRIAL ACCIDENT BOARD TO THE SUPERIOR COURT. Sponsor: Rep. Oberle; Mulrooney, Sen. DeLuca; **Labor & Industrial Labor**.

**HB 72** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE BOARD OF ADJUSTMENT. Sponsor: Rep. Van Sant; Blevins, Reps. Carey, B. Ennis, Ewing, Houghton, Hudson, Keeley, Mulrooney, Plant, West, Williams; **Community/County Affairs**.

March 22, 2001

**SB 86** - AN ACT TO AMEND TITLE 29 RELATING TO BENEFITS TO ELIGIBLE SURVIVORS OF ELIGIBLE STATE PENSIONERS. Sponsor: Sen. McBride; **Finance**.

**SB 87** - AN ACT TO AMEND TITLES 5 AND 6 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF CREDIT CARDS AND SIMILAR LOAN PRODUCTS TO PERSONS UNDER THE AGE OF 21. Sponsor: Sen. McBride; **Natural Resources & Environmental Control**.

**SB 88** - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF DELAWARE RELATING TO WARRANTS. Sponsor: Sen. Winslow; Valihura, Sens. DeLuca, McBride, Simpson, Sokola, Sorenson; **Judiciary**.

**SB 89** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OATHS AND AFFIRMATIONS. Sponsor: Sen. Winslow; Valihura, Sens. DeLuca, McBride, Simpson, Sokola, Sorenson; **Judiciary**.

**SB 90** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO COUNTY AND MUNICIPAL PLANNING AND ZONING COORDINATION. Sponsor: Sen. Still; Cathcart, Sens. Bunting, Cloutier, Simpson, Sorenson; Reps. Brady, B. Ennis, Lofink, Miro, Price, Schroeder, Spence; **Community/County Affairs**.

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The Secretary announced the agenda for March 27, 2001.

On motion of Senator Adams, the Senate recessed at 04:43 PM until March 27, 2001 at 02:00 PM.

The Senate reconvened at 03:43 PM on March 27, 2001 with Lt. Governor Carney presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 88 w/HA 1; HB 86; HB 54 w/HA 1; HB 57 w/HA 1; SB 67**.

A communication from Senator Cloutier was read requesting her name be added as a co-sponsor of **SB 92**.

The following committee reports were announced:

From Committee to Combat Drug Abuse: **SJR 4** - 4 Merits.

From Community/County Affairs: **HB 72** - 3 Merits; **HB 76** - 3 Merits.

A communication from Senator Bunting was read requesting his name be added as a co-sponsor of **HB 92**.

A communication from Senator Henry was read requesting Representative Maier's name be added as a co-sponsor on **SB 53**.

At 03:45 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 15<sup>th</sup> Legislative Day.

**15th LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
MARCH 27, 2001**

The Senate convened at 03:43 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Marshall followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The Journal of the previous day was approved as read on motion of Senator Adams. No objections.

**SB 28** was brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator Vaughn.

**SB 28** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTIES AND THE VALUATION, ASSESSMENT AND TAXATION OF PROPERTY.

Senators Sokola and Winslow commented.

Roll call vote on **SB 28** was taken and revealed:

YES: 21

**SB 28** was declared passed the Senate and sent to the House for Consideration.

Senator McDowell marked present during the above roll call.

Senator Adams moved to recess for Party Caucus at 03:59 PM.

The Senate reconvened at 04:57 PM with Lt. Governor Carney presiding.

On motion of Senator Sharp the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD**

3/27/01

**March 23, 2001**

**SCR 5** - ESTABLISHING A TASK FORCE WITH THE RESPONSIBILITY OF REVIEWING THE CURRENT PRE-AUTHORIZATION FORMS AND PROCEDURES USED BY INSURANCE COMPANIES AND RECOMMENDING TO THE GENERAL ASSEMBLY UNIFORM PRE-AUTHORIZATION FORMS AND PROCEDURES. Sponsor: Sen. Still; Blevins & Sen. Cook; Sens. Amick, Bunting, Cloutier, Connor, McBride, Simpson, Sokola, Sorenson, Vaughn, Winslow, Reps. Buckworth, D. Ennis, Gilligan, Keeley, Maier, Stone, Wagner; **LOT**.

**March 27, 2001**

**SA 1 to SB 27** - Sponsor: Sen. McDowell; Placed with the bill.

**SB 91** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS LICENSES. Sponsor: Sen. Winslow; Wagner, Sen. Bonini; **Public Safety**.

**SB 92** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE OFFICE OF MINORITY, WOMEN-OWNED, AND DISADVANTAGED SMALL BUSINESS ENTERPRISES. Sponsor: Sen. Henry; Wagner, Sens. Marshall, McDowell, Sokola & Sorenson; Reps. Stone, Valihura, Keeley, Plant, Scott, Viola & Williams; **Executive**.

**SJR 4** - ESTABLISHING 2001 AS "THE YEAR OF TREATMENT" AND APPOINTING A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS CONCERNING THE AVAILABILITY OF QUALITY TREATMENT PROGRAMS FOR SUBSTANCE ABUSE ADDICTION IN DELAWARE. Sponsor: Sen. Henry; Spence, Rep. Scott; Sens. Marshall, McDowell, Sokola, Bonini, Cloutier, Sorenson & Still; Reps. Hudson, Lavelle, Maier, Stone, Wagner, Keeley, Plant & Williams; **Combat Drug Abuse**.

**HB 54 w/HA 1** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE CODE OF CONDUCT AND ELECTED AND APPOINTED SCHOOL BOARD MEMBERS. Sponsor: Rep. Miro; Sokola, Rep. Smith, Lavelle, Valihura & Sens. Still, Winslow; **Education**.

**HB 57 w/HA 1** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATED TO THE DEPARTMENT OF EDUCATION. Sponsor: Rep. Wagner; Viola, Sens. Bunting, Connor; Reps. Lee, B. Ennis, Price, Thornburg; **Education**.

**HB 86** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. Sponsor: Rep. Wagner; Henry, Reps. Spence, DiPinto; **Judiciary**.

**HB 88 w/HA 1** - AN ACT TO AMEND TITLE 9, DELAWARE CODE RELATING TO NEW CASTLE COUNTY. Sponsor: Rep. Roy; **Community/County Affairs**.

The following nomination(s) assigned to the **Executive** Committee:

Mr. Paul Houck 116 Berry Drive Wilmington, DE 19805	To be appointed as a member of the Merit Employee Relations Board to serve a term to expire three years from confirmation date.
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Mr. John F. Schmutz 107 Rockwood Road Wilmington, DE 19809	To be reappointed as a member of the Merit Employee Relations Board to serve a term to expire three years from confirmation date.
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Mrs. Jean W. Allen 916 Midway Lane Seaford, DE 19973	To be reappointed as a member of the State Board of Education to serve a term to expire four years from confirmation date.
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Mr. Robert A. Fischer, Jr. 504 E. Cape Shores Drive Lewes, DE 19958	To be reappointed as a member of the of Delaware Board of Trustees to serve a term to expire six years from confirmation date.
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A communication from Senator Simpson was read requesting Senator Bunting be added as a co-sponsor of **SB 76** and **SJR 3**.

A communication from Senator Connor was read requesting her name be added as a co-sponsor of **SJR 4**.

On motion of Senator Adams and without objection, the following nominations by the Governor were considered under the suspension of the necessary rules.

**Allen, Jean:** 19 Senator(s) voting YES, 2 (Blevins, Henry) ABSENT. Appointment was declared CONFIRMED.

**Fischer, Robert:** 18 Senator(s) voting YES, 1 (Amick) NO, 2 (Blevins, Henry) ABSENT. Appointment was declared CONFIRMED.

After the nomination was read in and before the roll call, Senator Amick rose to comment and give an explanation on his vote.

**Houck, Paul:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Schmutz, John:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Additions to the agenda, committee and other legislative meetings were announced.

Senator Bonini requested the personal privilege for the floor to comment of **SB 38** and the related Auditor report.

The Secretary announced the agenda for March 28, 2001.

On motion of Senator Adams, the Senate recessed at 05:15 PM until March 28, 2001 at 04:00 PM.

The Senate reconvened at 04:25 PM on March 28, 2001 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Corrections: **SB 60** - 1 Favorable, 2 Merits.

From Finance: **SB 54** - 5 Merits.

From Education: **HB 9** - 3 Merits, **HB 17** - 3 Merits, **HB 54** - 3 Merits, **HB 57** - 3 Merits.

A communication from Senator Sorenson was read requesting her name be added as co-sponsor of **SB 61**.

The Secretary announced a message from the House informing the Senate that it had passed **SCR 6; HB 99 w/HA 1, 2, 3 & 5; HCR 6; HB 19 w/HA 1**.

At 04:30 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 16<sup>th</sup> Legislative Day.

**16th LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
MARCH 28, 2001**

The Senate convened at 04:30 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Winslow followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Bonini, Blevins, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams. No objections.

Senator Cook requested the privilege of the floor for Girl Scouts, Feli Chicco, Shira Tiffany and Nyssa Marie Crompton for presentation of colours.

**HCR 6** was brought before the Senate for consideration on the motion of the floor manager, Senator Cook.

**HCR 6 - DECLARING MARCH 28, 2001 AS GIRL SCOUT LEGISLATIVE DAY.**  
Sponsor: Rep. Fallon; Reprs. Hudson, Keeley, Maier, Price, Stone, Ulbrich, Wagner, Brady, Buckworth, DiPinto, D. Ennis, Houghton, Quillen & Sens. Blevins, Cloutier, Cook, Henry, Sorenson, McBride, Vaughn, Winslow.

Roll call vote on **HCR 6** was taken and revealed:

YES: 17

ABSENT: Senator(s) Bunting, Connor, McBride, Venables - 4.

Senators Blevins, Marshall and McDowell marked present during the above roll call. Senator Cook requested Mrs. Audrey Boys come forward to receive a tribute marking the day. Mrs. Boys was joined by several girl scouts.

On motion of Senator Adams and without objection, the following nomination from the Governor was considered.

**Patterson, Gary:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Senators Bunting, Connor, McBride and Venables marked present during the above roll call.

**SJR 4** was brought before the Senate for consideration on the motion of Senator Henry.

**SJR 4 - ESTABLISHING 2001 AS "THE YEAR OF TREATMENT" AND APPOINTING A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS CONCERNING THE AVAILABILITY OF QUALITY TREATMENT PROGRAMS FOR SUBSTANCE ABUSE ADDICTION IN DELAWARE.**

Roll call vote on **SJR 4** was taken and revealed:

YES: 21

**SJR 4** was declared passed the Senate and sent to the House for Consideration.

**HB 76** was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

**HB 76 - AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF LAUREL, AS AMENDED, WITH REGARD TO PHASING OUT THE DISCOUNT CURRENTLY PROVIDED TO PROPERTY OWNERS WHO PAY THE TAXES ASSESSED AGAINST THEIR REAL PROPERTY ON OR BEFORE SEPTEMBER 30TH OF EACH YEAR.**

Senator Venables commented.

Roll call vote on **HB 76** was taken and revealed:

YES: 21

**HB 76** was declared passed the Senate and returned to the House.

**SCR 5** was Lifted from the Table and brought before the Senate for consideration on motion of Senator Still.

**SCR 5** - ESTABLISHING A TASK FORCE WITH THE RESPONSIBILITY OF REVIEWING THE CURRENT PRE-AUTHORIZATION FORMS AND PROCEDURES USED BY INSURANCE COMPANIES AND RECOMMENDING TO THE GENERAL ASSEMBLY UNIFORM PRE-AUTHORIZATION FORMS AND PROCEDURES.

Roll call vote on **SCR 5** was taken and revealed:

YES: 21

**SCR 5** was declared Adopted by the Senate and sent the House for Consideration.

Additions to the agenda, committee and other legislative meetings were announced.

On motion of Senator Adams, the Senate recessed at 04:58 PM until March 29, 2001 at 02:00 PM.

The Senate reconvened at 02:38 PM on March 29, 2001 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Executive: **Charles Cawley** - 4 Merits; **SB 85** - 4 Merits.

At 02:45 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 17<sup>th</sup> Legislative Day.

**17th LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
MARCH 29, 2001**

The Senate convened at 02:45 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Still followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams.

No objections.

On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed

Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
3/28/01**

**SA 1 to SB 60** - Sponsor: Sen. Vaughn; Placed with the bill.

**SA 1 to SB 61** - Sponsor: Sen. Cook; Placed with the bill.

**SA 1 to SB 7** - Sponsor: Sen. Amick; Placed with the bill.

**SA 1 to SB 8** - Sponsor: Sen. Blevins; Placed with the bill.

**SA 1 to SB 85** - Sponsor: Sen. Bunting; Placed with the bill.

**SA 2 to SB 38** - Sponsor: Sen. Connor; Placed with the bill.

**HB 19 w/HA 1** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE OCCUPANT PROTECTION SYSTEM SAFETY ACT. Sponsor: Rep. Oberle; Reps. Cathcart, D. Ennis, Fallon, Lofink, Reynolds, Roy, Sens. Henry, Sokola; **Judiciary**.

**HB 99 w/HA 1, HA 2, HA 3, HA 5** - AN ACT TO AMEND TITLES 6, 9, 18, 19, 25 AND 29 OF THE DELAWARE CODE RELATING TO DISCRIMINATION EMPLOYMENT, PUBLIC WORKS CONTRACTING, HOUSING, EQUAL ACCOMMODATIONS, AND THE INSURANCE BUSINESS. Sponsor: Rep. Oberle; DiPinto, Rep. Williams; Sens. Henry, Bunting, Sokola, Rep. Keeley; **Small Business**.

**SB 100** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SALE OR TRANSFER OF HANDGUNS BY UNLICENSED PERSONS. Sponsor: Sen. McDowell; Hudson, Sen. Henry & Rep. Williams & Sen.

Marshall; Sens. Cloutier, Sorenson, Sokola, Amick; Reps. D. Ennis, Keeley; **Public Safety**.

The following nomination(s) assigned to the **Executive** Committee:

Mr. Charles Cawley 1111 Berkeley Road Wilmington, DE 19807	To be reappointed as a member of the University of Delaware Board of Trustees to serve a term to expire six years from confirmation date. * * *
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Senator Sorenson requested the privilege of the floor to recognize the visiting members of the Junior League of Wilmington. Charlene Bertheaud, President, approach the lectern and introduced fellow members, Kelly L. Gates, Jennifer Shroff Pendley, Alison B. Weiss, Lyn Milliman and Lynn Zbranek.

On motion of Senator Adams and without objection, the following nomination from the Governor was considered.

**Cawley, Charles:** 20 Senator(s) voting YES, 1 (Amick) NO. Appointment was declared CONFIRMED.

Senators Blevins, McBride and McDowell marked present during the above roll call.

**HB 9** was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

**HB 9** - AN ACT DIRECTING THE DEPARTMENT OF EDUCATION TO DEVELOP, IMPLEMENT, AND ENHANCE PROGRAMS FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY.

Several Senators questioned the floor manager.

Roll call vote on **HB 9** was taken and revealed:

YES: 16

NOT VOTING: Senator(s) Bonini, Henry, Marshall, Sharp, Vaughn - 5.

**HB 9** was declared passed the Senate and returned to the House.

Senator Adams moved to recess for Party Caucus at 03:08 PM.

The Senate reconvened at 04:36 PM with Lt. Governor Carney presiding.

The following committee report was announced:

From Community/County Affairs: **HB 88 w/HA 1** - 3 Merits.

Additions to the agenda, committee and other legislative meetings were announced.

The Secretary announced the agenda for April 03, 2001.

On motion of Senator Adams, the Senate recessed at 04:38 PM until April 03, 2001 at 02:00 PM.

The Senate reconvened at 03:29 PM on April 03, 2001 with Lt. Governor Carney presiding.

The following committee report was announced:

From Natural Resource: **SB 76** - 3 Merits.

The Secretary announced a message from the House informing the Senate that it had passed **HB 77 w/HA 1; HB 94 w/HA 1; HB 64; HB 101; HB 112 w/HA 1; HB 124 w/HA 1; SB 15; HB 61 w/HA 1; HB 74 w/HA 1; HB 58 w/HA 1 & 2; HB 60.**

A withdrawn of sponsorship request form was read from Senator Winslow requesting his name be removed from **SB 66**.

A withdrawn of sponsorship request form was read from Representative Smith requesting his name be removed from **HB 101**.

A withdrawn of sponsorship request form was read from Representative Buckworth requesting his name be removed from **SB 66**.

At 03:32 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 18<sup>th</sup> Legislative Day.

18th LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
APRIL 03, 2001

The Senate convened at 03:32 PM with Lt. Governor Carney presiding.



A prayer was offered by Senator Venables followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Bonini, Blevins, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams. No objections.

On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD**

4/03/01

**March 29, 2001**

**SA 1 to SB 13** - Sponsor: Sen. Bunting; Placed with the bill.

**SA 1 to HB 57** - Sponsor: Sen. Connor; Placed with the bill.

**SA 1 to SA 2 to SB 38** - Sponsor: Sen. Sharp; Placed with the bill.

**SB 93** - AN ACT TO AMEND CHAPTER 29, TITLE 16 OF THE DELAWARE CODE RELATING TO THE CLEAN INDOOR AIR ACT. Sponsor: Sen. Bunting; **Natural Resources & Environmental Control.**

**SB 94** - AN ACT TO AMEND TITLES 5 AND 12 OF THE DELAWARE CODE RELATING TO TRUSTS AND LIMITED PURPOSE TRUST COMPANIES. Sponsor: Sen. Adams; Valihura; **Banking.**

**April 03, 2001**

**SB 95** - AN ACT TO AMEND TITLES 5 AND 6 OF THE DELAWARE CODE RELATING TO THE SOLICITATION OF CREDIT CARDS AND SIMILAR LOAN PRODUCTS. Sponsor: Sen. McBride; Reynolds; **Natural Resources & Environmental Control.**

**SB 96** - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO MUNICIPALLY- OWNED WATER UTILITIES. Sponsor: Sen. McBride; **Natural Resources & Environmental Control.**

**SB 97** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DOMESTIC VIOLENCE COORDINATING COUNCIL. Sponsor: Sen. Blevins; Sens. Sharp & Sorenson; Rep. Hudson; **Health & Social Services.**

**HB 58 w/HA 1 & HA 2** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVER'S LICENSE. Sponsor: Rep. Thornburg; Sokola, Reps. Caulk, B. Ennis, Wagner; Sen. Still; **Public Safety.**

**HB 60** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO ELIGIBILITY TO RECEIVE A STATE HIGH SCHOOL DIPLOMA. Sponsor: Rep. Price; Viola & Sen. Bunting; Reps. Boulden, Brady, Cathcart, B. Ennis, Ewing, Fallon, Keeley, Maier, Spence, Van Sant, West; Sens. Marshall, Sokola; **Education.**

**HB 61 w/HA 1** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE REGARDING EXEMPTIONS FROM CIVIL LIABILITY. Sponsor: Rep. Price & Sen. Bunting & Rep. Lee; Reps. Boulden, Brady, Buckworth, Carey, Cathcart, Caulk, DiPinto, B. Ennis, Ewing, Fallon, Houghton, Keeley, Lavelle, Lofink, Mulrooney, Roy, Schroeder, Scott, Spence, Thornburg, Valihura, Van Sant, Viola, Wagner, West; Sens. Blevins, DeLuca, Henry, Marshall, McBride, Vaughn; **Public Safety.**

**HB 64** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY GOVERNMENTS GENERALLY. Sponsor: Rep. B. Ennis; Vaughn, Reps. Buckworth, Caulk, Ewing, Quillen, Stone, Thornburg, Wagner; **Community/County Affairs.**

**HB 74 w/HA 1** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX RETURNS. Sponsor: Rep. Valihura;

Reps. Boulden, Brady, Carey, Cathcart, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Keeley, Lavelle, Lofink, Miro, Schroeder, Scott, Thornburg, Ulbrich, Van Sant, Viola, Wagner, West, Williams; Sens. Amick, Blevins, Cloutier, Connor, Henry, Simpson, Sorenson, Winslow; **Revenue & Taxation**.

**HB 77 w/HA 1** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE CORRECTIONAL OFFICER ASSISTANCE FUND. Sponsor: Rep. Quillen; Rep. Thornburg; **Adult & Juvenile Corrections**.

**HB 94 w/HA 1** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE PROCUREMENT OF MATERIAL AND NONPROFESSIONAL SERVICES BY BONA FIDE NONPROFIT ORGANIZATIONS. Sponsor: Rep. Keeley; Henry, Reps. Boulden, Brady, Buckworth, Carey, Cathcart, DiPinto, B. Ennis, Ewing, Fallon, Houghton, Hudson, Lofink, Maier, Mulrooney, Oberle, Price, Quillen, Reynolds, Schroeder, Scott, Smith, Spence, Stone, Thornburg, Ulbrich, Valihura, Viola, Wagner, West, Williams; Sens. Cook, Sokola, Venables; **Administrative Services**.

**HB 101** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO REFERENCES TO NON-MARITAL CHILDREN. Sponsor: Rep. Keeley; Blevins, Sen. Henry, Reps. Boulden, Brady, Buckworth, Carey, Cathcart, Caulk, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Hudson, Lavelle, Miro, Mulrooney, Plant, Price, Quillen, Reynolds, Roy, Schroeder, Scott, Stone, Thornburg, Ulbrich, Valihura, Van Sant, Viola, Wagner, West, Williams, Sens. Adams, Amick, Blevins, Bunting, Cloutier, Connor, Cook, DeLuca, Marshall, McBride, McDowell, Sharp, Sokola, Sorenson, Still, Vaughn, Venables, Winslow; **Executive**.

**HB 112 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. Sponsor: Rep. Wagner; Henry, Reps. Buckworth, Carey, Caulk, Ewing, Lavelle, Reynolds, Ulbrich, Houghton, DiLiberto, B. Ennis, West; **Administrative Services**.

**HB 124 w/HA 1** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS. Sponsor: Rep. Smith; Sokola, Reps. DiPinto, Maier; **Education**.

**HB 88 w/HA 1** was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

**HB 88 w/HA 1** - AN ACT TO AMEND TITLE 9, DELAWARE CODE RELATING TO NEW CASTLE COUNTY.

Roll call vote on **HB 88 w/HA 1** was taken and revealed:

YES: 20

ABSENT: Senator(s) Bunting - 1.

**HB 88 w/HA 1** was declared passed the Senate and returned to the House.

Senator Blevins marked present during the above roll call.

**HB 17** was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

**HB 17** - AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO SUBSTITUTE TEACHERS.

Senator Henry questioned the floor manager, after which Senator Sokola requested the privilege of the floor for Jeffrey Clark, Senate Attorney.

Senator McBride questioned the witness, after which the witness was excused.

Senator Sokola requested the privilege of the floor for David Craik, representing the Pension Office.

Senator Sharp and Amick questioned the witness, after which the witness was excused.

Senator Sokola moved to lay **HB 17** on the Table. No objection.

**HB 54 w/HA 1** was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

**HB 54 w/HA 1** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE CODE OF CONDUCT AND ELECTED AND APPOINTED SCHOOL BOARD MEMBERS.

Senator Amick requested the privilege of the floor for Janet Wright, representing Public Integrity Commission.

Several Senators questioned the witness, after with the witness was excused.

Roll call vote on **HB 54 w/HA 1** was taken and revealed:

YES: 20

NOT VOTING: Senator(s) Vaughn - 1.

**HB 54 w/HA 1** was declared passed the Senate and returned to the House.

Senator Bunting marked present during the above roll call.

**SB 76** was brought before the Senate for consideration on the motion of Senator Simpson.

**SB 76** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO COMMERCIAL FISHING.

Senator Adams questioned the sponsor.

Roll call vote on **SB 76** was taken and revealed:

YES: 21

**SB 76** was declared passed the Senate and sent to the House for Consideration.

Senator Adams moved to recess for Party Caucus at 04:28 PM.

The Senate reconvened at 05:18 PM with Lt. Governor Carney presiding.

Additions to the agenda, committee and other legislative meetings were announced.

The Secretary announced the agenda for April 04, 2001.

On motion of Senator Adams, the Senate recessed at 05:20 PM until April 04, 2001 at 04:00 PM.

The Senate reconvened at 04:25 PM with Lt. Governor Carney presiding.

The following committee reports were announced:

From Executive: **Daniel Wolcott** - 6 Merits; **Bruce Rogers** - 2 Favorable, 4 Merits; **Vernon A. Taylor** - 6 Merits; **William Patrick Wood** - 3 Favorable, 3 Merits; **John D. Isaacs** - 2 Favorable, 3 Merits.

From Natural Resources: **SB 75** - 3 Merits.

From Banking: **SB 94** - 1 Favorable, 3 Merits.

**LEGISLATIVE ADVISORIES #7 & #8**, from the Office of Counsel to the Governor were announced for the record, partially read and copies made available to the members upon request.

**LEGISLATIVE ADVISORY #7**, dated March 27, 2001, the Governor signed the following legislation on the date indicated:

**SB #10** (3/27/01) - AN ACT TO AMEND CHAPTER 64, VOLUME 63, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW IN SUSSEX COUNTY, DELAWARE." (Sponsors: Sen. Bunting & Rep. Price) (Volume 73, Chapter 11, Laws of Delaware.)

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**LEGISLATIVE ADVISORY #8**, dated April 3, 2001, the Governor signed the following legislation on the date indicated:

**HB #67** (3/28/01) - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE POLICE. (Sponsors: Rep. B. Ennis & Rep. Lee & Sen. Simpson & Sen. Vaughn; Reps. Brady, Carey, Caulk, DiLiberto, D. Ennis, Gilligan, Houghton, Keeley, Mulrooney, Oberle, Plant, Price, Quillen, Schroeder, Spence, Van Sant, Viola, Wagner, West, Williams) (Volume 73, Chapter 12, Laws of Delaware.)

**SB #67** (3/29/01) - AN ACT TO AMEND CHAPTER 1, TITLE 23 OF THE DELAWARE CODE RELATING TO PILOTAGE RATES AND PILOT LICENSES. (Sponsors: Sen. Adams; Sens. Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow; Reps. Boulden, Brady, Buckworth, Carey, Cathcart, Caulk, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Hudson, Keeley, Lavelle, Lee, Lofink, Maier, Miro, Mulrooney, Oberle, Plant, Price, Quillen, Reynolds, Roy, Schroeder, Scott, Smith, Spence, Stone, Thornburg, Ulbrich, Valihura, Van Sant, Viola, Wagner, West) (Volume 73, Chapter 13, Laws of Delaware.)

**SJR#2** (3/30/01) - ESTABLISHING THE DELAWARE ADVISORY COUNCIL ON CANCER ON CANCER INCIDENCE AND MORTALITY. (Sponsors: Sen. Sharp; on behalf of all Senators; & Rep. Spence; on behalf of all Representatives)

**SB #22 aab HA 1** (3/31/01) - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR CARRIER SAFETY. (Sponsors: Sen. McDowell & Rep. Oberle) (Volume 73, Chapter 14, Laws of Delaware.)

**HB #76** (3/31/01) - AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF LAUREL, AS AMENDED, WITH REGARD TO PHASING OUT THE DISCOUNT CURRENTLY PROVIDED TO PROPERTY OWNERS WHO PAY THE TAXES ASSESSED AGAINST THEIR REAL PROPERTY ON OR BEFORE SEPTEMBER 30<sup>TH</sup> OF EACH YEAR. (Sponsors: Rep. Lee & Sen. Venables) (Volume 73, Chapter 15, Laws of Delaware.)

The following amendment to the Delaware Constitution does not require the signature of Governor Minner:

**HB #44** - AN ACT CONCURRING IN A PROPOSED AMENDMENT OF ARTICLE III, SECTION 10 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO A RESIDENCY REQUIREMENT FOR THE SECRETARY OF STATE. (Sponsors: Rep. DiLiberto; Reps. Brady, Buckworth, Carey, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Gilligan, Houghton, Hudson, Keeley, Lavelle, Lofink, Maier, Mulrooney, Price, Schroeder, Scott, Spence, Stone, Thornburg, Van Sant, Viola, Wagner, West, Williams; Sens. Blevins, Bunting, Sokola, Venables) (Volume 73, Chapter 16, Laws of Delaware, Second Leg.)

\* \* \*

The Secretary announced a message from the House informing the Senate that it had passed **HB 130; SB 77**.

At 04:30 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 19<sup>th</sup> Legislative Day.

**19th LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
APRIL 04, 2001**

The Senate convened at 04:30 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator DeLuca followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams. No objections.

On motion of Senator Adams and without objection, the following nominations from the Governor were considered.

**Wolcott, Daniel:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Senators Blevins and Marshall marked present during the above roll call.

**Rogers, Bruce:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Taylor, Vernon:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Wood, William:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

**Isaacs, John:** 20 Senator(s) voting YES, 1 (Sokola) ABSENT. Appointment was declared CONFIRMED.

Senator Bunting requested that **SB 13** be Stricken. No objection.

**SB 85** was brought before the Senate for consideration on the motion of Senator Bunting.

**SB 85** - AN ACT TO AMEND CHAPTER 13, TITLE 24 OF THE DELAWARE CODE RELATING TO PRIVATE INVESTIGATORS AND PRIVATE SECURITY AGENCIES.

**SA 1 to SB 85** was brought before the Senate for consideration on the motion of Senator Bunting.

Roll call vote on **SA 1 to SB 85** was taken and revealed:

YES: 21

**SA 1 to SB 85** was declared part of the bill.

**SB 85 w/SA 1** was now before the Senate.

Senator Bunting requested the privilege of the floor for Lt. Charles Rynkowski, representing the Delaware State Police.

Senators Winslow, Simpson and Still questioned the witness, after which the witness was excused.

Senator Bunting moved to lay **SB 85 w/SA 1** on the Table. No objection.

**SB 94** was brought before the Senate for consideration on the motion of Senator Adams.

**SB 94** - AN ACT TO AMEND TITLES 5 AND 12 OF THE DELAWARE CODE RELATING TO TRUSTS AND LIMITED PURPOSE TRUST COMPANIES.

Senator Adams requested the privilege of the floor for Thomas Pulsifer, representing the Delaware Bar Association.

The witness was excused after addressing the Senate.

Roll call vote on **SB 94** was taken and revealed:

YES: 21

**SB 94** was declared passed the Senate and sent to the House for Consideration.

**HB 17** was Lifted from the Table and brought before the Senate for consideration on motion of the floor manager, Senator Sokola.

**HB 17** - AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO SUBSTITUTE TEACHERS.

**SA 1 to HB 17** was brought before the Senate for consideration on the motion of Senator Sokola.

Senators Bonini, McBride and Winslow questioned the sponsor.

Senator Sokola moved to lay **SA 1 to HB 17** on the Table. No objection.

Roll call vote on **HB 17** was taken and revealed:

YES: 21

**HB 17** was declared passed the Senate and was returned to the House.

Additions to the agenda, committee and other legislative meetings were announced.

**SA 1 to HB 17** was Stricken on motion of Senator Sokola.

**SB 74** was Stricken on motion of Senator Winslow.

**SB 96** was Stricken on motion of Senator McBride.

**SCR 7** was brought before the Senate for consideration on the motion of Senator McBride.

**SCR 7** - CONGRATULATING MARGARET SAEUI ON BEING SELECTED THE NATIONAL VFW OUTSTANDING HEALTH CARE PROVIDER OF THE YEAR.

Sponsor: Sen. McBride & Rep. Reynolds.

Roll call vote on **SCR 7** was taken and revealed:

YES: 21

**SCR 7** was declared Adopted by the Senate and sent to the House for Consideration.

On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD**

4/04/01

**April 03, 2001**

**SA 1 to HB 99** - Sponsor: Sen. Winslow; Placed with the bill.

**SA 1 to SB 93** - Sponsor: Sen. Bunting; Placed with the bill.

**SA 2 to SB 13** - Sponsor: Sen. Bunting; Placed with the bill.

**SB 98** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO COUNTY AND MUNICIPAL BUILDING, PLUMBING, ELECTRICAL AND OTHER CODES. Sponsor: Sen. McDowell; Sens. Connor, Cook, Henry, Sokola; Reps. Carey, DiPinto, Maier, West; **Energy & Transit**.

The following nomination(s) assigned to the **Executive** Committee:

Mr. William Patrick Wood 116 Hearn Ave. Laurel, DE 19956	To be reappointed as a Justice of the Peace to serve a term to expire six years from confirmation date.
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Mr. Vernon A. Taylor 4613 Big Rock Drive Wilmington, DE 19802	To be reappointed as a Justice of the Peace to serve a term to expire six years from confirmation date.
Mr. John D. Isaacs 224 Wiggin Mill Road Townsend, DE 19734	To be reappointed as a member of the Delaware Solid Waste Authority to serve a term to expire three years from Senate confirmation date.
Mrs. Valarie Pepper 104 Captain Davis Drive Camden, DE 19934	To be appointed as a member of the State Board of Education to serve a term to expire on June fifteenth, two thousand five.
Mr. Daniel Wolcott 313 Delaware Street New Castle, DE 19720	To be reappointed as a member of the Delaware Code Revisors to serve a term to expire four years from date of Senate confirmation.
Mr. Bruce Rogers RD #3, Box 409C Georgetown, DE 19947	To be reappointed as a member of the Delaware Code Revisors serve a term to expire four years from date of Senate confirmation.
Mrs. Stephanie Liguori 9 Wigeon Place Wyoming, DE 19934	To be appointed as a member of the Violent Crimes Compensation Board to serve a term to expire three years from date of Senate confirmation.

**April 04, 2001**

**SB 101** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE  
RELATING TO EMPLOYMENT REQUIREMENTS FOR SUPERINTENDENTS.  
Sponsor: Sen. McBride; **Education**.

**SB 102** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE  
RELATING TO BENEFITS TO SURVIVORS OF STATE EMPLOYEES KILLED IN  
THE COURSE AND SCOPE OF THEIR EMPLOYMENT. Sponsor: Sen. McBride;  
**Finance**.

**SB 103** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE  
RELATING TO THE CONSTRUCTION AND LOADING OF VEHICLES TO  
PREVENT ESCAPE OF CONTENTS. Sponsor: Sen. Connor; Maier, Sens. Amick,  
Cloutier, Henry, Sokola, Sorenson, Winslow; Reps. Buckworth, Carey, Cathcart, Caulk,  
DiPinto, B. Ennis, Fallon, Houghton, Keeley, Price, Reynolds, Valihura, West;  
**Executive**.

**SB 104** - AN ACT TO AMEND AN ACT BEING CHAPTER 138, VOLUME 68,  
LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE  
THE TOWN OF DAGSBORO" TO INCREASE THE AMOUNT OF FUNDS THAT  
THE TOWN MAY BORROW ON ITS FULL FAITH AND CREDIT. Sponsor: Sen.  
Bunting; West; **Community/County Affairs**.

**SB 107** - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION  
OF THE STATE OF DELAWARE RELATING TO CONSTITUTIONAL

AMENDMENTS, AND PROVIDING THAT CONSTITUTIONAL AMENDMENTS BE RATIFIED AT THE POLLS. Sponsor: Sen. McBride; **Executive**.

**SB 108** - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE, RELATING TO LEGISLATIVE AUTHORITY; AND PROVIDING FOR INITIATIVE AND REFERENDUM. Sponsor: Sen. McBride; **Executive**.

**SB 109** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CHILD SEX ABUSE INFORMATION REPOSITORY. Sponsor: Sen. McDowell; Maier, Sens. Henry, Sokola, Bonini, & Winslow; Reps. Wagner & Price; **Children; Youth & Families**.

**HB 130** - AN ACT TO AMEND TITLE 5 AND TITLE 29 OF THE DELAWARE CODE RELATING TO BANKS AND OTHER FINANCIAL INSTITUTIONS. Sponsor: Rep. Stone; Adams, Reps. Carey, D. Ennis, Fallon, Gilligan, Houghton, Hudson, Keeley & Valihura; Sens. Sokola & Sorenson; **Banking**.

\* \* \*

The Secretary announced the agenda for April 05, 2001.

On motion of Senator Adams, the Senate recessed at 05:23 PM until April 05, 2001 at 02:00 PM.

The Senate reconvened at 02:22 PM on April 05, 2001 with Lt. Governor Carney presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 123 w/HA 1; HB 109; HB 43 w/HA 1; HB 75; HB 117; SB 31**.

The following committee reports were announced:

From Education: **HB 60** - 1 Favorable, 2 Merits.

From Health and Social Services: **SB 97** - 4 Merits.

From Public Safety: **SB 100** - 3 Merits.

At 02:25 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 20<sup>th</sup> Legislative Day.

**20th LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
APRIL 05, 2001**

The Senate convened at 02:25 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Simpson followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams. No objections.

**SCR 10** was brought before the Senate for consideration on the motion of Senator Sorenson.

**SCR 10** - COMMENDING THE 2000 EAGLE SCOUTS FOR HAVING ATTAINED THE HIGHEST RANK ONE CAN EARN IN THE BOY SCOUTS OF AMERICA. Sponsor: Sen. Sorenson & Rep. Thornburg; Sens. Adams; Bonini; Cloutier; Connor; Henry; Sokola; On behalf of all Senators; Reps. Buckworth; Cathcart; D. Ennis; Fallon; Lavelle; Maier; Quillen; Stone; Valihura; Wagner; West; On behalf of all Representatives.

Senator Sorenson recognized the Eagles Scouts and their families in Chamber.

Senator DeLuca commented.

Roll call vote on **SCR 10** was taken and revealed:

YES: 21

**SCR 10** was declared Adopted by the Senate and sent to the House for Consideration. Senators Marshall, McBride and McDowell marked present during the above roll call.

The following committee reports were announced:

Community/County Affairs: **SB 105** - 4 Favorable; **SB 104** - 4 Merits; **HB 64** - 4 Merits.

**SB 75** was brought before the Senate for consideration on the motion of Senator Simpson.

**SB 75** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO COMMERCIAL SHELLFISHING.

Roll call vote on **SB 75** was taken and revealed:

YES: 21

**SB 75** was declared passed the Senate and sent to the House for Consideration.

**SB 97** was brought before the Senate for consideration on the motion of Senator Blevins.

**SB 97** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DOMESTIC VIOLENCE COORDINATING COUNCIL.

Roll call vote on **SB 97** was taken and revealed:

YES: 21

**SB 97** was declared passed the Senate and sent to the House for Consideration.

Senator Adams moved to recess for Party Caucus at 02:39 PM.

The Senate reconvened at 04:10 PM with Lt. Governor Carney presiding.

**SCR 8** was brought before the Senate for consideration on the motion of Senator Connor.

**SCR 8** - PROCLAIMING THE WEEK OF APRIL 22 THROUGH APRIL 28, 2001, AS ADMINISTRATIVE PROFESSIONALS WEEK. Sponsor: Sen. Connor & Rep. Spence; On behalf of all Senators & On behalf of all Representatives.

Roll call vote on **SCR 8** was taken and revealed:

YES: 21

**SCR 8** was declared Adopted by the Senate and sent to the House for Consideration.

Additions to the agenda, committee and other legislative meetings were announced.

The Secretary announced the agenda for April 10, 2001.

On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
4/05/01**

**April 04, 2001**

**SB 105** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PLANNING COORDINATION. Sponsor: Sen. DeLuca; Spence, Sens. Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, Henry, McDowell, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow; Rep. Boulden, Brady, Carey, DiLiberto, B. Ennis, Ewing, Fallon, Gilligan, Houghton, Hudson, Keeley, Lavelle, Maier, Mulrooney, Price, Roy, Schroeder, Ulbrich, Valihura, Viola, Wagner, Williams; **Community/County Affairs**.

**SB 106** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT ACCOUNTABILITY AND STUDENT ASSESSMENT. Sponsor: Sen. Sokola; Oberle, Sens. Adams, Blevins, Bunting, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Vaughn, Venables, Amick, Cloutier, Connor, Simpson, Sorenson, Still, & Winslow; Reps. Boulden, Buckworth, DiPinto, Hudson, Maier, Miro, Spence, Stone, Ulbrich, Valihura, Wagner, B. Ennis, Gilligan, Price & West; **Education**.

**April 05, 2001**

**HB 43 w/HA 1** - AN ACT TO AMEND TITLES 15, 21 AND 25 OF THE DELAWARE CODE RELATING TO REFERENCES TO PEOPLE WITH MENTAL ILLNESS. Sponsor: Rep. DiLiberto; Blevins; **Health & Social Services**.

**HB 75** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT PRACTICES. Sponsor: Rep. Keeley; McDowell, Reps. Brady, Cathcart, DiPinto, B. Ennis, Houghton, Lavelle, Oberle, Price, Reynolds, Scott, Smith, Spence, Thornburg, Ulbrich, Van Sant, Viola, Wagner, West, Williams; Sens. Cook, DeLuca, Henry, Simpson, Vaughn, Winslow; **Executive**.



**HB 109** - AN ACT TO AMEND AN ACT, BEING 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 A UTILITY SYSTEM COMPRISED OF 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", TO ESTABLISH PROCEDURES FOR THE ANNUAL ELECTION. Sponsor: Rep. Schroeder; Simpson;  
Community/County Affairs.

**HB 117** - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES. Sponsor: Rep. Spence; Marshall, Reps. DiPinto, Ewing, Oberle, Keeley, Price, Schroeder, Scott, Van Sant, Williams, Fallon, Carey, Buckworth, Lee, Thornburg, West, Viola; Sens. McDowell, Bunting, Cook, Henry, Connor, Still, Winslow; Judiciary.

**HB 123 w/HA 1** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO NOTICE OF WAIVER FOR MAXIMUM STUDENT-INSTRUCTOR RATIO REQUIREMENTS. Sponsor: Rep. Boulden; Schroeder; Executive.

\* \* \*

At 04:17 PM on motion of Senator Adams, the Senate recessed until April 10, 2001 at 02:00 PM.

The Senate reconvened at 02:47 PM on April 10, 2001 with Lt. Governor Carney presiding.

The following committee report was announced:

From Banking: **HB 130** - 3 Merits.

A communication from Senator Connor was read requesting her name be added as a co-sponsor of **SB 109**.

A communication from Representative Valihura was read requesting his name be removed as a co-sponsor of **SB 106**.

At 02:50 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 21st Legislative Day.

**21st LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
APRIL 10, 2001**

The Senate convened at 02:50 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Sharp followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams. No objections.

Senator Simpson marked present.

On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
4/10/01**

**SB 111** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO ATTORNEYS' FEES ALLOWED BY THE INDUSTRIAL ACCIDENT BOARD FOR SUCCESSFUL CLAIMANTS. Sponsor: Sen. Marshall; Lofink, Sens. Adams, Blevins, DeLuca, Henry, McBride, McDowell, Sharp, Vaughn, & Winslow, Reps. Oberle, Spence, Keeley, Mulrooney & Scott; Labor & Industrial Labor.

**SB 112** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SALE AND DISTRIBUTION OF TOBACCO PRODUCTS. Sponsor: Sen. Bunting; **Agriculture**.

**SB 113** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO HANDICAPPED PERSONS' PARKING AREAS. Sponsor: Sen. Venables; **Small Business**.

**SB 114** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ENDANGERING THE WELFARE OF CHILDREN. Sponsor: Sen. Blevins; Wagner; **Health & Social Services**.

**SB 115** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE CHILD DEATH REVIEW COMMISSION. Sponsor: Sen. Blevins; Maier, Sens. Amick, Marshall; Reps. Miro, Price; **Health & Social Services**.

**SB 116** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF SEX OFFENDERS. Sponsor: Sen. Sharp; Spence; **Judiciary**.

**SB 117** - AN ACT TO AMEND AN ACT BEING CHAPTER 504, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF HENLOPEN ACRES" TO CLARIFY QUALIFICATIONS OF VOTERS IN MUNICIPAL ELECTIONS. Sponsor: Sen. Bunting; Schroeder; **Community/County Affairs**.

**SB 118** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DISCLOSURE OF TAX INFORMATION. Sponsor: Sen. Marshall; Hudson; **Revenue & Taxation**.

**SB 119** - AN ACT TO AMEND CHAPTER 60, TITLE 7, OF THE DELAWARE CODE RELATING TO THE FORMULATION AND IMPLEMENTATION OF A SOURCE WATER PROTECTION PROGRAM. Sponsor: Sen. McBride; Quillen, Sen. Connor; Reps. Mulrooney & Price; **Natural Resources & Environmental Control**.

\* \* \*

**HB 60** was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

**HB 60** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO ELIGIBILITY TO RECEIVE A STATE HIGH SCHOOL DIPLOMA. Roll call vote on **HB 60** was taken and revealed:

YES: 20

ABSENT: Senator(s) Sharp - 1.

**HB 60** was declared passed the Senate and returned to the House.

Senator(s) Blevins, Marshall, McBride, McDowell and Venables marked present during the above roll call.

**SB 104** was brought before the Senate for consideration on the motion of Senator Bunting.

**SB 104** - AN ACT TO AMEND AN ACT BEING CHAPTER 138, VOLUME 68, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF DAGSBORO" TO INCREASE THE AMOUNT OF FUNDS THAT THE TOWN MAY BORROW ON ITS FULL FAITH AND CREDIT.

Roll call vote on **SB 104** was taken and revealed:

YES: 20

ABSENT: Senator(s) Sharp - 1.

**SB 104** was declared passed the Senate and sent to the House for Consideration.

**HB 130** was brought before the Senate for consideration on the motion of the floor manager, Senator Adams.

**HB 130** - AN ACT TO AMEND TITLE 5 AND TITLE 29 OF THE DELAWARE CODE RELATING TO BANKS AND OTHER FINANCIAL INSTITUTIONS.

Senator Adams requested the privilege of the floor for Robert Glen, State Banking Commissioner.

Senator Venables questioned the witness.

Senator Amick raised a point of order.

Senator McBride raised a point of order.

Senator McBride questioned the witness, after which the witness was excused.

Roll call vote on **HB 130** was taken and revealed:

YES: 21

**HB 130** was declared passed the Senate and returned to the House.

Senator Adams moved to recess for Party Caucus at 03:10 PM.

The Senate reconvened at 04:42 PM with Lt. Governor Carney presiding.

Additions to the agenda, committee and other legislative meetings were announced.

The Secretary announced the agenda for April 11, 2001.

On motion of Senator Adams, the Senate recessed at 04:44 PM until April 11, 2001 at 04:00 PM.

The Senate reconvened at 04:21 PM with Lt. Governor Carney presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 169; HB 152; HB 70; HB 140; HCR 5; HCR 8; HCR 9; HCR 10; SCR 7; SCR 8; SCR 10.**

The following committee reports were announced:

From Executive: **Peggy J. Baunchalk** - 1 Favorable, 5 Merits; **Stephanie Liguori** - 6 Merits; **G. Arthur Padmore** - 6 Merits; **Valerie Pepper** - 6 Merits; **Richard V. Pryor** - 6 Merits; **Jerome O. Herlihy** - 5 Merits.

From Judiciary: **SB 81** - 4 Merits; **SB 116** - 4 Merits; **HB 8** - 4 Merits; **HB 10** - 4 Merits; **HB 16** - 4 Merits.

From Agriculture: **SB 58** - 4 Merits.

From Children, Youth and their Families: **SB 109** - 4 Merits.

From Community/County Affairs: **SB 117** - 3 Merits; **HB 109** - 3 Merits.

From Education: **SB 106** - 3 Merits; **HB 124** - 3 Merits; **SB 101** - 2 Merits, 1 Unfavorable.

From Energy: **SB 98** - 4 Merits.

From Public Safety: **HB 61** - 3 Merits; **HB 58** - 3 Merits; **SB 130** - 3 Merits; **HB 87** - 3 Merits; **SB 127** - 3 Merits; **SB 110** - 1 Favorable, 2 Merits; **SB 128** - 1 Favorable, 2 Merits.

On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
4/11/01**

**April 10, 2001**

The following nomination(s) assigned to the **Executive** Committee:

Mr. Richard V. Pryor  
2102 North Van Buren Street  
Wilmington, DE 19802

To be reappointed  
Chairperson of the  
Delaware Solid Waste  
Authority to serve a term at  
the pleasure of the Governor.

Mrs. Peggy J. Baunchalk  
30 W. Essex Street  
Fenwick, Delaware 19944

To be reappointed as  
a member of the  
Wastewater Facilities  
Advisory Council to  
serve a term to expire three  
years from confirmation date.

Mr. G. Arthur Padmore  
1509 Athens Road  
Wilmington, Delaware 19803

To be appointed  
Public Advocate to  
serve a term at the pleasure of  
the Governor

**April 11, 2001**

**SA 1 to HB 101** - Sponsor: Sen. Amick; Placed with the bill.

**SB 110** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE  
RELATING TO GUN CHECKS FOR CONVICTED FELONS. Sponsor: Sen. Henry;

**Hudson, Sens. Blevins, Marshall, McDowell & Sokola; Reps. Keeley, Wagner & Williams; Public Safety.**

**SB 120** - AN ACT TO AMEND TITLES 10 AND 29 OF THE DELAWARE CODE RELATING TO ASSIGNMENTS AND PENSIONS OF RETIRED JUSTICES OF THE PEACE TO ACTIVE DUTY. Sponsor: Sen. Adams; Ewing, Sens. Bunting, Vaughn, Venables, Amick, Bonini & Winslow; Reps. Wagner, B. Ennis, DiLiberto, Gilligan, Keeley, Price & West; **Judiciary**.

**SB 121** - AN ACT TO AMEND TITLES 22 AND 26 OF THE DELAWARE CODE RELATING TO MUNICIPALLY- OWNED WATER UTILITIES. Sponsor: Sen. McBride; Winslow & Rep. Brady & Rep. Houghton; **Natural Resources & Environmental Control**.

**SB 122** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPUTY SECRETARY, DIVISION DIRECTORS, AND ACTING SECRETARY. Sponsor: Sen. Blevins; Maier, Sens. DeLuca, Henry, Marshall, McDowell & Amick; Reps. Buckworth, Carey, Fallon, Hudson, Lavelle, Lee, Lofink, Smith, Spence, Stone, Ulbrich, Wagner & Price; **Health & Social Services**.

**SB 123** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO FOOD FISHING LICENSES AND FOOD FISHING EQUIPMENT PERMITS. Sponsor: Sen. McBride; Quillen, Sens. Venables & Simpson; Reps. Carey, Mulrooney, Price & West; **Natural Resources & Environmental Control**.

**SB 124** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO OVERTAKING AND PASSING SCHOOL BUSES. Sponsor: Sen. Cook; Lavelle; **Public Safety**.

**SB 125** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SURPLUS LINES BROKERS. Sponsor: Sen. Cook; Hudson; **Insurance & Elections**.

**SB 126** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO COUNTY AND MUNICIPAL BUILDING, PLUMBING, ELECTRICAL AND OTHER CODES FOR ENERGY CONSERVATION. Sponsor: Sen. McDowell; D. Ennis; **Community/County Affairs**.

**SB 127** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CHILD RESTRAINT IN MOTOR VEHICLES. Sponsor: Sen. Henry; Ewing; **Public Safety**.

**SB 128** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LEAVING THE SCENE OF A FATAL ACCIDENT. Sponsor: Sen. Sokola; Valihura; **Public Safety**.

**SB 129** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE MALICIOUS OBSTRUCTION OF EMERGENCY TELEPHONE CALLS. Sponsor: Sen. Sokola; Wagner; **Administrative Services**.

**SB 130** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CHILD RESTRAINT IN MOTOR VEHICLES. Sponsor: Sen. Henry; Lavelle; **Public Safety**.

**SB 132** - AN ACT TO AMEND CHAPTER 26 OF TITLE 24 OF THE DELAWARE CODE RELATING TO PHYSICAL THERAPY AND ATHLETIC TRAINING. Sponsor: Sen. DeLuca; Ulbrich, Sens. Bunting, Sokola, Simpson, Still; Reps. Hudson, Valihura, DiLiberto & Keeley; **Sunset**.

**SB 133** - AN ACT TO ESTABLISH A PUBLIC EDUCATION SCHOOL LIBRARY FUND. Sponsor: Sen. Cook; DiPinto, Sens. Vaughn, Sokola, Blevins, Henry, McBride, Cloutier, Winslow, Venables, Bonini, Connor, Reps. Roy, Reynolds, Buckworth, D. Ennis, Fallon, Brady, Houghton, Carey, Lofink, Oberle, Schroeder, Williams; **Finance**.

**SJR 5** - DIRECTING THE PUBLIC SERVICE COMMISSION TO REVIEW AND ANALYZE THE STATE'S AVAILABLE ENERGY SUPPLY AND POTENTIAL ENERGY NEEDS AND TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY IDENTIFYING SYSTEMIC CHANGES THAT MAY BE NECESSARY AND SUGGESTING LEGISLATIVE ACTION THAT CAN ADDRESS THOSE CHANGES. Sponsor: Sen. Venables; Sens. Bunting, Bonini, Marshall, Simpson, Sokola, Vaughn, Winslow; Reps. Keeley, Price, West; **Executive**.

**HB 70** - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO THE PREPARATION OF TRANSCRIPTS AND THE AWARDED OF COSTS ON APPEALS FROM THE BOARD OF ADJUSTMENT TO THE SUPERIOR COURT. Sponsor: Rep. B. Ennis; Vaughn, Reps. Brady, D. Ennis, Houghton, Keeley, Price, Quillen, Scott, Van Sant, Viola, West; **Finance**.

**HB 140** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO APPROPRIATIONS. Sponsor: Rep. Quillen; Agriculture.

**HB 152** - AN ACT TO AMEND TITLES 10, 11, 14, 16, 24, 29, AND 31 OF THE DELAWARE CODE RELATING TO THE NAME OF THE DIVISION OF ALCOHOLISM, DRUG ABUSE, AND MENTAL HEALTH. Sponsor: Rep. Maier; Blevins, Reps. Brady, Buckworth, Carey, Caulk, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Houghton, Hudson, Keeley, Lee, Miro, Mulrooney, Plant, Price, Quillen, Schroeder, Spence, Stone, Thornburg, Van Sant, Viola, Wagner, West, Williams, Sens. Cloutier, Connor, Henry, Simpson, Sokola, Sorenson, Still, Winslow; Health & Social Services.

**HB 169** - AN ACT TO AMEND CHAPTER 42, VOLUME 53, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT AMENDING, REVISING AND CONSOLIDATING THE CHARTER OF THE CITY OF SEAFORD RELATING TO ELECTRIC CURRENT". Sponsor: Rep. Fallon; Venables; Community/County Affairs.

The following nomination(s) assigned to the Executive Committee:

Mr. Jerome O. Herlihy  
2301 West 11th Street  
Wilmington, Delaware 19805

To be reappointed  
as Associate Judge of the  
Superior Court for a twelve-  
year term to begin from date  
of swearing in.

\* \* \*

At 04:31 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 22nd Legislative Day.

**22nd LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
APRIL 11, 2001**

The Senate convened at 04:29 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Simpson followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams.  
No objections.

**SB 105** was brought before the Senate for consideration on the motion of Senator DeLuca.

**SB 105** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PLANNING COORDINATION.

**SA 1 to SB 105** was introduced and brought before the Senate for consideration on the motion of Senator DeLuca.

Roll call vote on **SA 1 to SB 105** was taken and revealed:

YES: 21

**SA 1 to SB 105** was declared part of the bill.

**SB 105 w/SA 1** was now before the Senate.

Senator Sharp questioned the sponsor.

Senator DeLuca requested the privilege of the floor for Lee Ann Walling, representing the Governor's office.

Senators McDowell and Simpson questioned the witness, after which the witness was excused.

Senator Bunting commented.

Roll call vote on **SB 105 w/SA 1** was taken and revealed:

YES: 21

**SB 105 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

**SCR 11** was introduced and brought before the Senate for consideration on the motion of Senator Sokola.

**SCR 11** - RECOGNIZING DELAWARE TECHNICAL & COMMUNITY COLLEGE IN CELEBRATING NATIONAL COMMUNITY COLLEGE MONTH.  
Sponsor: Sen. Sokola; On behalf of all Senators, Rep. Reynolds, On behalf of all Representatives.

Roll call vote on **SCR 11** was taken and revealed:

YES: 21

**SCR 11** was declared Adopted by the Senate and sent to the House for Consideration. Additions to the agenda, committee and other legislative meetings were announced. The Secretary announced the agenda for April 12, 2001.

On motion of Senator Adams, the Senate recessed at 04:51 PM until April 12, 2001 at 02:00 PM.

The Senate reconvened at 02:20 PM with Lt. Governor Carney presiding.

**LEGISLATIVE ADVISORY #9**, from the Office of Counsel to the Governor was announced for the record, partially read and copies made available to the members upon request.

**LEGISLATIVE ADVISORY #9**, dated April 11, 2001, the Governor signed the following legislation on the date indicated:

**HB #9** (3/31/01) - AN ACT TO DIRECTING THE DEPARTMENT OF EDUCATION TO DEVELOP, IMPLEMENT, AND ENHANCE PROGRAMS FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY. (Sponsors: Rep. Price; Reps. Keeley, Miro, Schroeder; Sens. Bunting, Sokola) (Volume 73, Chapter 17, Laws of Delaware.)

**HB #17** (4/10/01) - AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO SUBSTITUTE TEACHERS. (Sponsors: Rep. Wagner & Sen. Sokola; Reps. Smith, Lee, Buckworth, Carey, Cathcart, DiPinto, D. Ennis, Ewing, Fallon, Hudson, Maier, Miro, Quillen, Stone, Ulbrich, Valihura, Van Sant, Brady, B. Ennis, Schroeder, Viola; Sen. Blevins) (Volume 73, Chapter 18, Laws of Delaware.)

**HB #54 aab HA 1** (4/10/01) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE CODE OF CONDUCT AND ELECTED AND APPOINTED SCHOOL BOARD MEMBERS. (Sponsors: Rep. Miro & Sen. Sokola & Rep. Smith & Sen. Still) (Volume 73, Chapter 19, Laws of Delaware.)

**SB #15** (4/10/01) - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LICENSURE AND CERTIFICATION OF TRADE AND INDUSTRIAL TEACHERS. (Sponsors: Sen. Sharp & Rep. Spence; Sens. Marshall, Adams, Blevins, Bunting, DeLuca, Henry, Sokola, Vaughn, Venables, Bonini, Cloutier, Simpson, Sorenson, Still, Winslow; Reps. D. Ennis, Hudson, Lee, Maier, Oberle, Smith, Thornburg, Valihura) (Volume 73, Chapter 20, Laws of Delaware.)

**SB #31** (4/10/01) - AN ACT TO AMEND AN ACT BEING CHAPTER 504, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF HENLOPEN ACRES" TO PROVIDE THAT NEWLY ELECTED COMMISSIONERS MAY BEGIN ACTION AT THE ORGANIZATION MEETING AND THAT COMMISSIONERS ARE NO LONGER HEADS OF DEPARTMENTS, TO CLEARLY AUTHORIZE THE ELCTION BOARD TO BE THE SOLE AND FINAL JUDGE AS TO THE CONDUCT OF THE ELECTION, THE LEGALITY OF VOTERS OFFERED AND THE ELECTION RESULTS, AND TO PROVIDE FOR ABSENTEE BALLOTING IN MUNICIPAL ELECTIONS. (Sponsors: Sen. Bunting & Rep. Schroeder) (Volume 73, Chapter 21, Laws of Delaware.)

**SB #77** (4/10/01) - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO THE CORPERATION LAW FOR STATE BANKS. (Sponsors: Sen. Adams & Rep. Stone; Sens. Sokola & Sorenson; Reps. Carey, D. Ennis, Fallon, Hudson, Valihura, Gilligan, Houghton) (Volume 73, Chapter 22, Laws of Delaware.)

The following committee reports were announced:

From Sunset: **SB 132** - 4 Merits.

From Health and Social Services: **HB 43** - 3 Merits; **SB 114** - 4 Merits.

From Labor: **SB 111** - 3 Merits; **HB 62** - 3 Merits; **HB 27** - 3 Merits.

At 02:25 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 23rd Legislative Day.

**23rd LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
APRIL 12, 2001**

The Senate convened at 02:25 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Adams followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 20.

**ABSENT:** Senator(s) Henry - 1.

The journal of the previous day was approved as read on motion of Senator Adams.

No objections.

On motion of Senator Adams and without objection, the following nominations from the Governor were considered.

**Bauchalk, Peggy:** 19 Senator(s) voting YES, 2 (Bonini, Henry) ABSENT.

Appointment was declared CONFIRMED.

Senators Amick and Venables were marked present during the above roll call.

**Herlihy, Jerome:** 19 Senator(s) voting YES, 2 (Bonini, Henry) ABSENT.

Appointment was declared CONFIRMED.

**Pryor, Richard:** 19 Senator(s) voting YES, 2 (Bonini, Henry) ABSENT.

Appointment was declared CONFIRMED.

**Liguori, Stephanie:** 19 Senator(s) voting YES, 2 (Bonini, Henry) ABSENT.

Appointment was declared CONFIRMED.

**Pepper, Valarie:** 19 Senator(s) voting YES, 2 (Bonini, Henry) ABSENT.

Appointment was declared CONFIRMED.

Senator Sharp commented.

**Padmore, G. Arthur:** 11 Senator(s) voting YES, 3 (DeLuca, Sharp, Venables) NO, 5 (Amick, Blevins, Connor, Still, Winslow) NOT VOTING, 2 (Bonini, Henry) ABSENT.

Appointment was declared CONFIRMED.  
**SB 109** was brought before the Senate for consideration on the motion of Senator McDowell.

**SB 109** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CHILD SEX ABUSE INFORMATION REPOSITORY.

**SA 1 to SB 109** was brought before the Senate for consideration on the motion of Senator McDowell.

Roll call vote on **SA 1 to SB 109** was taken and revealed:

YES: 18

ABSENT: Senator(s) Bonini, Henry, Sharp - 3.

**SA 1 to SB 109** was declared part of the bill.

**SB 109 w/SA 1** was now before the Senate.

Senator Simpson questioned the sponsor.

Senator McDowell requested the privilege of the floor for Janet Carter and Trish Hearn, representing Department of Service for Children, Youth and their Families.

Several Senators questioned the witnesses, after which the witnesses were excused.

Senator McDowell moved to lay **SB 109 w/SA 1** on the Table. No objections.

**SB 58** was brought before the Senate for consideration on the motion of Senator Bunting.

**SB 58** - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO LICENSING OF DEALERS IN AGRICULTURAL PRODUCTS.

Senator Bunting requested the privilege of the floor for Jack Tarburton, representing Delaware Department of Agriculture.

The witness was excused after addressing the Senate.

Senator Simpson commented.

Roll call vote on **SB 58** was taken and revealed:

YES: 19

ABSENT: Senator(s) Bonini, Henry - 2.

**SB 58** was declared passed the Senate and sent to the House for Consideration.

**SB 106** was brought before the Senate for consideration on the motion of Senator Sokola.

**SB 106 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT ACCOUNTABILITY AND STUDENT ASSESSMENT.**

Senator Venables commented.

**SA 1 to SB 106** was brought before the Senate for consideration on the motion of Senator Amick.

Senators Sharp and McDowell commented.

Roll call vote on **SA 1 to SB 106** was taken and revealed:

YES: 16

NOT VOTING: Senator(s) Blevins, DeLuca, McBride - 3.

ABSENT: Senator(s) Bonini, Henry - 2.

**SA 1 to SB 106** was declared part of the bill.

**SB 106 w/SA 1** was now before the Senate.

Roll call vote on **SB 106 w/SA 1** was taken and revealed:

YES: 19

ABSENT: Senator(s) Bonini, Henry - 2.

**SB 106 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

**HB 109** was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

**HB 109 - AN ACT TO AMEND AN ACT, BEING 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 A UTILITY SYSTEM COMPRISED OF 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", TO ESTABLISH PROCEDURES FOR THE ANNUAL ELECTION.**

Roll call vote on **HB 109** was taken and revealed:

YES: 19

ABSENT: Senator(s) Bonini, Henry - 2.

**HB 109** was declared passed the Senate and returned to the House.

**SENATE CONSENT CALENDAR #2** was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

**SCR 9 - RECOGNIZING THOMAS P. EICHLER FOR HIS SERVICE TO THE STATE OF DELAWARE.** Sponsor: Sen. Sorenson & Rep. Maier.

**HCR 5 - URGING THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT HOUSE BILL NO. 527 AND SENATE BILL NO. 527 TO EXEMPT STATE AND LOCAL POLITICAL ORGANIZATIONS FROM DUPLICATIVE FEDERAL NOTIFICATION AND REPORTING REQUIREMENTS MANDATED BY PUBLIC LAW 106-230.** Sponsor: Rep. Hudson; On behalf of all Representatives.

**HCR 8 - DECLARING APRIL ORGAN AND TISSUE DONOR AWARENESS MONTH.** Sponsor: Rep. Buckworth & Sen. McBride.

**HCR 9 - PROCLAIMING THE MONTH OF MAY 2001 AS "MOTORCYCLE AWARENESS MONTH" AND REQUESTING THE GOVERNOR TO ISSUE A PROCLAMATION DECLARING SAME.** Sponsor: Rep. B. Ennis; Reps. Brady, D. Ennis, Houghton, Price, Spence; Sen. Vaughn.

**HCR 5** was removed from the **Senate Consent Calendar** at the request of Senator Sharp and laid on the Table. No objection.

A roll call vote was taken on **SENATE CONSENT CALENDAR #2** and revealed 19 Senators voting YES, 2 (Bonini, Henry) ABSENT; therefore, the **Senate Consent Calendar** was declared Adopted by the Senate. The Senate Concurrent Resolution was sent to the House for Consideration and the House Concurrent Resolutions were returned to the House.

**HCR 5** was Lifted from the Table and brought before the Senate for consideration on motion of the floor manager, Senator McBride.

Roll call vote on **HCR 5** was taken and revealed:

YES: 18

NOT VOTING: Senator(s) McDowell - 1.

ABSENT: Senator(s) Bonini, Henry - 2.

**HCR 5** was declared Adopted by the Senate and was returned to the House.

Additions to the agenda, committee and other legislative meetings were announced.



The Secretary announced the agenda for May 01, 2001.

On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
4/12/01**

**April 11, 2001**

**SB 136** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE INCREASE AND ALLOCATION OF BENEFITS FOR ACTIVE AND RETIRED STATE EMPLOYEES. Sponsor: Sen. Cook; Oberle, Sens. DeLuca, Vaughn, Adams, Blevins, Bunting, Henry, Marshall, McBride, McDowell, Sokola, Venables, Amick, Bonini, Cloutier, Connor, Simpson, Sorenson, Still, & Winslow, Reps. DiPinto, Spence, Smith, Buckworth, Carey, D. Ennis, Ewing, Fallon, Hudson, Lee, Maier, Quillen, Roy, Stone, Thornburg, Ulbrich, Wagner, Keeley, Houghton, Price; **Finance**.

**April 12, 2001**

**SA 1 to SB 100** - Sponsor: Sen. Winslow; Placed with the bill.

**SA 1 to SB 110** - Sponsor: Sen. Winslow; Placed with the bill.

**SA 1 to SB 63** - Sponsor: Sen. Winslow; Placed with the bill.

**SA 2 to SB 100** - Sponsor: Sen. Winslow; Placed with the bill.

**SA 3 to SB 100** - Sponsor: Sen. Winslow; Placed with the bill.

**SA 1 to SB 106** - Sponsor: Sen. Amick; Placed with the bill.

**SA 1 to SB 49** - Sponsor: Sen. DeLuca; Placed with the bill.

**SB 131** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE WITH RESPECT TO AGREEMENTS ALLOWING BIOLOGICAL PARENTS TO VISIT WITH CHILDREN FOLLOWING ADOPTIONS. Sponsor: Sen. Blevins; Maier, Sens. Henry, McDowell & Cloutier; Reps. Hudson, Roy & Brady; **Health & Social Services**.

**SB 134** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO BURGLARY IN THE 1ST DEGREE. Sponsor: Sen. Bonini; Sens. Henry, McDowell, Simpson; Reps. Buckworth, Carey, DiPinto, B. Ennis, D. Ennis, Fallon, Lee, Oberle, Price, Spence, Viola; **Public Safety**.

**SB 137** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL STATUTES IN WHICH THE VICTIM IS AN ELDERLY PERSON OR THE AGE OR STATUS OF THE VICTIM IS AN ELEMENT OF AN OFFENSE OR A SENTENCING ENHANCER. Sponsor: Sen. Marshall; Cathcart; **Health & Social Services**.

**SB 138** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES. Sponsor: Sen. Blevins; Wagner, Sens. Bonini, Henry, Simpson, Sokola, Sorenson; Reps. Brady, Keeley, Price, Ulbrich; **Health & Social Services**.

**SB 139** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS. Sponsor: Sen. Venables; **Education**.

**HCR 10** - TO ESTABLISH A STUDY COMMITTEE TO INVESTIGATE THE FEASIBILITY OF CONVERTING OLD RAILROAD RIGHT OF WAYS INTO PEDESTRIAN/BICYCLE PATHS. Sponsor: Rep. Smith; Sokola, Rep. Roy; **Highways & Transportation**.

\* \* \*

On motion of Senator Adams, the Senate recessed at 03:44 PM until May 01, 2001 at 02:30 PM or to the Call of the President Pro Tempore.

The Senate reconvened at 02:56 PM on May 01, 2001 with Lt. Governor Carney presiding.

A communication from the Governor, Ruth Ann Minner to the Lt. Governor, John C. Carney as President of the Senate, dated April 12, 2001 and received in the Lt. Governor's office on April 16, 2001, referencing the nomination of **Jan R. Jurden**, Associate Judge of the Superior Court was read in the record.

A communication from the Governor, Ruth Ann Minner to the Lt. Governor, John C. Carney as President of the Senate, dated April 12, 2001, referencing HB 88 aab HA 1 was read in the record.

A communication from Senator John C. Still, III to Bernard J. Brady, Secretary of the Senate was read in for the purpose of the Senate record adding Representatives Quillen, Carey and Caulk as co-sponsors of SB 36.

A communication from Senator Liane M. Sorenson to Bernard J. Brady, Secretary of the Senate was read in the record requesting her name be added as a co-sponsor of SB 133.

Senator Bonini was marked present.

At 03:05 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 24th Legislative Day.

**24th LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
MAY 01, 2001**

The Senate convened at 03:05 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Winslow followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams. No objections.

The Secretary announced a message from the House informing the Senate that it had passed HJR 5; SB 30; SB 75; SB 76; SCR 11; HB 134; HB 159 w/HA 1; HJR 4; SB 97.

Senator Winslow requested the privilege of the floor to have a tribute honoring Retired Delaware National Guard Officers read for the record. He then requested members of the group approach the podium during the reading after which a copy was presented to each.

HB 43 w/HA 1 was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

HB 43 w/HA 1 - AN ACT TO AMEND TITLES 15, 21 AND 25 OF THE DELAWARE CODE RELATING TO REFERENCES TO PEOPLE WITH MENTAL ILLNESS.

Roll call vote on HB 43 w/HA 1 was taken and revealed:

YES: 20

ABSENT: Senator(s) Winslow - 1.

HB 43 w/HA 1 was declared passed the Senate and returned to the House.

Senator Adams moved to recess for Party Caucus at 03:14 PM.

The Senate reconvened at 04:43 PM with Senator Sharp presiding.

On motion of Senator Adams, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
05/01/01**

**April 12, 2001**

SB 99 - AN ACT TO AMEND TITLE 16, DELAWARE CODE RELATING TO THE CLEAN INDOOR AIR ACT. Sponsor: Sen. McBride; Blevins, Reps. Hudson & Valihura; Sens. Bunting, Henry, Sokola, Cloutier, Sorenson & Winslow; Reps. Smith, Buckworth & Maier; Natural Resources & Environmental Control.

**May 01, 2001**

**SA 2 to SB 60** - Sponsor: Sen. Vaughn; Placed with the Bill.

**SB 140** - AN ACT TO AMEND CHAPTER 128, VOLUME 33, LAWS OF DELAWARE AS AMENDED, ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF MIDDLETOWN", TO ELIMINATE PROVISIONS REQUIRING VOTES TO BE WEIGHTED ON THE BASIS OF PROPERTY TAX PAYMENTS IN SPECIAL ELECTIONS APPROVING BORROWINGS, TO ALLOW THE TOWN TO INCUR INDEBTEDNESS IN ANTICIPATION OF TAX COLLECTIONS AND OTHER REVENUES, TO INCREASE THE DEBT LIMIT, AND TO CLARIFY CERTAIN PROVISIONS REGARDING REFINANCING OF INDEBTEDNESS BY THE TOWN. Sponsor: Sen. Vaughn; Cathcart; **Judiciary**.

**SB 141** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS AND CREATING THE DELAWARE UNIFORM ATHLETE AGENTS ACT. Sponsor: Sen. Sokola; Wagner, Sen. DeLuca & Rep. Reynolds; **Executive**.

**SB 142** - AN ACT TO AMEND CHAPTER 25, TITLE 29 OF THE DELAWARE CODE RELATING TO SUBPOENAS. Sponsor: Sen. Sokola; Miro; **Public Safety**.

**HB 134** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO HEARINGS IN UNCONTESTED DIVORCES. Sponsor: Rep. Wagner; Hudson, Rep. Keeley & Sen. Henry & Sen. Bonini & Sen. Winslow; Reps. Quillen, Van Sant; Sen. Vaughn; **Judiciary**.

**HB 159 w/HA 1** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PROCEEDINGS IN THE FAMILY COURT OF THE STATE OF DELAWARE. Sponsor: Rep. Wagner; Henry, Reps. Spence, Buckworth, Carey, D. Ennis, Ewing, Fallon, Quillen, Ulbrich, B. Ennis, Keeley, Price, West; **Children; Youth & Families**.

**HJR 4** - COMMENDING THE FAMILY COURT OF THE STATE OF DELAWARE FOR PROMULGATING THE FAMILY COURT PERFORMANCE STANDARDS AND MEASURES, AND FOR CONTINUING EFFORTS TO IMPROVE THE PERFORMANCE OF THE COURT. Sponsor: Rep. Wagner; Henry, Reps. Lee, Buckworth, Carey, D. Ennis, Ewing, Fallon, Hudson, Lavelle, Maier, Quillen, Stone, Valihura, DiLiberto, Houghton, Keeley; **Judiciary**.

**HJR 5** - RECOGNIZING APRIL AS CHILD ABUSE PREVENTION MONTH IN DELAWARE. Sponsor: Rep. Maier; Blevins, On behalf of all Representatives, On behalf of all Senators; **Health & Social Services**.

The following nomination(s) assigned to the **Executive** Committee:

Mr. William Torbert  
427 E. Brady Lane  
Dover, Delaware 19901

To be appointed  
a member of the Delaware  
Alcohol Beverage Control  
Appeals Commission with a  
term to serve at the Pleasure  
of the Governor.

Mr. Stanley Tocker  
4656 Norwood Drive  
Wilmington, Delaware 19803

To be appointed  
as a member of the  
Environmental Appeals  
Board to serve a term that  
expires on June 25, 2003.

Mr. Michael Scuse  
887 Hawkey Branch Road  
Smyrna, Delaware 19977

To be appointed  
as Secretary of  
Agriculture to serve a term at  
the Pleasure of the Governor.

Mrs. MaryJane Willis  
677 Lake Drive West  
Smyrna, Delaware 19977

To be reappointed  
a member of the Public  
Integrity Commission with a  
term to expire on April 2,  
2004.

**Mr. Ronald McCabe**  
**30 Sulvan Vue Drive**  
**Dagsboro, Delaware 19939**

To be reappointed  
a member of the Delaware  
Solid Waste Authority with a  
term to expire three years  
from date of Senate  
Confirmation.

**Mrs. Jan R. Jurden**  
**554 Diamond Drive**  
**Middletown, Delaware 19709**

To be appointed  
Associate Judge of the  
Superior Court for a twelve-  
year term to begin from date  
of swearing in.

**Ms. Verna Hensley**  
**203 E. Dickerson Lane**  
**Middletown, Delaware 19709**

To be appointed  
as a member of the Delaware  
River and Bay Authority to  
serve a term that expires July  
1, 2004.

\* \* \*

**SCR 12** was introduced and brought before the Senate for consideration on the motion of Senator Sokola.

**SCR 12** - COMMENDING THE STUDENTS SELECTED AS SECRETARY OF EDUCATION SCHOLARS OF 2001. Sponsor: Sen. Sokola & Rep. Reynolds.

Lt. Governor Carey presiding at 04:44 PM.

Roll call vote on **SCR 12** was taken and revealed:

YES: 18

ABSENT: Senator(s) Blevins, Bonini, Venables - 3.

**SCR 12** was declared Adopted by the Senate and sent to the House for Consideration. Additions to the agenda, committee and other legislative meetings were announced.

The Secretary announced the agenda for May 02, 2001.

At 04:51 PM on motion of Senator Adams, the Senate recessed until May 02, 2001 at 04:00 PM.

The Senate reconvened at 03:58 PM on May 02, 2001 with Senator Sharp presiding.

The following committee reports were announced:

From Executive: **Mary Jane Willis** - 5 Merits; **William Torbert** - 4 Favorable, 1 Merits; **Stanley Tocker** - 5 Merits; **Michael Seuse** - 3 Favorable, 3 Merits; **Jan R. Jurden** - 6 Favorable.

From Health and Social Services: **HJR 5** - 3 Merits.

From Finance: **HB 70** - 4 Merits; **SB 133** - 4 Merits.

From Sunset: **SB 143** - 2 Favorable, 2 Merits.

Lt. Governor Carney presiding at 04:01 PM.

The Secretary announced a message from the House informing the Senate that it had passed **HB 171**; **HB 154 w/HA 2**; **HB 108**; **SCR 5 w/HA 1**; **HB 133 w/HA 1**.

A communication from Senator John C. Still to Bernard J. Brady, the Secretary of the Senate was read for the purpose of the Senate record requesting Representative Bruce C. Reynolds be added as co-sponsor of **SB 36**.

A communication from Representative John J. Viola to Senator Nancy W. Cook was read for the purpose of the Senate record requesting his name be added as co-sponsor of **SB 136**.

At 04:07 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 25th Legislative Day.

**25th LEGISLATIVE DAY**  
**141st GENERAL ASSEMBLY**  
**FRIST SESSION**  
**MAY 02, 2001**

The Senate convened at 04:07 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Venables followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams.  
No objections.

On motion of Senator Adams and without objection, the following nominations from the Governor was considered:

**Scuse, Michael:** 18 Senator(s) voting YES, 1 (Bonini) NOT VOTING, 2 (Bunting, Henry) ABSENT. Appointment was declared CONFIRMED.

**Jurden, Jan:** 19 Senator(s) voting YES, 2 (Bunting, Henry) ABSENT. Appointment was declared CONFIRMED.

**HJR 5** was brought before the Senate for consideration on the motion of the floor manager, Senator Blevins.

**HJR 5** - RECOGNIZING APRIL AS CHILD ABUSE PREVENTION MONTH IN DELAWARE.

Roll call vote on **HJR 5** was taken and revealed:

YES: 19

ABSENT: Senator(s) Bunting, Henry - 2.

**HJR 5** was declared passed the Senate and returned to the House.

**HB 64** was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

**HB 64** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY GOVERNMENTS GENERALLY.

Roll call vote on **HB 64** was taken and revealed:

YES: 19

ABSENT: Senator(s) Bunting, Henry - 2.

**HB 64** was declared passed the Senate and returned to the House.

**SB 154** was introduced and brought before the Senate for consideration under the suspension of the necessary rules, on the motion of Senator Sokola.

**SB 154** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LEAVING THE SCENE OF AN ACCIDENT. Sponsor: Sen. Sokola & Rep. Valihura.

Senator Bonini questioned the sponsor.

Senator Sokola requested the privilege of the floor for Steven Wood, representing the Attorney General's office.

Several Senators questioned the witness, after which the witness was excused.

Roll call vote on **SB 154** was taken and revealed:

YES: 17

NO: Senator(s) McDowell, Venables - 2.

ABSENT: Senator(s) Henry, McBride - 2.

**SB 154** was declared passed the Senate and sent to the House for Consideration.

Senator Bunting marked present during the above roll call.

Additions to the agenda, committee and other legislative meetings were announced.

The Secretary announced the agenda for May 03, 2001.

On motion of Senator Adams, the Senate recessed at 05:03 PM until May 03, 2001 at 02:00 PM.

The Senate reconvened at 02:34 PM on May 03, 2001 with Lt. Governor Carney presiding.

Senator Henry marked present.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 12; SCR 9; SCR 12**.

**SCR 13** was introduced and brought before the Senate for consideration on motion of Senator Sharp.

**SCR 13** - 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.

Sponsor: Sen. Sharp; Sens. Adams, Marshall, Amick, Sorenson, On behalf of all Senators, Reps. Spence, Smith, Lee, Gilligan, Van Sant, On behalf of all Representatives.

Senator Sharp requested the privilege of the floor for students of various schools representing Delaware Career and Technical Student Organizations.

After brief presentations geraniums were distributed to each member.

Roll call vote on **SCR 13** was taken and revealed:

YES: 21

**SCR 13** was declared passed the Senate and sent to the House for Consideration.

The following committee reports were announced:

From Health and Social Services: **SB 122** - 3 Merits.

From Natural Resources & Environmental Control: **SB 123** - 3 Merits.

A communication from Senator DeLuca to Bernard J. Brady, Secretary of the Senate, was read requesting the addition of Senator Cloutier and Representative Viola as co-sponsors of **SB 143**.

Senator Sharp requested the privilege of the floor for Dr. Jih-Chu Lee, representing the Dept. of Economics, National Chai Univ. Eisenhower Fellowship Foundation.

The witness was excused after addressing the Senate.

At 03:00 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 26th Legislative Day.

**26th LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
MAY 03, 2001**

The Senate convened at 03:00 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Bunting followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams.  
No objections.

Senator McBride was marked present.

On motion of Senator Adams and without objection, the following nomination were considered:

**William Torbert:** 20 Senator(s) voting YES, 1 (McDowell) ABSENT.

Appointment was declared CONFIRMED.

**MaryJane Willis:** 21 Senator(s) voting YES. Appointment was declared CONFIRMED.

Senator McDowell was marked present during the above roll call.

**Stanley Tocker:** 21 Senator(s) voting YES Appointment was declared CONFIRMED.

**SCR 5 w/HA 1**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on the motion of Senator Still.

**SCR 5 w/HA 1** - ESTABLISHING A TASK FORCE WITH THE RESPONSIBILITY OF REVIEWING THE CURRENT PRE-AUTHORIZATION FORMS AND PROCEDURES USED BY INSURANCE COMPANIES AND RECOMMENDING TO THE GENERAL ASSEMBLY UNIFORM PRE-AUTHORIZATION FORMS AND PROCEDURES.

Roll call vote on **SCR 5 w/HA 1** was taken and revealed:

YES: 21

**SCR 5 w/HA 1** was declared passed the Senate as amended.

**SB 41** was brought before the Senate for consideration on the motion of Senator Marshall.

**SB 41** - AN ACT TO AMEND TITLES 6 AND 26 OF THE DELAWARE CODE RELATING TO TELEMARKETING REGISTRATION AND FRAUD PREVENTION.

**SA 1 to SB 41** was brought before the Senate for consideration on the motion of Senator Marshall.

Senator Marshall requested the privilege of the floor for Jeffrey Clark, Senate Attorney.

Senators Simpson and Amick questioned the witness, after which the witness was excused.

Senator Venables commented.

Roll call vote on **SA 1 to SB 41** was taken and revealed:

YES: 14

NO: Senator(s) Bonini, Cloutier, Simpson, Sorenson, Still, Vaughn, Winslow - 7.

**SA 1 to SB 41** was declared part of the bill.

**SA 2 to SB 41** was brought before the Senate for consideration on the motion of Senator Marshall.

Several Senators questioned the sponsor, after which Senator Marshall requested the privilege of the floor for Jeffrey Clark, Senate Attorney.

The witness was excused after addressing the Senate.

Senator Marshall requested the privilege of the floor for Steven Wood, representing the Attorney General's office.

Senator Amick questioned the witness, after which the witness was excused.

Senator Marshall once again requested the privilege of the floor for Jeffrey Clark, Senate Attorney.

Senator Venables questioned the witness, after which the witness was excused.

Senator Bonini raised a point of order.

Senator Amick requested the privilege of the floor for Toni Bellissimo, representing Household International.

Senators Sharp and Sokola questioned the witness, after which the witness was excused.

Senator Marshall requested the privilege of the floor for Jeffrey Clark, Senate Attorney.

The witness was excused after addressing the Senate.

Roll call vote on **SA 2 to SB 41** was taken and revealed:

YES: 9

NO: Senator(s) Adams, Amick, Bonini, Cloutier, Connor, Cook, Simpson, Sorenson, Vaughn, Venables, Winslow - 11.

NOT VOTING: Senator(s) DeLuca - 1.

**SA 2 to SB 41** was Defeated.

Senator Marshall moved to lay **SB 41 w/SA 1** on the Table. No objection.

**SB 143** was brought before the Senate for consideration on the motion of Senator DeLuca.

**SB 143** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY.

Several Senators commented.

Senator Vaughn requested the privilege of the floor for Edward Kafader, Senate Attorney.

The witness was excused after addressing the Senate.

Senator Connor commented.

Roll call vote on **SB 143** was taken and revealed:

YES: 19

NOT VOTING: Senator(s) McDowell, Vaughn - 2.

**SB 143** was declared passed the Senate and sent to the House for Consideration.

Additions to the agenda, committee and other legislative meetings were announced.

**SENATE CONSENT CALENDAR #3** was introduced and considered for adoption on motion of Senator McBride. The calendar included the following Resolutions:

**SCR 14** - RECOGNIZING THE VITAL ROLE THAT CERTIFIED NURSING ASSISTANTS PLAY IN PROVIDING HEALTH CARE SERVICES, AND ENCOURAGING EMPLOYERS TO RECRUIT, RETAIN AND REWARD CERTIFIED NURSING ASSISTANTS FOR THEIR QUALITY CARE. Sponsor: Sen. Marshall & Rep. Maier; Sens. Blevins, McDowell & Connor; Reps. Lofink, Spence & Scott.

**HCRR 14** - COMMENDING THE RECIPIENTS AND NOMINEES OF THE 2001 DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE. Sponsor: Rep. Caulk & Sen. Bunting.

A roll call vote was taken on **SENATE CONSENT CALENDAR #3** and revealed 20 Senators voting YES, 1 (Marshall) ABSENT; therefore, the **Senate Consent Calendar** was declared Adopted by the Senate. The Senate Concurrent Resolution was sent to the House for Consideration and the House Concurrent Resolution was returned to the House.

The Secretary announced the agenda for May 08, 2001.

On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
05/03/01**

**May 01, 2001**

**SA 1 to SB 102** - Sponsor: Sen. McBride; Placed with the bill.

**SS 1 to SB 136** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE INCREASE AND ALLOCATION OF BENEFITS FOR ACTIVE AND RETIRED STATE EMPLOYEES. Sponsor: Sen. Cook; Oberle, Sens. DeLuca, Vaughn, Adams, Blevins, Bunting, Henry, Marshall, McBride, McDowell, Sokola, Venables, Amick, Bonini, Cloutier, Connor, Simpson, Sorenson, Still, Winslow, Reps. DiPinto, Spence, Buckworth, Carey, D. Ennis, Ewing, Fallon, Hudson, Lee, Maier, Quillen, Roy, Stone, Thornburg, Ulbrich, Wagner, Houghton, Keeley, Price, Viola; **Finance**.

**SB 135** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO RESIDENTIAL HEALTH FACILITIES AND CERTIFIED NURSING ASSISTANT TRAINING. Sponsor: Sen. Marshall; DiPinto, Sen. Blevins & Rep. Maier; **Health & Social Services**.

**SB 144** - AN ACT TO AMEND TITLES 16, 22, 29 AND 31 OF THE DELAWARE CODE RELATING TO PERSONS WITH MENTAL RETARDATION OR OTHER SPECIFIC DEVELOPMENTAL DISABILITIES. Sponsor: Sen. Blevins; Maier, Sens. Henry, Marshall, McDowell, Amick, Connor & Still; Reps. Buckworth, Cathcart, Fallon, Hudson, Lofink, Roy, Smith, Spence, Stone, Ulbrich, Valihura, Wagner & Price; **Health & Social Services**.

**SB 145** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM EXECUTIONS IN BANKRUPTCY AND IN INSOLVENCY FOR PRINCIPAL RESIDENCE. Sponsor: Sen. Blevins; Stone, Sens. Henry, Sokola, Bonini & Sorenson; Reps. Keeley & Price; **Banking**.

**SB 146** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LICENSING OF INSURANCE AGENTS, BROKERS, AND OTHER LICENSEES OF THE INSURANCE DEPARTMENT. Sponsor: Sen. Cook; Hudson; **Insurance & Elections**.

**SB 147** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LIABILITY FOR CERTAIN HEALTH CARE TREATMENT DECISIONS. Sponsor: Sen. Sokola; Spence, Sens. Blevins, DeLuca, Amick, Simpson, & Winslow; Reps. DiLiberto, Buckworth & West; **Insurance & Elections**.

**May 02, 2001**

**SA 2 to SB 41** - Sponsor: Sen. Marshall; Placed with the bill.

**SA 1 to SB 101** - Sponsor: Sen. McBride; Placed with the bill.

**SA 2 to HB 16** - Sponsor: Sen. Sharp; Placed with the bill.

**SA 4 to SB 100** - Sponsor: Sen. Amick; Placed with the bill.

**SA 1 to SB 121** - Sponsor: Sen. McBride; Placed with the bill.

**May 03, 2001**

**SA 1 to SB 130** - Sponsor: Sen. Henry; Placed with the bill.

**SA 1 to SB 98** - Sponsor: Sen. McDowell; Placed with the bill.

**SA 2 to SB 130** - Sponsor: Sen. Henry; Placed with the bill.

**SA 3 to SB 41** - Sponsor: Sen. Marshall; Placed with the bill.

**SA 4 to SB 41** - Sponsor: Sen. Marshall; Placed with the bill.

**SS 1 to SB 92** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE OFFICE OF MINORITY, WOMEN-OWNED, AND DISADVANTAGED SMALL BUSINESS ENTERPRISES. Sponsor: Sen. Henry; Wagner, Sens. Marshall, McDowell, Sokola & Sorenson; Reps. Stone, Valihura, Keeley, Plant, Scott, Viola & Williams; **Executive**.

**SS 1 to SB 53** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE CREATING AN OFFICE OF WOMEN'S HEALTH. Sponsor: Sen. Henry; Sorenson,



Rep. Hudson; Sens. Blevins, Cook, Marshall, McDowell, Sokola, Cloutier & Connor; Reps. Fallon, Maier, Stone, Ulbrich, Wagner, Keeley, Plant & Price; **Executive**.

**SB 148** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE, RELATING TO ELECTIONS; AND PROVIDING FOR A DELAWARE CAMPAIGN AND ELECTION REFORM ACT. Sponsor: Sen. McDowell; Sens. Bunting, Sokola; Reps. Keeley, Maier; **Insurance & Elections**.

**SB 149** - AN ACT TO AMEND TITLES 11 AND 14 OF THE DELAWARE CODE RELATING TO CORPORAL PUNISHMENT. Sponsor: Sen. Sokola; Maier, Sens. Blevins, Henry, McDowell & Sorenson; Rep. Keeley; **Education**.

**SB 150** - AN ACT TO AMEND CHAPTER 51, TITLE 24 OF THE DELAWARE CODE REGARDING COSMETOLOGY AND BARBERING AND CERTIFICATION OF AESTHETICIANS. Sponsor: Sen. DeLuca; Ulbrich, Sens. Bunting, Sokola, Simpson, Still; Reps. Hudson, Valihura, Keeley & Price; **Sunset**.

**SB 151** - AN ACT TO AMEND CHAPTER 14, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ELECTRICAL EXAMINERS. Sponsor: Sen. DeLuca; Ulbrich, Sens. Bunting, Sokola, Simpson & Still; Reps. Hudson, Valihura, DiLiberto & Keeley; **Sunset**.

**SB 152** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO DNA. Sponsor: Sen. Winslow; Wagner, Sens. Adams, Blevins, Bunting, Cloutier, Connor, DeLuca, Sharp, Simpson, Sokola, Vaughn; Reps. Thornburg, Valihura, Williams; **Judiciary**.

**SB 153** - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO OUTDOOR ADVERTISING. Sponsor: Sen. McBride; Hudson; **Highways & Transportation**.

**SB 155** - AN ACT TO AMEND TITLE 14 AND TITLE 16 OF THE DELAWARE CODE RELATING TO THE CHILDHOOD LEAD POISONING PREVENTION ACT. Sponsor: Sen. Blevins; Maier, Sens. DeLuca, Still, Winslow; **Health & Social Services**.

**SB 156** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO ELECTRIC UTILITY RESTRUCTURING BY ADDING PROVISIONS CONFIRMING THE DUTY OF DEFAULT SUPPLIERS AND ELECTRIC DISTRIBUTION COMPANIES TO MAINTAIN SAFE, EFFICIENT, ADEQUATE, AND RELIABLE SERVICES, AND BY ALSO ADDING A NEW SECTION AUTHORIZING THE PUBLIC SERVICE COMMISSION TO ASSESS CIVIL PENALTIES, TO SUSPEND AND REVOKE AUTHORIZATIONS, AND TO ENTER PRELIMINARY AND FINAL REMEDIAL ORDERS. Sponsor: Sen. Winslow; McBride; **Sunset**.

**SB 157** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DATA SECURITY OF THE DELAWARE STUDENT TESTING PROGRAM AND DATA REPORTING. Sponsor: Sen. McBride; Reynolds, Sens. DeLuca, Sokola, Simpson, Still & Winslow; Reps. Buckworth, Wagner, Gilligan, Price, & Schroeder; **Education**.

**SB 158** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IX, SECTION 3 OF THE CONSTITUTION OF THE STATE OF DELAWARE OF 1897, AS AMENDED, RELATING TO THE TYPES OF CONSIDERATION THAT MAY BE RECEIVED IN EXCHANGE FOR THE ISSUANCE OF STOCK. Sponsor: Sen. Sharp; Wagner, Sens. Adams, Vaughn & Winslow; Reps. Valihura & DiLiberto; **Judiciary**.

**SB 159** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE COURT OF CHANCERY. Sponsor: Sen. Sharp; Wagner, Sens. Adams, Vaughn & Winslow; Reps. Valihura & DiLiberto; **Judiciary**.

**SB 160** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE COURT OF CHANCERY. Sponsor: Sen. Sharp; Rep. Wagner, Sens. Adams, Vaughn & Winslow; Reps. Valihura & DiLiberto; **Finance**.

**SB 161** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO ALTERNATIVE EDUCATIONAL AND RELATED SERVICES FOR THE MORE SEVERE DISCIPLINARY PROBLEMS IN THE PUBLIC SCHOOLS. Sponsor: Sen. Amick; Ulbrich, Sens. Marshall, Sokola; **Education**.

**SB 162** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ARRESTS WITHOUT WARRANT FOR MOTOR VEHICLE VIOLATIONS. Sponsor: Sen. Bonini; Sens. Cloutier, Connor, Simpson, Sorenson; Reps. Brady, Carey, DiPinto, Houghton, Lee, Lofink, Quillen, Spence, Williams; **Public Safety**.

**SB 163** - AN ACT TO AMEND VOLUME 72 OF THE LAWS OF DELAWARE AND TITLE 14 OF THE DELAWARE CODE RELATING TO YEARS OF EXPERIENCE. Sponsor: Sen. Simpson; Carey; **Executive**.

**SB 164** - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. Sponsor: Sen. Sharp; Wagner, Sens. Adams, Vaughn & Winslow; Reps. Valihura & DiLiberto; **Judiciary**.

**SB 165** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO ATTENDANCE REPORTING FROM PRIVATE SCHOOLS, PRIVATE ASSOCIATIONS, CORPORATIONS, INSTITUTIONS, HOMESCHOOLS, HOMESCHOOL ASSOCIATIONS AND PUPIL RECORDS. Sponsor: Sen. Sokola; Reynolds; **Education**.

**SB 166** - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO FIDUCIARY ADMINISTRATION. Sponsor: Sen. Adams; Stone; **Banking**.

**SB 167** - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS. Sponsor: Sen. Adams; Stone; **Banking**.

**SB 168** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS. Sponsor: Sen. Sokola; Reynolds, Sens. Cook, Simpson, Still; Reps. Gilligan & Viola; **Education**.

**HB 108 w/HA 1** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEE'S PENSION PLAN; AND PROVIDING A CREDITED SERVICE OPTION FOR TEACHERS FORMERLY EMPLOYED IN THE "JOBS FOR DELAWARE GRADUATES" PROGRAM. Sponsor: Rep. Miro; Still, Reps. Brady, Buckworth, Carey, Cathcart, Caulk, D. Ennis, Ewing, Keeley, Lofink, Oberle, Plant, Reynolds, Spence, Thornburg, Ulbrich, Valihura, West, Williams; Sen. Sokola; **Judiciary**.

**HB 133 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PRESENCE OFFICERS AND INVESTIGATIONS. Sponsor: Rep. Wagner; McBride, Reps. Buckworth, Carey, Cathcart, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Lofink, Maier, Miro, Quillen, Reynolds, Stone, Ulbrich, Brady, B. Ennis, Houghton, Price, Schroeder; **Adult & Juvenile Corrections**.

**HB 154 w/HA 2** - AN ACT TO AMEND CHAPTERS 9 AND 11 OF TITLE 13 OF THE DELAWARE CODE RELATING TO TERMINATION OF PARENTAL RIGHTS AND ADOPTION. Sponsor: Rep. Buckworth; Blevins, Reps. Maier, Price, Schroeder; Sens. Amick, Sokola, Sorenson; **Health & Social Services**.

**HB 171** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATED TO HEALTH INSURANCE. Sponsor: Rep. Fallon; Blevins, Reps. Spence, Carey, Quillen, Stone, Thornburg, Valihura, Gilligan, Keeley; **Health & Social Services**.

\* \* \*

On motion of Senator Adams, the Senate recessed at 05:32 PM until May 08, 2001 at 02:00 PM.

The Senate reconvened at 02:30 PM on May 08, 2001 with Lt. Governor Carney presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HCR 14; HB 204 w/HA 1; HB 205; HB 142 w/HA 1; HB 93 w/HA 1 aab HA 1; HB 120 w/HA 1, 2 & 3; HB 115; HCR 13.**

A communication from Representative Stone was read in the record requesting her name be removed as co-sponsor of **SB 145**.

At 02:35 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 27th Legislative Day.

**27th LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
May 08, 2001**

The Senate convened at 02:35 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Bonini followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams.  
No objections.

**HB 87** was brought before the Senate for consideration on the motion of the floor manager, Senator Henry.

**HB 87** - AN ACT TO AMEND SECTION 2702 OF TITLE 11 OF THE DELAWARE CODE RELATING TO JUSTICE OF THE PEACE COURTS JURISDICTION.

Senator Sharp questioned the floor manager.

Senator Henry requested the privilege of the floor for Edward Kafader, Senate Attorney.

The witness was excused after addressing the Senate.

Senator Henry requested the privilege of the floor for Franny Maguire Haney, representing the Administrative Office of the Courts.

The witness was excused after addressing the Senate.

Roll call vote on **HB 87** was taken and revealed:

YES: 20

ABSENT: Senator(s) McBride - 1.

**HB 87** was declared passed the Senate and returned to the House.

Senators Blevins and McDowell marked present during the above roll call.

**SB 100** was brought before the Senate for consideration on the motion of Senator McDowell.

**SB 100**- AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SALE OR TRANSFER OF HANDGUNS BY UNLICENSED PERSONS.

**SA 1 to SB 100** was brought before the Senate for consideration on the motion of Senator Winslow.

Senator Winslow moved to lay **SA 1 to SB 100** on the Table. No objection.

**SA 2 to SB 100** was brought before the Senate for consideration and immediately Stricken on motion of Senator Winslow.

**SA 3 to SB 100** was brought before the Senate for consideration on the motion of Senator Winslow.

Senator Winslow moved to lay **SA 3 to SB 100** on the Table. No objection.

**SA 4 to SB 100** was brought before the Senate for consideration on the motion of Senator Amick.

Several Senators commented.

Roll call vote on **SA 4 to SB 100** was taken and revealed:

YES: 19

NOT VOTING: Senator(s) Winslow - 1.

ABSENT: Senator(s) Marshall - 1.

**SA 4 to SB 100** was declared part of the bill.

Senator McBride was marked present during the above roll call.

**SA 5 to SB 100** was brought before the Senate for consideration on the motion of Senator Winslow.

Several Senators commented.

Roll call vote on **SA 5 to SB 100** was taken and revealed:

YES: 18

NO: Senator(s) Sokola - 1.

NOT VOTING: Senator(s) McDowell - 1.

ABSENT: Senator(s) Marshall - 1.

**SA 5 to SB 100** was declared part of the bill.

**SA 1 to SB 100** was Lifted from the Table and Stricken on motion of Senator Winslow.

**SA 6 to SB 100** was brought before the Senate for consideration on the motion of Senator McDowell.

Senators Sharp and Connor commented.

Senator McDowell moved to lay **SA 6 to SB 100** on the Table. No objection.

**SA 3 to SB 100** was Lifted from the Table and Stricken on motion of Senator Winslow.

**SB 100 w/SA 4 & 5** was now before the Senate.

**Senator McDowell** requested the privilege of the floor for Karen Fischer and Ruth Logue, representing Delaware Million Mom March.

**Senator Winslow** questioned the witnesses, after which the witnesses were excused.

**Senator Venables** commented.

**Senator McDowell** requested the privilege of the floor for Mr. Gregory Jaskolka, representing the Jaskolka's Family.

The witness was excused after addressing the Senate.

**Senator McDowell** requested a letter to be read into the record from the American Academy of Pedicatricis dated May 03, 2001. A copy of this communication is on file for this legislative day.

Several Senators commented.

**Senator McDowell** requested the privilege of the floor for Cpl. Richard Douglas Iardella, representing the Wilmington Police Department.

**Senators Winslow** and **DeLuca** questioned the witness, after which the witness was excused.

**Senator McDowell** moved to lay **SB 100 w/SA 4 & SA 5** on the Table. No objection. **SB 116** was brought before the Senate for consideration on the motion of Senator Sharp.

**SB 116** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF SEX OFFENDERS.

**Senator Sharp** requested the privilege of the floor for Paul Wallace, representing the Attorney General's office.

The witness was excused after addressing the Senate.

Roll call vote on **SB 116** was taken and revealed:

YES: 21

**SB 116** was declared passed the Senate and sent to the House for Consideration.

**HB 8** was brought before the Senate for consideration on the motion of the floor manager, Senator Sharp.

**HB 8** - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE V, § 2 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO REFERENCES TO PEOPLE WITH MENTAL ILLNESS AND PAUPERS.

**Senator Bonini** commented.

Roll call vote on **HB 8** was taken and revealed:

YES: 20

ABSENT: Senator(s) McDowell - 1.

**HB 8** was declared passed the Senate and returned to the House.

**HB 10** was brought before the Senate for consideration on the motion of Senator Sharp.

**HB 10** - AN ACT CONCURRING IN A PROPOSED AMENDMENT OF ARTICLE IV OF THE CONSTITUTION OF THE STATE OF DELAWARE BY THE ADDITION OF A NEW SECTION 39 CREATING THE JUDICIAL OFFICE OF SENIOR JUDGE.

**Senator McBride** questioned the floor manager.

**Senator Sharp** requested the privilege of the floor for Michael McLaughlin, Deputy Director of the Administrative Office of the Courts.

The witness was excused after addressing the Senate.

Roll call vote on **HB 10** was taken and revealed:

YES: 20

ABSENT: Senator(s) McDowell - 1.

**HB 10** was declared passed the Senate and returned to the House.

**SB 130** was brought before the Senate for consideration on the motion of Senator Henry.

**SB 130** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CHILD RESTRAINT IN MOTOR VEHICLES.

**Senator Henry** requested that **SA 1 & SA 2 to SB 130** be Stricken. No objection.

**SA 3 to SB 130** was brought before the Senate for consideration on the motion of Senator Henry.

Roll call vote on **SA 3 to SB 130** was taken and revealed:

YES: 21.

**SA 3 to SB 130** was declared part of the bill.

**SA 4 to SB 130** was brought before the Senate for consideration on the motion of Senator Henry.

Senator Henry requested the privilege of the floor for Jana Simpler, representing the Office of Highway Safety.

Several Senators questioned the witness, after which the witness was excused.

Senator Henry moved to lay **SB 130 w/SA 3** on the Table. No objection.

**HB 16** was brought before the Senate for consideration on the motion of the floor manager, Senator Sharp.

**HB 16** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THEFT AND RELATED OFFENSES.

Senator Sharp requested that **SA 1 to HB 16** be Stricken. No objection.

**SA 2 to HB 16** was brought before the Senate for consideration on the motion of Senator Sharp.

Roll call vote on **SA 2 to HB 16** was taken and revealed:

YES: 20

ABSENT: Senator(s) Winslow - 1.

**SA 2 to HB 16** was declared part of the bill.

**HB 16 w/SA 2** was now before the Senate.

Roll call vote on **HB 16 w/SA 2** was taken and revealed:

YES: 21

**HB 16 w/SA 2** was declared passed the Senate and sent to the House for Reconsideration.

Additions to the agenda, committee and other legislative meetings were announced.

**SCR 15** was brought before the Senate for consideration on the motion of Senator Marshall.

**SCR 15** - CONGRATULATING THE 2001 AWARD RECIPIENTS OF THE DELAWARE HEALTH CARE FACILITIES ASSOCIATION FOR THEIR EXEMPLARY SERVICE TO NURSING FACILITY RESIDENTS. Sponsor: Sen. Marshall & Sen. Blevins & Rep. Maier & Rep. DiPinto.

Roll call vote on **SCR 15** was taken and revealed:

YES: 20

ABSENT: Senator(s) Sorenson - 1.

**SCR 15** was declared Adopted by the Senate and sent to the House for Consideration.

Senator Bunting requested the privilege of the floor where upon he commented on the energy situation in Delaware.

On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
05/08/01**

**May 04, 2001**

**SA 5 to SB 41** - Sponsor: Sen. McDowell; Placed with the bill.

**May 08, 2001**

**SS 1 to SB 33** - AN ACT TO AMEND TITLE 7 AND TITLE 29 OF THE DELAWARE CODE WITH RESPECT TO NOTIFICATION OF ENVIRONMENTAL RELEASES, FACILITY PERFORMANCE, AND ESTABLISHMENT OF THE COMMUNITY INVOLVEMENT ADVISORY COUNCIL. Sponsor: Sen. McBride; Quillen, Sens. Adams, Blevins, Bunting, Cook, DeLuca, Marshall, McDowell, Sharp, Sokola, Vaughn, Bonini, Cloutier, Connor, Simpson, Sorenson, Still & Winslow; Reps. Carey, Lofink, Oberle, Reynolds, Roy, Spence, Brady, DiLiberto, B. Ennis, Gilligan, Houghton, Keeley, Mulrooney, Price, Schroeder, Scott, Van Sant, Viola, West & Williams; **Natural Resources & Environmental Control**.

**HB 93 w/HA 1, HA 1 to HA 1 to HA 1** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO TRANSFER OF MEDICAL RECORDS. Sponsor: Rep. Keeley; Oberle, Sen. Henry; Reps. Brady, Buckworth, Carey, B. Ennis, Houghton, Maier, Mulrooney, Price, Scott, Smith, Viola, Wagner, West, Williams; **Health & Social Services**.

**HB 120 w/HA 1, HA 2, HA 3** - AN ACT TO AMEND TITLES 11, 13, AND 16 OF THE DELAWARE CODE RELATING TO SAFE ARMS FOR BABIES. Sponsor:

Rep. Maier; Wagner, Sen. Sorenson & Sen. Blevins; Reps. Spence, D. Ennis, Ewing, Fallon, Hudson, Keeley, Miro, Plant, Price, Stone, Thornburg, Ulbrich, Williams; Sens. Cloutier, Connor, Venables; **Health & Social Services**.

**HB 142 w/HA 1** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE GOVERNMENT OF KENT COUNTY. Sponsor: Rep. B. Ennis; Reps. Buckworth, Caulk, Ewing, Houghton, Quillen, Stone, Thornburg, Wagner; Sen. Vaughn; **Community/County Affairs**.

**HB 155** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LAW-ENFORCEMENT OFFICERS' BILL OF RIGHTS. Sponsor: Rep. Lee; B. Ennis, Rep. Thornburg; **Judiciary**.

**HB 188** - AN ACT TO AMEND VOLUME 66, DELAWARE LAWS, CHAPTER 185, RELATING TO THE OFFICES OF THE PROTHONOTARIES OF THE SUPERIOR COURT. Sponsor: Rep. Wagner; Henry, Reps. Spence, Buckworth, Hudson, Maier, Quillen, Reynolds, Stone, Ulbrich, DiLiberto, B. Ennis, Van Sant; **Judiciary**.

**HB 193** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO DIVORCE AND ANNULMENT. Sponsor: Rep. Wagner; Henry & Rep. Keeley & Rep. Scott; Reps. Spence, Lee, Carey, Caulk, DiPinto, Fallon, Maier, Oberle, Quillen, Stone, Ulbrich, Valihura, Brady, B. Ennis, Houghton, Mulrooney, Plant, Price, Viola, West, Williams; **Executive**.

**HB 204 w/HA 1** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURANCE COVERAGE FOR RECONSTRUCTIVE SURGERY FOLLOWING MASTECTOMIES. Sponsor: Rep. Stone; Cook, Reps. Boulden, Brady, Carey, Cathcart, Caulk, DiLiberto, DiPinto, B. Ennis, Fallon, Gilligan, Houghton, Hudson, Keeley, Lee, Lofink, Maier, Mulrooney, Oberle, Plant, Price, Reynolds, Schroeder, Scott, Spence, Thornburg, Ulbrich, Valihura, Van Sant, Viola, Wagner, West, Williams; Sens. Cloutier, Connor, Henry, McDowell, Simpson, Sokola, Sorenson, Winslow; **Insurance & Elections**.

**HB 205** - AN ACT TO AMEND TITLE 18, CHAPTER 5, DELAWARE CODE RELATING TO CONFORMANCE WITH THE PROVISIONS OF TITLE V OF THE GRAMM LEACH BLILEY ACT OF 1999. Sponsor: Rep. Stone; Cook, Reps. Carey, Fallon; Sens. Cloutier, Connor, McDowell, Simpson, Sorenson, Winslow; **Insurance & Elections**.

**HCR 13** - RELATING TO THE ESTABLISHMENT OF THE 211 TASK FORCE TO MAKE RECOMMENDATIONS ON THE IMPLEMENTATION OF A 211 INITIATIVE IN DELAWARE STARTING IN FISCAL YEAR 2003. Sponsor: Rep. Maier; Henry; **Public Safety**.

\* \* \*

The Secretary announced the agenda for May 09, 2001.

On motion of Senator Adams, the Senate recessed at 05:24 PM until May 09, 2001 at 03:30 PM.

The Senate reconvened at 03:49 PM on May 09, 2001 with Lt. Governor Carney presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 185 w/HA 1; SB 94; HJR 8; HB 175 w/HA 1; HB 180; SB 106 w/SA 1; SJR 4 w/HA 1; HB 170; HB 164; HB 174; SCR 13; SCR 14; SCR 15**.

The following committee reports were announced:

From Banking: **SB 166** - 4 Merits; **SB 167** - 4 Merits; **SB 169** - 4 Merits.

From Judiciary: **SB 120** - 4 Merits; **SB 140** - 1 Favorable, 3 Merits; **SB 152** - 4 Merits; **SB 158** - 4 Merits; **SB 164** - 4 Merits; **SB 173** - 4 Merits; **SB 177** - 4 Merits; **SB 178** - 4 Merits.

From Executive: **SS 1 to SB 92** - 4 Merits.

From Finance: **SB 49** - 5 Merits; **SS 1 to SB 136** - 4 Merits; **SB 160** - 4 Merits; **HB 98** - 4 Merits.

From Small Business: **SB 113** - 3 Merits.

From Corrections: **HB 77** - 3 Merits.

From Natural Resources: **SS 1 to SB 33** - 4 Favorable.

From Education: **SB 149** - 3 Merits; **SB 165** - 3 Merits; **SB 168** - 3 Merits; **SB 157** - 3 Merits.

A communication from Representative Richard C. Cathcart to Senator Thomas B. Sharp was read in requesting his name be added as a co-sponsor of **SB 105**.

At 03:55 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 28th Legislative Day.

**28th LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
MAY 09, 2001**

The Senate convened at 03:55 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Still followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bunting, Bonini, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams.

No objections.

The following committee reports were announced:

From Health and Social Services: **SB 155** - 4 Merits; **SB 138** - 4 Merits.

**SB 81** was brought before the Senate for consideration on the motion of Senator Cook.

**SB 81** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE JUSTICE OF THE PEACE CONSTABLES.

Roll call vote on **SB 81** was taken and revealed:

YES: 20

ABSENT: Senator(s) Connor - 1.

**SB 81** was declared passed the Senate and sent to the House for Consideration.

Senators Bonini, McBride and McDowell marked present during the above roll call.

**SB 122** was brought before the Senate for consideration on the motion of Senator Blevins.

**SB 122** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPUTY SECRETARY, DIVISION DIRECTORS, AND ACTING SECRETARY.

Roll call vote on **SB 122** was taken and revealed:

YES: 20

ABSENT: Senator(s) McBride - 1.

**SB 122** was declared passed the Senate and sent to the House for Consideration.

Senator Connor marked present during the above roll call.

**SB 109 w/SA 1** was Lifted from the Table and brought before the Senate for consideration on motion of Senator McDowell.

**SB 109 w/SA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CHILD SEX ABUSE INFORMATION REPOSITORY.

Senators Venables and Vaughn questioned the sponsor.

Senator McDowell requested the privilege of the floor for Trish Hearn, representing Division of Family Services, Children, Youth and their Families.

Several Senators questioned the witness, after which the witness was excused.

Roll call vote on **SB 109 w/SA 1** was taken and revealed:

YES: 21

**SB 109 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

**SB 60** was brought before the Senate for consideration on the motion of Senator Vaughn.

**SB 60** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE EMPLOYMENT OF PERSONNEL BY THE DEPARTMENT OF CORRECTION.

**SA 1 to SB 60** was brought before the Senate for consideration on the motion of Senator Vaughn.

Senator Vaughn requested that **SA 1 to SB 60** be Stricken. No objection.

**SA 2 to SB 60** was brought before the Senate for consideration on the motion of Senator Vaughn.

Roll call vote on **SA 2 to SB 60** was taken and revealed:

YES: 12

NO: Senator(s) Amick, Cloutier, Connor, Simpson, Sorenson - 5.

NOT VOTING: Senator(s) Bunting, McDowell, Sokola - 3.

ABSENT: Senator(s) Venables - 1.

SA 2 to SB 60 was declared part of the bill.

SB 60 w/SA 2 was now before the Senate.

Roll call vote on SB 60 w/SA 2 was taken and revealed:

YES: 11

NO: Senator(s) Amick, Bonini, Bunting, Cloutier, Connor, McDowell, Simpson, Sokola, Sorenson, Venables - 10.

SB 60 w/SA 2 was declared passed the Senate as amended and sent to the House for Consideration.

HB 70 was brought before the Senate for consideration on the motion of floor manager, Senator Vaughn.

HB 70 - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO THE PREPARATION OF TRANSCRIPTS AND THE AWARDING OF COSTS ON APPEALS FROM THE BOARD OF ADJUSTMENT TO THE SUPERIOR COURT.

Senator Amick commented.

Roll call vote on HB 70 was taken and revealed:

YES: 21

HB 70 was declared passed the Senate and returned to the House.

SB 166 was brought before the Senate for consideration on the motion of Senator Adams.

SB 166 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO FIDUCIARY ADMINISTRATION.

Senator Adams requested the privilege of the floor for Thomas R. Pulsifer, representing the Bar Association.

Senator Bonini questioned the witness, after which the witness was excused.

Roll call vote on SB 166 was taken and revealed:

YES: 20

ABSENT: Senator(s) Venables - 1.

SB 166 was declared passed the Senate and sent to the House for Consideration.

SB 167 was brought before the Senate for consideration on the motion of Senator Adams.

SB 167 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS.

Senator Adams requested the privilege of the floor for Thomas R. Pulsifer, representing the Bar Association.

The witness was excused after addressing the Senate.

Roll call vote on SB 167 was taken and revealed:

YES: 21

SB 167 was declared passed the Senate and sent to the House for Consideration.

SB 169 was brought before the Senate for consideration on the motion of Senator Adams.

SB 169 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS.

Senator Adams requested the privilege of the floor for Thomas R. Pulsifer, representing the Bar Association.

Several Senators questioned the witness, after which the witness was excused.

Roll call vote on SB 169 was taken and revealed:

YES: 21

SB 169 was declared passed the Senate and sent to the House for Consideration.

Additions to the agenda, committee and other legislative meetings were announced.

On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
05/09/01



**May 08, 2001**

**SA 2 to SB 70** - Sponsor: Sen. Sokola; Placed with the bill.

**SA 6 to SB 41** - Sponsor: Sen. Marshall; Placed with the bill.

**SA 7 to SB 100** - Sponsor: Sen. McDowell; Placed with the bill.

**SB 169** - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE  
RELATING TO TRUSTS. Sponsor: Sen. Adams; Stone; **Banking**.

The following nomination(s) assigned to the **Executive** Committee:

Mr. Robert Gilsdorf  
8 Wheatland Circle  
Middletown, Delaware 19709

To be appointed  
as a member of the  
State Board of Education  
with a term to expire on April  
21, 2003.

Mr. Joshua Twilley  
102-B Henlopen Station  
Rehoboth Beach, Delaware 19971

To be appointed  
a member of the  
Public Service Commission  
with a term to expire three  
years from Senate  
Confirmation.

Mr. John Pitts  
28 South Queen Street  
Dover, Delaware 19904

To be reappointed  
a member of the Merit  
Employee Relations Board  
with a term to expire three  
years from date of Senate  
Confirmation.

Mrs. V. Lynn Gregory  
401 W. 22nd Street  
Wilmington, Delaware 19802

To be reappointed  
a member of the Violent  
Crimes Compensation Board  
with a term to expire three  
years from date of Senate  
Confirmation.

Mr. Donald E. Gregory  
569 Upper Pike Creek  
Newark, Delaware 19711

To be appointed  
a member of the Tax  
Appeal Board with a  
term to expire on July 8, 2001.

Mr. Robert B. Coonin  
2008 Woodlawn Ave.  
Wilmington, Delaware 19806

To be appointed  
as Associate Judge of the  
Family Court in and for New  
Castle County with a term to  
expire twelve years from  
Senate Confirmation.

Mr. Herbert A. Russell  
102-B Henlopen Station  
Rehoboth Beach, Delaware 19971

To be appointed  
a member of the Adult  
Entertainment Commission  
with a term to expire three  
years from Senate  
Confirmation.

**May 09, 2001**

**HJR 8** - COMMENDING, THANKING, AND RECOGNIZING THE STATE OF  
TENNESSEE FOR ITS ROLE AS A MAJOR CONTRIBUTOR TO THE WORLD OF  
PROFESSIONAL MOTORSPORTS. Sponsor: Rep. Wagner; Stone, On behalf of all  
Representatives & Sen. Still, On behalf of all Senators; **LOT**.

**SB 170** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SCHOOL BUS DRIVERS. Sponsor: Sen. Venables; Miro, Sens. Blevins, Bunting, McDowell, Still; Reps. Brady, Price, Smith, Spence, Van Sant, Wagner; **Public Safety**.

**SB 171** - AN ACT TO AMEND TITLES 14 AND 21 OF THE DELAWARE CODE RELATING TO SCHOOL BUS DRIVERS. Sponsor: Sen. Venables; Rep. Spence; **Public Safety**.

**SB 172** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO NOMINATING DISTRICTS. Sponsor: Sen. Amick; Sens. Still, Winslow; Reps. Boulden, Ewing, Maier, Valihura; **Executive**.

**SB 173** - AN ACT TO AMEND 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. Sponsor: Sen. Sharp; Wagner, Sens. Adams, Vaughn & Winslow; Reps. Valihura & DiLiberto; **Judiciary**.

**SB 174** - AN ACT TO AMEND TITLE 29, CHAPTER 69 OF THE DELAWARE CODE RELATING TO PREVAILING WAGE REQUIREMENTS IN PUBLIC CONSTRUCTION CONTRACTS. Sponsor: Sen. Marshall; Lofink; **Labor & Industrial Labor**.

**SB 175** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO CONTAGIOUS DISEASES GENERALLY. Sponsor: Sen. Blevins; Maier; **Health & Social Services**.

**SB 176** - AN ACT TO AMEND CHAPTER 294, VOLUME 72, LAWS OF DELAWARE AND TITLE 14 OF THE DELAWARE CODE RELATING TO IMPLEMENTATION OF THE PROFESSIONAL STANDARDS BOARD. Sponsor: Sen. Sokola; Reynolds, Ulbrich; **Education**.

**SB 177** - AN ACT TO AMEND 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. Sponsor: Sen. Sharp; Wagner, Sens. Adams, Vaughn, & Winslow; Reps. Valihura & DiLiberto; **Judiciary**.

**SB 178** - 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. Sponsor: Sen. Sharp; Wagner, Sens. Adams, Vaughn & Winslow; Reps. Valihura, & DiLiberto; **Judiciary**.

**HB 164** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. Sponsor: Rep. Reynolds; Lee; **Judiciary**.

**HB 170** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. Sponsor: Rep. Hudson; Blevins; **Small Business**.

**HB 174** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIMES OF POSSESSION OF A DEADLY WEAPON DURING THE COMMISSION OF A FELONY AND POSSESSION OF A FIREARM DURING THE COMMISSION OF A FELONY. Sponsor: Rep. Lee; Vaughn; **Adult & Juvenile Corrections**.

**HB 175 w/HA 1** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSIVE TOUCHING. Sponsor: Rep. Lee; Vaughn; **Adult & Juvenile Corrections**.

**HB 180** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF PUBLIC SAFETY. Sponsor: Rep. Lee; B. Ennis & Sen. Vaughn; **Executive**.

**HB 185 w/HA 1** - AN ACT TO AMEND TITLE 11 AND TITLE 16 OF THE DELAWARE CODE RELATING TO OFFICERS OR AGENTS OF THE OFFICE OF NARCOTICS AND DANGEROUS DRUGS. Sponsor: Rep. Spence; Ewing & Rep. Oberle & Sen. Sharp, Reps. Smith, Lee, Buckworth, Carey, Caulk, D. Ennis, Hudson, Lofink, Quillen, Roy, Wagner, Gilligan, Brady, DiLiberto, Keeley, Mulrooney, Plant, Price, Williams; **Judiciary**.

\* \*

The Secretary announced the agenda for May 10, 2001.

On motion of Senator Adams, the Senate recessed at 05:37 PM until May 10, 2001 at 02:00 PM.

The Senate reconvened at 02:32 PM on May 10, 2001 with Senator Sharp presiding.

The following committee reports were announced:

From Health and Social Services: **SB 115** - 4 Merits; **SB 135** - 3 Merits; **SB 137** - 4 Merits; **SB 144** - 4 Merits.

From Public Safety: **SB 124** - 3 Merits; **SB 142** - 3 Merits; **HCR 13** - 3 Merits.

From Administrative Services: **SB 129** - 4 Merits.

From Sunset: **SB 150** - 4 Merits; **SB 151** - 4 Merits.

Please note: Senator Cloutier signed **SB 124** as an additional co-sponsor.

A communication from the Governor, Ruth Ann Minner to Lt. Governor John C. Carney, Jr. regarding the nomination of **Robert B. Coonin**.

Lt. Governor Carney presiding at 02:35 PM.

At 02:38 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 29th Legislative Day.

**29th LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
MAY 10, 2001**

The Senate convened at 02:38 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Winslow followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 20

**ABSENT:** Senator(s) Bonini - 1

The journal of the previous day was approved as read on motion of Senator Adams. No objections.

Senator Adams requested the privilege of the floor for Franklin Perdue, after which a tribute was read and presented to him.

Senator Sorenson introduced students visiting from her district.

Senator Winslow requested the privilege of the floor for Wolf-Rudiger Heschke, representing Joe Polowski High School of Torgau, Germany.

**SCR 16** was brought before the Senate for consideration on the motion of Senator Winslow.

**SCR 16** - EXTENDING A WARM WELCOME TO THE STUDENTS FROM JOE POLOWSKI HIGH SCHOOL OF TORGAU, GERMANY. Sponsor: Sen. Winslow & Rep. Smith; Sens. Amick; Bonini; Cloutier; Connor; Henry; Simpson; Sokola; Sorenson; Still; All Representatives.

The Resolution was read in its entirety.

Mr. Heschke introduced the students that were seated in the balcony, after which the witness was excused.

Roll call vote on **SCR 16** was taken and revealed:

YES: 18

ABSENT: Senator(s) Bonini, McBride, Still - 3.

**SCR 16** was declared Adopted by the Senate and sent to the House for consideration.

Sensors Blevins, Connor, Cook, McDowell and Venables marked present during the above roll call.

**SB 70** was brought before the Senate for consideration on the motion of Senator Sokola.

**SB 70** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TEACHER CONTROL OF THE CLASSROOM.

Senator Sokola moved to lay **SA 1 to SB 70** on the Table. No objection.

Senator Sokola moved to lay **SA 2 to SB 70** on the Table. No objection.

Senator Sokola moved to lay **SB 70** on the Table. No objection.

Senator Adams moved to recess for Party Caucus at 02:57 PM.

The Senate reconvened at 04:42 PM with Lt. Governor Carney presiding.

Senator Sokola requested that **SB 70** be Lifted from the Table and brought before the Senate for Consideration.

**SA 2 to SB 70** was Lifted from the Table and brought before the Senate for consideration on the motion of Senator Sokola.

Senator Sokola requested the privilege of the floor for Matt Denn, representing the Governor's office.

Senator Amick questioned the witness, after which the witness was excused.

Senator Sokola requested the privilege of the floor for George Bauder, representing DSEA.

Senator Winslow questioned the witness, after which the witness was excused.

Senator Sokola requested the privilege of the floor for Matt Denn, representing the Governor's office.

Senators Winslow and Amick questioned the witness, after which the witness was excused.

Senators Simpson and Cloutier questioned the sponsor.

Senator Sokola requested the privilege of the floor for Mary Ann Pry, representing DSEA.

The witness was excused after addressing the Senate.

Roll call vote on **SA 2 to SB 70** was taken and revealed:

YES: 18

NO: Senator(s) Winslow - 1.

ABSENT: Senator(s) Bonini, Still - 2.

**SA 2 to SB 70** was declared part of the bill.

Senator McBride marked present during the above roll call.

**SB 70 w/SA 2** was now before the Senate.

Roll call vote on **SB 70 w/SA 2** was taken and revealed:

YES: 18

NO: Senator(s) Winslow - 1.

ABSENT: Senator(s) Bonini, Still - 2.

**SB 70 w/SA 2** was declared passed the Senate as amended and sent to the House for Consideration.

**HCR 13** was brought before the Senate for consideration on motion of the floor manager, Senator Henry.

**HCR 13** - RELATING TO THE ESTABLISHMENT OF THE 211 TASK FORCE TO MAKE RECOMMENDATIONS ON THE IMPLEMENTATION OF A 211 INITIATIVE IN DELAWARE STARTING IN FISCAL YEAR 2003.

Roll call vote on **HCR 13** was taken and revealed:

YES: 19

ABSENT: Senator(s) Bonini, Still - 2.

**HCR 13** was declared Adopted by the Senate and returned to the House.

Additions to the agenda, committee and other legislative meetings were announced.

**SA 1 to SB 70** was Stricken on motion of Senator Sokola.

On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
05/10/01**

**May 09, 2001**

**SA 2 to SB 98** - Sponsor: Sen. McDowell; Placed with the bill.

**SA 3 to SB 98** - Sponsor: Sen. Sharp; Placed with the bill.

**SA 5 to SB 130** - Sponsor: Sen. Amick; Placed with the bill.

**May 10, 2001**

**SS 1 to SB 146** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LICENSING OF INSURANCE AGENTS, BROKERS, AND OTHER

LICENSEES OF THE INSURANCE DEPARTMENT. Sponsor: Sen. Cook; Hudson;  
Adopted in Lieu of the Original. **Insurance & Elections.**

**SA 1 to SB 140** - Sponsor: Sen. Sharp; Placed with the bill.

**SA 1 to SB 171** - Sponsor: Sen. Venables; Placed with the bill.

**SB 179** - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO SUBPOENAS AND WARRANTS IN CRIMINAL AND DELINQUENCY CASES. Sponsor: Sen. Cook; Wagner; **Judiciary.**

**SB 180** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO DISTRIBUTION SYSTEM IMPROVEMENT CHARGES AND INTERIM RATE ADJUSTMENTS BY REGULATED WATER UTILITIES. Sponsor: Sen. Adams; Stone; **Administrative Services.**

**SB 182** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAX RETURNS AND PAYMENTS. Sponsor: Sen. Marshall; Hudson; **Revenue & Taxation.**

**SB 183** - AN ACT TO AMEND CHAPTER 91 OF TITLE 7 OF THE DELAWARE CODE TO DEFINE BROWNFIELD AND TO AUTHORIZE THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO CERTIFY REAL PROPERTY AS A BROWNFIELD, TO AMEND SUBCHAPTER I-B, CHAPTER 50, TITLE 29 OF THE DELAWARE CODE TO AUTHORIZE THE DELAWARE ECONOMIC DEVELOPMENT AUTHORITY TO MAKE GRANTS FROM THE DELAWARE STRATEGIC FUND TO DEFRAY A PART OF THE COSTS FOR THE ENVIRONMENTAL ASSESSMENT AND REMEDIATION OF BROWNFIELDS, AND TO AMEND SECTION 2010 OF TITLE 30 OF THE DELAWARE CODE TO CONFORM THE DEFINITION OF BROWNFIELD TO THE DEFINITION SET FORTH IN CHAPTER 91 OF TITLE 7 OF THE DELAWARE CODE. Sponsor: Sen. Marshall; DiPinto, Sens. Blevins, Henry, McBride, McDowell, Sharp & Winslow; Reps. Cathcart, D. Ennis, Valihura & Williams; **Revenue & Taxation.**

\* \* \*

**SCR 17** was brought before the Senate for consideration on the motion of Senator Bunting.

**SCR 17** - REQUESTING PROMPT ACTION BY THE ARMY CORPS OF ENGINEERS TO REMOVE SHOALS FROM INDIAN RIVER AND MASSEY'S DITCH. Sponsor: Sen. Bunting, On behalf of all Senators, Rep. Carey, Rep. Schroeder, Rep. Price & Rep. West, On behalf of all Representatives.

Senators McBride and Sorenson commented.

Roll call vote on **SCR 17** was taken and revealed:

YES: 19

ABSENT: Senator(s) Bonini, Still - 2.

**SCR 17** was declared Adopted by the Senate and sent to the House for Consideration.

At 05:32 PM on motion of Senator Adams, the Senate recessed until May 15, 2001 at 02:00 PM.

The Senate reconvened at 02:33 PM on May 15, 2001 with Lt. Governor Carney presiding.

The Secretary announced a message from the House informing the Senate that it had passed **HB 163; HB 220; HCR 15; HCR 16; HJR 10; HCR 6 w/HA 1; SB 143; SB 68; SCR 17; SCR 16.**

The following committee reports were announced:

From Insurance and Elections: **SB 181** - 3 Merits; **SB 125** - 3 Merits.

From Executive: **SB 40** - 4 Merits; **SB 163** - 4 Merits; **Robert B. Coonin** - 4 Merits; **Donald E. Gregory** - 4 Merits; **Verna Hensley** - 3 Favorable, 1 Merit; **John Pitts** - 4 Merits; **Herbert A. Russell** - 4 Merits.

From Administrative Services: **SB 45** - 4 Merits.

From Community/County Affairs: **SB 126** - 2 Merits, 1 Unfavorable; **HB 142** - 4 Merits; **HB 169** - 4 Merits.

From Public Safety: **SB 162** - 3 Merits.

From Health and Social Services: **HB 152** - 3 Merits.

**LEGISLATIVE ADVISORY #10**, from the Office of Counsel to the Governor was announced for the record, partially read and copies made available to the members upon request.

**LEGISLATIVE ADVISORY #10**, dated May 09, 2001, the Governor signed the following legislation on the dates indicated:

**HJR #3** (2/7/01) – DIRECTING THE DELAWARE DIVISION OF HISTORICAL AND CULTURAL AFFAIRS TO WORK WITH THE NATIONAL PARK SERVICE TO IDENTIFY AND MARK OUT THE EXACT ROUTE THROUGH DELAWARE TAKEN BY GENERALS WASHINGTON’S AND ROCHAMBEAU’S TROOPS. (Sponsors: Rep. Smith & Sen. Sharp; Rep. Gilligan; Sen. Cloutier)

**HB #60** (4/17/01) – AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO ELIGIBILITY TO RECEIVE A STATE HIGH SCHOOL DIPLOMA. (Sponsors: Rep. Price & Rep. Viola & Sen. Bunting; Reps. Boulden, Brady, Cathcart, B. Ennis, Ewing, Fallon, Keeley, Maier, Spence, Van Sant, West; Sens. Marshall, Sokola) (Volume 73, Chapter 23, Laws of Delaware.)

**HB #130** (4/17/01) – AN ACT TO AMEND TITLE 5 AND TITLE 29 OF THE DELAWARE CODE RELATING TO BANKS AND OTHER FINANCIAL INSTITUTIONS. (Sponsors: Rep. Stone & Sen. Adams; Reps. Carey, D. Ennis, Fallon, Gilligan, Houghton, Hudson, Keeley, Valihura; Sens. Sokola, Sorenson) (Volume 73, Chapter 24, Laws of Delaware.)

**SB #30** (4/24/01) - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO BOILER SAFETY. (Sponsors: Sen. DeLuca & Rep. Ulbrich; Sens. Bunting, Sokola, Simpson, Still; Reps. Hudson, Valihura, Keeley, Price) (Volume 73, Chapter 25, Laws of Delaware.)

**SB #97** (4/24/01) – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DOMESTIC VIOLENCE COORDINATING COUNCIL. (Sponsors: Sen. Blevins; Sens. Sharp, Sorenson; Rep. Hudson) (Volume 73, Chapter 26, Laws of Delaware.)

**HB #109** (4/27/01) – AN ACT TO AMEND AN ACT, BEING 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 A UTILITY SYSTEM COMPRISED OF 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”, TO ESTABLISH PROCEDURES FOR THE ANNUAL ELECTION. (Sponsors: Rep. Schroeder & Sen. Simpson) (Volume 73, Chapter 27, Laws of Delaware.)

**SB #75** (5/3/01) – AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO COMMERCIAL SHELLFISHING. (Sponsors: Sen. Simpson & Rep. Quillen; Sens. Bonini, Henry, Still; Reps. Buckworth, Carey, Caulk, DiPinto, D. Ennis, Hudson, Lee, Miro, Reynolds, Smith, Thornburg, Valihura, Wagner, West, Williams) (Volume 73, Chapter 28, Laws of Delaware.)

**SB #76** (5/3/01) – AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO COMMERCIAL FISHING. (Sponsors: Sen. Simpson & Rep. Quillen & Sen. McBride; Sens. Bonini & Still; Reps. Buckworth, Carey, Cathcart, Caulk, DiPinto, Ewing, Houghton, Hudson, Miro, Price, Reynolds, Thornburg, West) (Volume 73, Chapter 29, Laws of Delaware.)

\* \* \*

A communication from JoAnn M. Hedrick, Chief Clerk of the House to Bernard J. Brady, Secretary of the Senate was read advising the Senate that Representative Schroeder signed **SB 106** as an additional co-sponsor on May 08, 2001.

A withdrawn of sponsorship request form was read from Senator Cloutier requesting her name be removed from **SB 143**.

Senator Still marked present.

**HJR 8** was Lifted from the Table and brought before the Senate for consideration under the suspension of the necessary rules on motion of the floor manager, Senator Still.

**HJR 8** - COMMENDING, THANKING, AND RECOGNIZING THE STATE OF TENNESSEE FOR ITS ROLE AS A MAJOR CONTRIBUTOR TO THE WORLD OF PROFESSIONAL MOTORSPORTS.

Roll call vote on **HJR 8** was taken and revealed:

YES: 19

ABSENT: Senator(s) Bonini, Marshall - 2

**HJR 8** was declared passed the Senate and was returned to the House.

At 02:45 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 30th Legislative Day.

**30th LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
MAY 15, 2001**

The Senate convened at 02:45 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Still followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams.

No objections.

**SB 99** was brought before the Senate for consideration on the motion of Senator McBride.

**SB 99** - AN ACT TO AMEND TITLE 16, DELAWARE CODE RELATING TO THE CLEAN INDOOR AIR ACT.

Senator McBride requested the privilege of the floor for Dr. Wayne H. Franklin, representing Delaware Chapter of the American Academy of Pediatrics.

Senator Simpson questioned the witness, after which the witness was excused.

**SA 1 to SB 99** was brought before the Senate for consideration on the motion of Senator McBride.

Roll call vote on **SA 1 to SB 99** was taken and revealed:

YES: 21

**SA 1 to SB 99** was declared part of the bill.

Senator Bonini marked present during the above roll call.

**SA 2 to SB 99** was brought before the Senate for consideration on the motion of Senator McBride.

Senator McBride moved to lay **SA 2 to SB 99** on the Table. No objection.

Senator Amick requested that **SA 3 to SB 99** be Stricken. No objection.

**SA 4 to SB 99** was brought before the Senate for consideration on the motion of Senator Vaughn.

Senator Vaughn requested the privilege of the floor for Denis McGlynn, representing Dover Downs.

Several Senators questioned the witness, after which the witness was excused.

**SA 1 to SA 4 to SB 99** was brought before the Senate for consideration on the motion of Senator McBride.

Several Senators questioned the sponsor.

Senator McBride requested the privilege of the floor for Jeffrey Clark, Senate Attorney.

Several Senators questioned the witness, after which the witness was excused.

Roll call vote on **SA 1 to SA 4 to SB 99** was taken and revealed:

YES: 5

NO: Senator(s) Adams, Amick, Blevins, Bonini, Cloutier, Connor, Cook, DeLuca, Henry, Sharp, Simpson, Sorenson, Still, Vaughn, Venables, Winslow - 16.

**SA 1 to SA 4 to SB 99** was Defeated.

Roll call vote on **SA 4 to SB 99** was taken and revealed:

YES: 13

NO: Senator(s) Blevins, Bunting, Marshall, McBride, McDowell, Sokola, Winslow -

7.

NOT VOTING: Senator(s) Sorenson - 1.

**SA 4 to SB 99** was declared part of the bill.

**SA 5 to SB 99** was brought before the Senate for consideration on the motion of Senator Bunting.

Roll call vote on **SA 5 to SB 99** was taken and revealed:

YES: 5

NO: Senator(s) Adams, Amick, Blevins, Bonini, Cloutier, Connor, Cook, DeLuca, Henry, McBride, Sharp, Simpson, Still, Vaughn, Venables, Winslow - 16.

SA 5 to SB 99 was Defeated.

SA 6 to SB 99 was brought before the Senate for consideration on the motion of Senator McBride.

Senator Bonini commented.

Senator McBride moved to lay SA 6 to SB 99 on the Table. No objection.

SB 99 w/SA 1 & SA 4 was now before the Senate.

Senator McBride requested the privilege of the floor for Christine Schiltz, representing the American Heart Association.

Several Senators questioned the witness, after which the witness was excused.

Senator McBride requested the privilege of the floor for Jeffrey Clark, Senate Attorney.

Senator Bonini questioned the witness, after which the witness was excused.

Several Senators commented.

Roll call vote on SB 99 w/SA 1 & SA 4 was taken and revealed:

YES: 18

NO: Senator(s) Bonini, Vaughn, Venables - 3.

SB 99 w/SA 1 & SA 4 was declared passed the Senate as amended and sent to the House for Consideration.

On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
05/15/01**

**May 10, 2001**

**SB 184** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE RECYCLING OF OUT OF STATE RECYCLABLE MATERIALS AT DELAWARE SOLID WASTE AUTHORITY FACILITIES. Sponsor: Sen. McBride; Quillen, Sens. Adams & DeLuca; Reps. Carey, Ewing & Schroeder; **Executive**.

**SB 185** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO OYSTERS. Sponsor: Sen. McBride; Quillen; **Natural Resources & Environmental Control**.

**SB 186** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE ESTABLISHING FREEDOM TRAIL HISTORICAL MONUMENTS. Sponsor: Sen. Henry; Williams, Rep. Plant; **Executive**.

**SB 187** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO CIVIL AND ADMINISTRATIVE PENALTIES AND DEBRIS DISPOSAL AREA REMEDIATION. Sponsor: Sen. DeLuca; Miro, Sens. McBride, McDowell & Sokola; Reps. Oberle, Roy, Spence, Ulbrich, B. Ennis, Gilligan, Keeley & Williams; **Natural Resources & Environmental Control**.

**SB 188** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE, RELATING TO APPLICATIONS FOR RE-ZONING, VARIANCES AND SUBDIVISION APPROVAL. Sponsor: Sen. DeLuca; Oberle, Sens. Henry, Sokola, Connor & Still; Reps. Miro, Reynolds, Roy, Brady, B. Ennis, Gilligan, Mulrooney, Price & Viola; **Highways & Transportation**.

**May 15, 2001**

**SA 1 to SB 149** - Sponsor: Sen. Sokola; Placed with the bill.

**SA 1 to SB 168** - Sponsor: Sen. Sokola; Placed with the bill.

**SA 4 to SB 99** - Sponsor: Sen. Vaughn; Placed with the bill.

**SA 5 to SB 99** - Sponsor: Sen. Bunting; Placed with the bill.

**SA 6 to SB 99** - Sponsor: Sen. McBride; Placed with the bill.

**SB 191** - AN ACT TO AMEND TITLES 11 AND 21 OF THE DELAWARE CODE RELATING TO COLLECTION OF BLOOD SAMPLES. Sponsor: Sen. Blevins; Hudson; **Health & Social Services**.



**SB 192** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE REGARDING NOTIFICATION OF DRINKING WATER CONTAMINANTS AND THE ESTABLISHMENT OF THE SAFE DRINKING WATER INFORMATION SYSTEM. Sponsor: Sen. Blevins; Ulbrich, Sens. Bonini, Bunting, Connor, Henry, Sokola; Reps. B. Ennis, Gilligan, Hudson, Keeley, Maier, Miro, Viola, Williams; **Health & Social Services**.

**SB 193** - AN ACT TO AMEND CHAPTER 70, TITLE 25 OF THE DELAWARE CODE RELATING TO RENT INCREASES. Sponsor: Sen. Bunting; Reps. Price & Schroeder; **Executive**.

**SS 1 to SB 130** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CHILD RESTRAINT IN MOTOR VEHICLES. Sponsor: Sen. Henry & Rep. Lavelle. Adopted in Lieu of the Original. **LOT**.

**HB 163** - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO THEFT AND RELATED OFFENSES AND CIVIL ACTIONS. Sponsor: Rep. Roy; McBride; **Judiciary**.

**HB 220** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL AND DISTRICT ACCOUNTABILITY. Sponsor: Rep. Reynolds; Sokola, Reps. Buckworth, Carey, Fallon, Thornburg, Wagner, Gilligan, Schroeder, Sens. Bonini, Simpson, Sorenson; **Education**.

**HCR 12** - MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT H.R. 20, THAT WAS INTRODUCED ON JANUARY 3, 2001, AND THAT MODIFIES PROVISIONS OF THE CLEAN AIR ACT, REGARDING THE OXYGEN CONTENT OF REFORMULATED GASOLINE AND IMPROVES THE REGULATION OF THE FUEL ADDITIVE METHYL TERTIARY BUTYL ETHER (MTBE). Sponsor: Rep. Caulk; Bunting; **LOT**.

**HCR 15** - ESTABLISHING A CHILD ABUSE SUBSTANTIATION WORK GROUP TO CONSIDER CERTAIN ISSUES INVOLVED IN THE SUBSTANTIATION OF CHILD ABUSE OR NEGLECT. Sponsor: Rep. Price; McDowell, Sen. Sorenson; Reps. Carey, DiLiberto, B. Ennis, Gilligan, Hudson, Keeley, Maier, Oberle, Schroeder, Spence, Ulbrich, Williams; Sens. Blevins, Connor, Henry, Simpson, Vaughn, Venables; **LOT**.

**HCR 16** - CONVENING A TRUANCY TASK FORCE TO EVALUATE TRUANCY PROGRAMS AND MAKE RECOMMENDATIONS. Sponsor: Rep. Maier; Sokola; **LOT**.

**HJR 6 w/HA 1** - ESTABLISHING THE WILMINGTON-DOVER RAIL SERVICE TASK FORCE TO RESEARCH THE FEASIBILITY OF PROVIDING RAIL TRANSPORTATION BETWEEN DOVER AND WILMINGTON FOR THE BENEFIT OF DELAWARE RESIDENTS. Sponsor: Rep. Wagner; D. Ennis & Sen. McDowell; Sen. Cook, Reps. Boulden, Brady, Buckworth, Carey, Cathcart, Caulk, DiLiberto, DiPinto, B. Ennis, Fallon, Gilligan, Houghton, Hudson, Keeley, Lavelle, Lee, Lofink, Maier, Miro, Mulrooney, Price, Quillen, Reynolds, Roy, Scott, Smith, Spence, Stone, Thornburg, Ulbrich, Valihura, Van Sant, Viola, West, Williams; Sens. Simpson, Sorenson, Still, Winslow; **LOT**.

**HJR 10** - RECOGNIZING THE IMPORTANCE OF, AND SUPPORTING A PILOT ALTERNATIVE EDUCATION PROGRAM IN NEW CASTLE COUNTY, DELAWARE. Sponsor: Rep. Reynolds; Spence & Sen. McBride & Rep. Oberle & Sen. DeLuca; **Executive**.

**SS 1 to SB 130** was Lifted from the Table and brought before the Senate for consideration under the suspension of the necessary rules on the motion of Senator Henry.

**SS 1 to SB 130** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CHILD RESTRAINT IN MOTOR VEHICLES.

Senator Amick commented.

Senator Henry requested to lay **SS 1 to SB 130** on the Table. No objection.

**SB 149** was brought before the Senate for consideration on the motion of Senator Sokola.

**SB 149** - AN ACT TO AMEND TITLES 11 AND 14 OF THE DELAWARE CODE RELATING TO CORPORAL PUNISHMENT.

**SA 1 to SB 149** was brought before the Senate for consideration on the motion of Senator Sokola.

Roll call vote on **SA 1 to SB 149** was taken and revealed:

YES: 21

**SA 1 to SB 149** was declared part of the bill.

**SB 149 w/SA 1** was now before the Senate.

Senator Bonini commented.

Roll call vote on **SB 149 w/SA 1** was taken and revealed:

YES: 16

NO: Senator(s) Cook, Sharp, Simpson, Vaughn, Venables - 5.

**SB 149 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

**SJR 4 w/HA 1**, which was returned from the House with an amendment, was brought before the Senate for reconsideration on the motion of Senator Henry.

**SJR 4 w/HA 1** - ESTABLISHING 2001 AS "THE YEAR OF TREATMENT" AND APPOINTING A TASK FORCE TO STUDY AND MAKE RECOMMENDATIONS CONCERNING THE AVAILABILITY OF QUALITY TREATMENT PROGRAMS FOR SUBSTANCE ABUSE ADDICTION IN DELAWARE.

Roll call vote on **SJR 4 w/HA 1** was taken and revealed:

YES: 21

**SJR 4 w/HA 1** was declared passed the Senate and sent to the House for Consideration.

**HB 72** was brought before the Senate for consideration on the motion of the floor manager, Senator Sokola.

**HB 72** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE BOARD OF ADJUSTMENT.

Senators Sharp and Blevins commented.

Roll call vote on **HB 72** was taken and revealed:

YES: 11

NO: Senator(s) Adams, Amick, Sharp, Simpson, Vaughn - 5.

NOT VOTING: Senator(s) Bunting, Cloutier, Connor, DeLuca, Still - 5.

**HB 72** was declared passed the Senate and returned to the House.

**SB 120** was brought before the Senate for consideration on the motion of Senator Adams.

**SB 120** - AN ACT TO AMEND TITLES 10 AND 29 OF THE DELAWARE CODE RELATING TO ASSIGNMENTS AND PENSIONS OF RETIRED JUSTICES OF THE PEACE TO ACTIVE DUTY.

Senator Adams requested the privilege of the floor for Judge Edward Davis, representing the Justice of the Peace.

The witness was excused after addressing the Senate.

Roll call vote on **SB 120** was taken and revealed:

YES: 21

**SB 120** was declared passed the Senate and sent to the House for Consideration.

Additions to the agenda, committee and other legislative meetings were announced.

The Secretary announced the agenda for May 16, 2001.

On motion of Senator Adams, the Senate recessed at 05:31 PM until May 16, 2001 at 03:30 PM.

The Senate reconvened at 03:52 PM on May 16, 2001 with Lt. Governor Carney presiding.

The following committee reports were announced:

From Executive: **SJR 5** - 6 Merits; **SS 1 to SB 53** - 1 Favorable, 5 Merits; **SB 184** - 1 Favorable, 5 Merits; **SB 189** - 6 Merits; **HB 101** - 3 Favorable, 3 Merits; **Douglas Catts** - 6 Merits; **Donald Dean** - 6 Merits; **Robert Gilsdorf** - 1 Favorable, 5 Merits; **Dwight Holden** - 6 Merits; **Jeanne O'Connor** - 6 Merits.

From Agriculture: **SB 112** - 1 Favorable, 3 Merits; **HB 140** - 5 Merits.

From Highway and Transportation: **SB 188** - 5 Merits.

At 03:57 PM on motion of Senator Adams, the Senate adjourned to immediately convene for the 31st Legislative Day.

**31st LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
MAY 16, 2001**

The Senate convened at 03:56 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Bunting followed by the Pledge of Allegiance to the Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola, Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams. No objections.

On motion of Senator Adams, the following nominations from the Governor were considered:

**Lathem, Samuel:** 18 Senator(s) voting YES, 3 (Cloutier, Henry, McBride) ABSENT. Appointment was declared CONFIRMED.

Senators Bonini and Cook marked present during the above roll call.

**Coonin, Robert:** 17 Senator(s) voting YES, 4 (Cloutier, Henry, McBride, Sharp) ABSENT. Appointment was declared CONFIRMED.

**Hensley, Verna:** 18 Senator(s) voting YES, 3 (Cloutier, Henry, McBride) ABSENT. Appointment was declared CONFIRMED.

**Gilsdorf, Robert:** 17 Senator(s) voting YES, 4 (Cloutier, Henry, McBride, Sharp) ABSENT. Appointment was declared CONFIRMED.

**Gregory, Donald:** 18 Senator(s) voting YES, 3 (Cloutier, Henry, McBride) ABSENT. Appointment was declared CONFIRMED.

**SB 181** was brought before the Senate for consideration on the motion of Senator Blevins.

**SB 181** - AN ACT TO AMEND TITLES 16 AND 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE.

**SA 1 to SB 181** was brought before the Senate for consideration on the motion of Senator Blevins.

Roll call vote on **SA 1 to SB 181** was taken and revealed:

YES: 18

NO: Senator(s) Sharp - 1.

ABSENT: Senator(s) Cloutier, Henry - 2.

**SA 1 to SB 181** was declared part of the bill.

Senator McBride marked present during the above roll call.

**SB 181 w/SA 1** was now before the Senate.

Senator Blevins requested the privilege of the floor for Matt Denn, representing the Governor's office.

Several Senators questioned the witness, after which the witness was excused.

Senator Cloutier marked present.

Senators Cloutier, Bonini and Venables requested to be co-sponsors of the bill.

Roll call vote on **SB 181 w/SA 1** was taken and revealed:

YES: 21

**SB 181 w/SA 1** was declared passed the Senate as amended and sent to the House for Consideration.

Senator Henry marked present during the above roll call.

Senator Marshall requested that **SB 41 w/SA 1** be Lifted from the Table and brought before the Senate for Consideration.

**SB 41 w/SA 1** - AN ACT TO AMEND TITLES 6 AND 26 OF THE DELAWARE CODE RELATING TO TELEMARKETING REGISTRATION AND FRAUD PREVENTION.

**SA 3 to SB 41** was brought before the Senate for consideration on the motion of Senator Marshall.

Roll call vote on **SA 3 to SB 41** was taken and revealed:

YES: 21

**SA 3 to SB 41** was declared part of the bill.

Senator Marshall requested that **SA 4 to SB 41** be Stricken. No objection.

**SA 5 to SB 41** was brought before the Senate for consideration on the motion of Senator McDowell.

Several Senators questioned the sponsor.

Senator McDowell requested the privilege of the floor c. Malcolm Cochran, IV, representing MDCC.

Senator Simpson questioned the witness, after which the witness was excused.

Senator McDowell moved to lay **SA 5 to SB 41** on the Table. No objection.

**SA 6 to SB 41** was brought before the Senate for consideration on the motion of Senator Marshall.

Senator Amick requested the privilege of the floor for Sam Waltz, representing Natl. Federation of Independent Business, Dover, DE.

The witness was excused after addressing the Senate.

Several Senators commented.

Roll call vote on **SA 6 to SB 41** was taken and revealed:

YES: 10

NO: Senator(s) Adams, Amick, Bonini, Bunting, Cloutier, Connor, Cook, DeLuca, Sorenson, Vaughn, Winslow - 11.

**SA 6 to SB 41** was Defeated.

Senator McDowell requested that **SA 5 to SB 41** be Lifted from the Table and brought before the Senate for Consideration.

Roll call vote on **SA 5 to SB 41** was taken and revealed:

YES: 5

NO: Senator(s) Adams, Amick, Blevins, Bunting, Cloutier, Connor, DeLuca, Henry, Marshall, McBride, Sharp, Simpson, Sokola, Sorenson, Vaughn, Winslow - 16.

**SA 5 to SB 41** was Defeated.

Roll call vote on **SB 41 w/SA 1 & SA 3** was taken and revealed:

YES: 14

NO: Senator(s) Adams, Bonini, Cook, Simpson, Sorenson, Vaughn, Winslow - 7.

**SB 41 w/SA 1 & SA 3** was declared passed the Senate as amended and sent to the House for Consideration.

Additions to the agenda, committee and other legislative meetings were announced.

On motion of Senator Sharp, the President Pro Tempore's List of Pre-Filed Legislation was introduced for the permanent record, partially read and copies were made available.

**DELAWARE STATE SENATE  
PRESIDENT PRO TEMPORE'S LIST OF PRE-FILED LEGISLATION  
READ TO THE SENATE RECORD  
5/16/01**

**May 15, 2001**

The following nomination(s) assigned to the **Executive** Committee:

Mr. Douglas Catts 515 Troon Road Dover, DE 19904	To be reappointed State Port Corporation with a term to expire three years from date of Senate Confirmation.
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Mr. Donald Dean 66 Laurel Drive Dover, Delaware 19901	To be appointed as Chair of the Environmental Appeals Board to serve at the Pleasure of the Governor.
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Mr. James R. Soles 9 Briar Lane Newark, Delaware 19711	To be reappointed as Chair of the Delaware Technical and Community College Board of Trustees to serve at the Pleasure of the Governor.
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Mr. Dwight Holden 2912 N. Monroe Street Wilmington, Delaware 19802	To be reappointed a member of the Board of Parole with a term to expire four years from date of Senate Confirmation.
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Mrs. Jeanne O'Connor  
27 Wilson Walk  
Bethany Beach, Delaware 19930

To be appointed  
as a member of the Delaware  
Alcoholic Beverage Control  
Appeals Commission to serve  
at the Pleasure of the Governor.

Mr. John D. Hazleton  
1010 Berkeley Road  
Wilmington, Delaware 19807

To be reappointed  
as a member of the Cash  
Management Policy Board to  
serve a term to expire three  
years from Senate  
Confirmation.

May 16, 2001

**SB 190** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE  
RELATING TO OCCUPATIONS AND FIREARMS. Sponsor: Sen. Marshall; Henry,  
Sen. McDowell & Rep. Hudson & Rep. Keeley & Rep. Williams; **Public Safety**.

**SB 194** - AN ACT TO AMEND CHAPTER 70, TITLE 25 OF THE DELAWARE  
CODE RELATING TO THE MOBILE HOME LOTS AND LEASES ACT. Sponsor:  
Sen. Bunting; Reps. Price & Schroeder; **Executive**.

**SB 195** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE  
RELATING TO CUSTODY PROCEEDINGS. Sponsor: Sen. Bunting; **Executive**.

**SB 196** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE  
RELATING TO THE DELAWARE CHILD CARE ACT. Sponsor: Sen. McDowell;  
Blevins, Rep. Gilligan; Sens. Connor, Henry, Sharp, Sorenson; Reps. Hudson, Keeley,  
Maier; **Health & Social Services**.

\* \* \*

The Secretary announced the agenda for May 17, 2001.

On motion of Senator Adams, the Senate recessed at 06:05 PM until May 17, 2001 at  
02:00 PM.

The Senate reconvened at 02:07 PM on May 17, 2001 with Lt. Governor Carney  
presiding.

The following committee reports were announced:

From Revenue and Taxation: **SB 118** - 4 Merits; **SB 182** - 4 Merits; **SB 46** - 4  
Merits; **SB 183** - 4 Merits.

From Labor: **SB 174** - 3 Merits.

From Natural Resources: **SB 185** - 1 Favorable, 3 Merits; **SB 119** - 1 Favorable, 3  
Merits.

From Education: **SB 176** - 4 Merits; **HB 220** - 4 Merits.

From Health and Social Service: **HB 93** - 4 Merits; **SB 175** - 4 Merits.

At 02: 10 PM on motion of Senator Adams, the Senate adjourned to immediately  
convene for the 32nd Legislative Day.

**32nd LEGISLATIVE DAY  
141st GENERAL ASSEMBLY  
FIRST SESSION  
MAY 17, 2001**

The Senate convened at 02:10 PM with Lt. Governor Carney presiding.

A prayer was offered by Senator Still followed by the Pledge of Allegiance to the  
Flag.

Call of the roll for the Legislative Day revealed the following attendance:

**PRESENT:** Senator(s) Adams, Amick, Blevins, Bonini, Bunting, Cloutier, Connor,  
Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Simpson, Sokola,  
Sorenson, Still, Vaughn, Venables, Winslow - 21.

The journal of the previous day was approved as read on motion of Senator Adams.  
No objections.

Senator Henry requested that **SS 1 to SB 130** be Lifted from the Table and brought  
before the Senate for Consideration.

**SA 1 to SS 1 to SB 130** was brought before the Senate for consideration on the  
motion of Senator Amick.

Roll call vote on SA 1 to SS 1 to SB 130 was taken and revealed:

YES: 12

NO: Senator(s) Adams, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Sharp, Vaughn - 9.

SA 1 to SS 1 to SB 130 was declared part of the bill.

Senators Bonini, Marshall and Sokola marked present during the above roll call. Senator Vaughn commented.

SS 1 to SB 130 w/SA 1 was now before the Senate.

Roll call vote on SS 1 to SB 130 w/SA 1 was taken and revealed:

YES: 21

SS 1 to SB 130 w/SA 1 was declared passed the Senate and sent to the House for Consideration.

SB 111 was brought before the Senate for consideration on the motion of Senator Marshall.

SB 111 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO ATTORNEYS' FEES ALLOWED BY THE INDUSTRIAL ACCIDENT BOARD FOR SUCCESSFUL CLAIMANTS.

Senator Marshall requested the privilege of the floor for Joseph Weik, representing the Delaware Trail Lawyers Association.

Several Senators questioned the witness, after which the witness was excused.

Senator Amick commented.

Senator Marshall requested Joseph Rhoades, representing the Delaware Trial Lawyers Association.

Several Senators questioned the witness, after which the witness was excused.

Roll call vote on SB 111 was taken and revealed:

YES: 19

NOT VOTING: Senator(s) Amick, Simpson - 2.

SB 111 was declared passed the Senate and sent to the House for Consideration.

Senator Adams moved to recess for Party Caucus at 03:06 PM.

The Senate reconvened at 04:42 PM with Lt. Governor Carney presiding.

SB 140 was brought before the Senate for consideration on the motion of Senator Vaughn.

SB 140 - AN ACT TO AMEND CHAPTER 128, VOLUME 33, LAWS OF DELAWARE AS AMENDED, ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF MIDDLETOWN", TO ELIMINATE PROVISIONS REQUIRING VOTES TO BE WEIGHTED ON THE BASIS OF PROPERTY TAX PAYMENTS IN SPECIAL ELECTIONS APPROVING BORROWINGS, TO ALLOW THE TOWN TO INCUR INDEBTEDNESS IN ANTICIPATION OF TAX COLLECTIONS AND OTHER REVENUES, TO INCREASE THE DEBT LIMIT, AND TO CLARIFY CERTAIN PROVISIONS REGARDING REFINANCING OF INDEBTEDNESS BY THE TOWN.

SA 1 to SB 140 was brought before the Senate for consideration on the motion of Senator Sharp.

Senator Amick commented.

Roll call vote on SA 1 to SB 140 was taken and revealed:

YES: 19

NOT VOTING: Senator(s) McDowell - 1.

ABSENT: Senator(s) Venables - 1.

SA 1 to SB 140 was declared part of the bill.

SB 140 w/SA 1 was now before the Senate.

Senator McDowell rose to comment and give an explanation on how he was going to vote.

Roll call vote on SB 140 w/SA 1 was taken and revealed:

YES: 19

NOT VOTING: Senator(s) McDowell - 1.

ABSENT: Senator(s) Venables - 1.

SB 140 w/SA 1 was declared passed the Senate as amended and sent to the House for Consideration.

SS 1 to SB 33 was brought before the Senate for consideration on the motion of Senator McBride.

SS 1 to SB 33 - AN ACT TO AMEND TITLE 7 AND TITLE 29 OF THE DELAWARE CODE WITH RESPECT TO NOTIFICATION OF ENVIRONMENTAL