

DATE: March 20, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1144GA	Quillen cosponsor: Senator Still	3/15/96	T	Daniel A. Ludwig/Nat. Commander /Amer. Legion/Visit to DE
H138-1145	Carey	10/26/95	T	Mr. & Mrs. William H. Bennett/ 60th Wedding Anniversary
H138-1146	B. Ennis	3/11/96	M	John H. L. Cook
H138-1147	Carey	3/25/96	T	Slaughter Neck Cheer Center/22nd Anniversary
H138-1148	Carey	3/26/96	T	Cub Scout Pack 116-Milford/30th Annual Blue & Gold Banquet
H138-1149	Lee	3/14/96	T	Jerry Mears/'96 Henlopen Wrestling Coach of Year
H138-1150	Lofink	3/10/96	T	Rev. Irvin R. Pusey/Evangelical Free Church/Retire/40 Yrs.
H138-1151	Ewing	1/31/96	T	Lee Weller/Fireman of Year/Bridge- ville Vol. Fire Company
H138-1152	Wagner	3/11/96	M	Loretta I. McNamara
H138-1153	B. Ennis	3/15/96	M	Frances V. Barnes
H138-1154	B. Ennis	3/16/96	M	Frances H. Apgar
H138-1155	Gilligan	3/09/96	T	Betty & Raymond Harbeson/ 50th Wedding Anniversary
H138-1156	Buckworth	3/25/96	T	Katie Wallace/1st Place Essay/Fire Prevention Contest

HOUSE TRIBUTE ANNOUNCEMENT #75

DATE: March 20, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1157	Buckworth	3/25/96	T	Lindsey Ross/1st Place Essay/Fire Prevention Contest
H138-1158	Buckworth	3/25/96	T	Jason Ayars/1st Place Essay/Fire Prevention Contest
H138-1159	Buckworth	3/25/96	T	Virginia Mills/1st Place Poster/Fire Prevention Contest
H138-1160	Buckworth	3/25/96	T	David Comeaux/1st Place Essay/Fire Prevention Contest
H138-1161	Buckworth	3/25/96	T	Christopher Carlson/1st Place Poster/Fire Prevention Contest
H138-1162	Buckworth	3/25/96	T	Richard Giangrant/1st Place Poster/Fire Prevention Contest
H138-1163	Buckworth	2/15/96	T	Gary Johnson/7th Grade Spelling Champ.
H138-1164	Buckworth	2/15/96	T	Lindsay Kennedy/Star Hill Elementary /6th Grade Spelling Champion
H138-1165	Buckworth	2/15/96	T	Todd Simon/W. Reilly Brown Elem- entary/5th Grade Spelling Champion
H138-1166	Buckworth	2/15/96	T	Isaac Newman/Maj. George S. Welch Elementary/4th Grade Spelling Champ
H138-1167	Buckworth	2/29/96	T	Col. Jessica M. Klein/Outstanding Senior Cadet of AFJROTC

T - Tribute

M - Memoriam

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

P/S: HB 458 - 5M; HB 459 - 5M.

R & F: HB 453 - 9M.

HEALTH & HUM DEV: HCR 38 - 6M; SS 1 to SB 72 - 6M,2U.

LABOR: HB 409 - 4M; HB 424 - 4M; SB 202 - 4M.

HOUSING & COM AFF: SB 215 - 9M.

H/ADM: HB 411 - 3F,2M; HJR 21 - 5F.

The following prefiled Consent Calendar #16 was introduced:

HCR 42 - ROY, GILLIGAN, PETRILLI, MAIER, CAPANO & SENATORS SHARP, SOKOLA, BLEVINS - Commending Wayne A. Steen, Sr. Of the Mill Creek Fire Company for His Outstanding Volunteer Service as a Firefighter, Holding Numerous and Various Leadership Posts, and Further Extending to Him Our Best Wishes for a Healthy and Successful Future.

HCR 43 - QUILLEN & SENATOR VOSHELL; ON BEHALF OF ALL REPRESENTATIVES & SENATORS - Honoring the Four New Inductees to the Delaware Women's Hall of Fame.

HCR 44 - CAPANO & DIPINTO; SENATOR SORENSON ON BEHALF OF ALL LEGISLATORS - Mourning the Loss of Dr. S. Ward Casscells, Pioneer in Arthroscopic Surgery.

Consent Calendar 16# was adopted by voice vote and HCR 42, HCR 43 & HCR 44 were sent to the Senate for concurrence.

Representative Maroney made comments regarding HCR 44.

The House observed a moment of silence in memory of Dr. Ward Casscells at the request of Representative Maroney.

Representative B. Ennis requested that HB 450 be stricken.

Representatives Maier, Spence, Gilligan, D. Ennis, Ewing & Maroney made comments regarding HCR 43.

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

H/ADM: HB 399 - 2F,3M.

The Majority Leader moved to recess to the call of the Chair at 4:40 p.m.

14th LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
March 21, 1996

Mr. Speaker Spence resumed the Chair.

Mr. Speaker called the House to order at 2:19 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SCR 50, SB 195 w/SA 2, HB 335, HB 248 & HCR 43.

MEMORANDUM

TO: Representative Terry R. Spence
Speaker of the House

FROM: Representative Joseph R. Petrilli
House Majority Leader

DATE: March 20, 1996

I will not be attending session on Thursday, March 21, 1996 due to legislative business.
Thank you for your consideration.

JP/jm

Copy: JoAnn Hedrick
Chief Clerk

The Majority Whip moved to adjourn at 2:20 p.m., thereby ending the current Legislative Day. The House reconvened at 2:21 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Petrilli - 1.

A prayer was offered by Representative Stephanie A. Ulbrich, Twenty-Fifth Representative District.

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

The minutes of the previous Legislative Day were approved as posted.

The following prefiled legislation was introduced:

HB 475 - SCHROEDER, BUNTING, LOFINK - NAT RES: An Act to Amend Chapter 9 of Title 7 of the Delaware Code Relating to the Sale of Food Fish. (2/3 bill)

SB 195 w/SA 2 - BLEVINS & REPRESENTATIVE STONE - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to Long-Term Care Insurance.

Representatives Stone, Williams & Schroeder requested that they be marked present.

Representative Wagner was granted the privilege of the floor for the introduction of guests.

Representative Spence made comments.

Representative Fallon introduced guests.

Representative B. Ennis requested that he be marked present.

Representative B. Ennis requested that HB 383 & HB 396 be stricken.

Representative Spence made comments.

The Majority Whip moved to recess for caucus at 2:28 p.m.

The House reconvened at 4:12 p.m with Representative Roy as Acting Speaker.

Representatives Mack, Oberle & DiPinto requested that they be marked present.

Representative Spence requested that HB 132 be stricken.

Representative Quillen brought HJR 21, jointly sponsored by All Representatives & Senator Cordrey & All Senators, before the House for consideration.

HJR 21 - Expressing Shock and Sadness on Behalf of All Delawareans Over the Murder of Sixteen Innocent Children, Plus Their Teacher in the Little Thirteenth Century Cathedral Town of Dunblane, Scotland and Extending to the Entire Populace of Dunblane, Delaware's Heartfelt Condolences During Their Bereavement.

Representative Quillen made comments.

The roll call on HJR 21 was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis, Petrilli - 2.

Therefore, having received a constitutional majority, HJR 21 was sent to the Senate for concurrence.

Representatives Maroney & Reynolds requested that they be marked present during the roll call.

The House observed a moment of silence in memory of the murdered children and their teacher from Dunblane, Scotland at the request of Representative Quillen.

Representative Carey was granted the privilege of the floor for the introduction of a guest.

Representative Caulk introduced and brought SCR 50, jointly sponsored by Senators Adams, Cook, Vaughn, Venables, Still & Bonini & Representatives Carey, Mack, Schroeder & West, before the House for consideration.

SCR 50 - Proclaiming the Week of March 18 Through March 24 Delaware Agriculture Week for 1996 and Honoring Delaware's Farmers, Farm Families and Agri-Businessmen for Their Many Contributions to Delaware.

Representative Caulk made comments.

SCR 50 was adopted by voice vote and returned to the Senate.

Representative Carey was granted the privilege of the floor for the introduction of a guest.

Representative Smith introduced HB 476, jointly sponsored by Representative Oberle & Senator Sharp & Representatives Brady & Senators Vaughn, Bair & Reed.

HB 476 - An Act to Amend Title 14, Delaware Code, Relating to the State Board of Education; a State Superintendent of Public Instruction; Appointment; Confirmation; Term; Qualification; Removal and Suspension.

Mr. Acting Speaker assigned HB 476 to the Education Committee.

Representative Quillen brought HB 458, jointly sponsored by Senator Voshell, before the House for consideration.

HB 458 - An Act to Amend Chapter 21, Title 21, Delaware Code Relating to Special License Plates.

Representative Quillen made a comment.

The roll call on HB 458 was taken and revealed:

YES: 38.

NO: Representatives Davis, Roy - 2.

ABSENT: Representative Petrilli - 1.

Therefore, having received a constitutional majority, HB 458 was sent to the Senate for concurrence.

Representative Spence requested that HS 1 for HB 132 be stricken.

Representative Quillen deferred to Representative Bunting.

Representative Bunting deferred to Representative Ewing.

Representative Ewing brought HB 405, jointly sponsored by Representatives Bunting, Brady, Buckworth, DiPinto, B. Ennis, Gilligan, Oberle, Plant, Quillen, Scott, Spence, VanSant, Wagner & West & Senators Marshall, McBride & Still, before the House for consideration.

HB 405 - An Act to Amend Chapter 21, Title 21, Delaware Code, Relating to Special License Plates for Korean War Veterans. (3/5 bill)

Representative Bunting made comments.

Mr. Speaker Spence resumed the Chair.

Representative Bunting introduced and brought HA 1 to HB 405 before the House for consideration.

Representative Bunting made comments.

HA 1 was adopted by voice vote.

Representative Bunting introduced and brought HA 2 to HB 405 before the House for consideration. Representatives Gilligan & Ewing made comments.

HA 2 was adopted by voice vote.

Representatives Ewing & Bunting made comments.

The roll call on HB 405 w/HA 1 & 2 was taken and revealed:

YES: 40.

ABSENT: Representative Petrilli - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 405 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Ewing requested and was granted the privilege of the floor for Charles E. Farrell, representing the Korean War Veterans.

Mr. Speaker introduced guests.

Representative Maroney introduced HA 8 to SS 1 for SB 72.

Representative Maroney made comments.

HA 8 was placed with the bill.

Representative Quillen brought HB 459 before the House for consideration.

HB 459 - An Act to Amend Chapter 21, Title 21 Delaware Code Relating to Special Licenses for the Viola Ruritan Club.

Representatives Quillen, Roy, Buckworth & Davis made comments.

The roll call on HB 459 was taken and revealed:

YES: 38.

NO: Representatives Davis, Roy - 2.

ABSENT: Representative Petrilli - 1.

Therefore, having received a constitutional majority, HB 459 was sent to the Senate for concurrence.

Representative VanSant brought HB 414, jointly sponsored by Representatives Banning, Buckworth, Bunting, Capano, Carey, Cloutier, Davis, DiLiberto, DiPinto, B. Ennis, Fallon, Gilligan, Houghton, Jonkiert, Lee, Lofink, Mack, Oberle, Plant, Quillen, Reynolds, Schroeder, Scott, Smith, Stone, Wagner, Welch & Williams & Senators Amick, Hauge, Henry, McDowell, Reed, Vaughn, Venables & Voshell, before the House for consideration.

HB 414 - An Act to Amend Chapter 21, Title 21 of the Delaware Code Relating to the Displaying of Number Plates. (2/3 bill)

Representative VanSant brought HA 1 to HB 414 before the House for consideration.

Representatives VanSant, Cloutier, Davis & B. Ennis made comments.

Representative Davis requested and was granted the privilege of the floor for Brian Shirey, House Attorney.

HA 1 to HB 414 was adopted by voice vote.

Representatives VanSant, Oberle, D. Ennis & B. Ennis made comments.

The roll call on HB 414 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Petrilli - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 414 w/HA 1 was sent to the Senate for concurrence.

Representative Quillen deferred to Representative Gilligan.

Representative Gilligan brought HB 411, jointly sponsored by Senator Sharp, before the House for consideration.

HB 411 - An Act to Amend Chapter 214, Volume 65, Laws of Delaware, as Amended, Being the Charter of the Town of Newport. (2/3 bill)

Representatives Gilligan, Roy, Gilligan, Davis & Gilligan made comments.

The roll call on HB 411 was taken and revealed:

YES: 39.

NOT VOTING: Representative Roy - 1.

ABSENT: Representative Petrilli - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 411 was sent to the Senate for concurrence.

Representative Oberle requested that HB 464 be stricken.

Representative Quillen deferred to Representative Wagner.

Representative Wagner deferred to Representative Maroney.

Representative Maroney brought HCR 38, sponsored by Representative Wagner & Senator Still, before the House for consideration.

HCR 38 - Memorializing the Concurrent Resolution Urging the Congress of the United States to Amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to Facilitate the Development and Approval of New Drugs and Biologics.

Representative Maroney made comments.

HCR 38 was adopted by voice vote and sent to the Senate for concurrence.

Representative Cloutier moved to restore HB 454 w/HA 1. The motion was seconded by Representative Davis and adopted by voice vote.

HB 454 - An Act to Amend Subchapter II, Chapter 47, Title 9 of the Delaware Code, Relating to Garbage Collections in Unincorporated Areas.

Representative Cloutier moved to place HB 454 w/HA 1 on the Speaker's table. The motion was seconded by Representative Mack and adopted by voice vote.

The Majority Whip moved to recess to the call of the Chair at 5:13 p.m.

15th LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
March 26, 1996

Mr. Speaker called the House to order at 2:02 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 247 w/SA 1 & 2, SB 303, HCR 42, HCR 44, HB 370, HB 432, SCR 48 & SCR 49.

March 26, 1996

LEGISLATIVE ADVISORY #41

Governor Thomas R. Carper signed the following legislation on the date indicated: 3/22/96 - SB 242, HB 311.

The Majority Leader moved to adjourn at 204 p.m., thereby ending the current legislative day. The House reconvened at 2:05 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Lofink - 1.

A prayer was offered by Representative Clifford G. Lee, Fortieth Representative District.

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

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

The following prefiled legislation was introduced:

HS 1 for HB 304 - ROY & SENATOR SHARP - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Early Release From Incarceration.

HB 477 - OBERLE & VANSANT, SPENCE, LOFINK, MACK, REYNOLDS, B. ENNIS; SENATORS SHARP, VAUGHN & COSPONSORED BY REPRESENTATIVES EWING, LEE, BUCKWORTH & QUILLEN - P/S: An Act to Amend Title 11 of the Delaware Code Relating to State Police Eligibility for Disability Pension.

HB 478 - ROY & SENATOR SHARP - JUD: An Act to Amend Title 11 of the Delaware Code Relating to the Crime of Theft.

HB 479 - REYNOLDS - NAT RES: An Act to Amend Title 29 of the Delaware Code Relating to State Symbols.

HB 480 - SCHROEDER, BUNTING, CAREY; SENATOR SORENSON - NAT RES: An Act to Amend Title 7 of the Delaware Code Relating to Shellfish Licenses and Permits, and the Penalty for Exceeding the Commercial Crab Pot Limit. (2/3 bill)

HA 1 to HB 303 - ROY - READY LIST: Placed with the bill.

HA 1 to HB 465 - ROY - R & F: Placed with the bill.

HA 1 to HB 470 - CAULK - NAT RES: Placed with the bill.

HA 1 to HCR 40 - MAIER - ED: Placed with the bill.

SB 247 w/SA 1 & 2 - VAUGHN & REPRESENTATIVE QUILLEN - H/ADM: An Act to Amend Title 29 Delaware Code Relating to the Delaware Commission of Veterans Affairs.

SB 303 - VENABLES & SHARP; REPRESENTATIVE ROY - JUD: An Act to Amend Title 13 of the Delaware Code Relating to Premarital Agreements; and Providing for a Uniform Premarital Agreement Act.

Representatives Smith, Plant & Welch requested that they be marked present.

Representatives Ulbrich, Gilligan & Bunting requested and were granted the privilege of the floor for the introduction of guests.

Mr. Speaker Spence made comments.

Mr. Speaker granted the privilege of the floor to Christine Pallace representing State Farm Insurance Company who addressed the House and introduced additional guests as follows:

Jo Ellen Ahalt, Public Affairs Specialist with State Farm Insurance, who demonstrated a 911 simulator with the assistance of William Bell, Britney Lewis, Patrick Malloy and Alexandra Seams, students at Holy Cross School; Louis Amabile, Director, State Fire School; Stephen P. Austin, State Farm Agent; Greg Haley,

State Fire Prevention Commission Member; James L. Cubbage, Jr., Assistant State Fire Marshall; and Lynn James Rogers, President, Delaware Volunteer Firemen's Association.

Mr. Speaker Spence made comments.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #76

DATE: March 26, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1168	Buckworth	2/29/96	T	Captain Erik Doyle/Outstanding Junior Cadet/AFJROTC
H138-1169	Buckworth	3/01/96	T	"Jack" Bossard/Benedict College Athletic Hall of Fame
H138-1170	Buckworth	3/23/96	T	Paul E. Wilhelm, Jr./'96 Humanitarian Award/Burton Foundation
H138-1171	Buckworth	3/21/96	T	William C. Dill/Melvin Jones Fellowship/Outstanding Hum. Service
H138-1172	Buckworth	2/15/96	T	Kenji Nettles/1st Player/1,000 Pts. /Polytech Basketball History
H138-1173	Buckworth	3/25/96	T	Brittani Coleman/1st Place Fire Prevention Poster
H138-1174	Buckworth	3/25/96	T	James Walter Queen/1st Place Fire Prevention Essay
H138-1175	Fallon	3/19/96	T	William A. Oberle, Jr./Distinguished Legislative Award/DSBA
H138-1176	Wagner	3/15/96	M	Allen T. Hill
H138-1177	Capano	3/10/96	M	John L. Sylvester
H138-1178	Fallon	3/23/96	T	Singing Artist Jeffrey Dean/Work with Youth
H138-1179	VanSant	3/23/96	T	Edward J. Bennett/35 Yrs. of Ded. Serv./Elsmere Fire Co.

HOUSE TRIBUTE ANNOUNCEMENT #77

DATE: March 26, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1180	VanSant	3/23/96	T	James E. McLane, Sr./40 Yrs. Ded. Serv./Elsmere Fire Co.
H138-1181	VanSant	3/23/96	T	Richard A. Herold/40 Yrs. Ded. Serv./Elsmere Fire Co.
H138-1182	VanSant	3/23/96	T	Florence Wilkins/45+ Yrs./Ded. Serv./Elsmere Fire Co./Ladies Aux.
H138-1183	VanSant	3/23/96	T	Elizabeth "Betty" Lewis/Member of of Yr./Ladies Aux./Elsmere Fire Co.
H138-1184	VanSant	3/23/96	T	Russell Fernandes/Member of Year/Elsmere Fire Co.
H138-1185	VanSant	3/23/96	T	Eleanor Jones/45 Yrs. Ded. Serv./Elsmere Fire Co./Ladies Aux.
H138-1186	VanSant	3/23/96	T	William G. Walton, Sr./40+ Yrs. Ded. Serv./Elsmere Fire Co.
H138-1187	VanSant	3/23/96	T	Elsmere Fire Company/75th Anniv.
H138-1188	VanSant	3/23/96	T	Orrian Saxton/40+ Yrs./Ded. Serv./Elsmere Fire Co.
H138-1189	VanSant	3/23/96	T	Charles B. Puff/40+ Yrs. Ded. Serv./Elsmere Fire Co.
H138-1190	VanSant	3/23/96	T	Howard H. Hackett/40+ Yrs. Ded. Serv./Elsmere Fire Co.
H138-1191	VanSant	3/23/96	T	Robert Dayett/40+ Yrs. Ded. Serv./Elsmere Fire Co.

H138-1192 Houghton 3/23/96 T Margaret Sneath/40+ Yrs. Ded. Serv./
 cosponsor: VanSant Elsmere Fire Co./Ladies Aux.
 HOUSE TRIBUTE ANNOUNCEMENT #78

DATE: March 26, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1193	Houghton	3/23/96	T	Helen McElrone/40+ Yrs. Ded. Serv./Elsmere Fire Co./Ladies Aux.
H138-1194	Houghton	3/23/96	T	Esther DeKyne/40+ Yrs. Ded. Serv./Elsmere Fire Co./Ladies Aux.
H138-1195	Houghton	3/23/96	T	Evelyn Clark/40+ Yrs. Ded. Serv./Elsmere Fire Co./Ladies Aux.
H138-1196	Houghton	3/23/96	T	Francis E. Jones/65+ Yrs. Ded. Serv./Elsmere Fire Co.
H138-1197	Houghton	3/23/96	T	Ralph H. Talley/60+ Yrs. Ded. Serv./Elsmere Fire Co.
H138-1198	Houghton	3/23/96	T	Vernon H. Brown/60+ Yrs. Ded. Serv./Elsmere Fire Co.
H138-1199	Houghton	3/23/96	T	Charles Biggers/50 Yrs. Ded. Serv./Elsmere Fire Co.
H138-1200	Houghton	3/23/96	T	Jacob Mansure/50 Yrs. Ded. Serv./Elsmere Fire Co.
H138-1201	Houghton	3/23/96	T	William Crather/45+ Yrs. Ded. Serv./Elsmere Fire Co.
H138-1202	Houghton	3/23/96	T	Robert Hamill/45 Yrs. Ded. Serv./Elsmere Fire Co.
H138-1203	Houghton	3/23/96	T	William H. Clark/45 Yrs. Ded. Serv./Elsmere Fire Co.
H138-1204	Houghton	3/23/96	T	Walbert Chew/45 Yrs. Ded. Serv./Elsmere Fire Co.
H138-1205	Houghton	3/23/96	T	William P. Windish, II/40+ Yrs. Ded. Elsmere Fire Co.

T - Tribute

M - Memoriam

Representative Jonkiert requested that he be marked present.

Representative Quillen was granted personal privilege of the floor for a comment.

The Majority Leader moved to recess for caucus at 2:30 p.m.

The House reconvened at 4:11 p.m.

Mr. Speaker reassigned HB 477 to the Labor Committee.

Representatives Mack & Oberle requested that they be marked present.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: Representative Terry R. Spence
 Speaker of the House

FROM: Representative Vincent A. Lofink

DATE: March 26, 1996

I will not be attending session on Tuesday, March 26, 1996 due to personal illness.

Thank you for your consideration.

VAL/jk

Copy: JoAnn Hedrick
 Chief Clerk

Representatives Maier & Brady requested that they be marked present.

Representative Reynolds requested that he be marked present.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle brought HB 402, jointly sponsored by Representatives Buckworth, Davis, Ewing, Lofink, Mack, Maier, Reynolds, Roy, Spence, Bunting, B. Ennis, Gilligan, Houghton, Jonkiert, Plant & VanSant, before the House for consideration.

HB 402 - An Act to Amend Chapter 47 of Title 6 of the Delaware Code Relating to Transient Retailers and Peddlers. (2/3 bill)

Representative Oberle introduced & brought HA 1 to HB 409 before the House for consideration. Representative Oberle made comments. HA 1 was adopted by voice vote.

Representatives Maroney & Schroeder requested that they be marked present.

Representative Oberle introduced & brought HA 2 to HB 409 before the House for consideration. Representative Oberle made comments. HA 2 was adopted by voice vote.

Representative Oberle made comments.

Representative Ulbrich rose on a point of order. Mr. Speaker did not concur.

The roll call on HB 409 w/HA 1 & 2 was taken and revealed:

YES: 39.

NOT VOTING: Representative Brady - 1.

ABSENT: Representative Lofink - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 409 w/HA 1 & 2 was sent to the Senate for concurrence.

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

Representative Gilligan was granted personal privilege of the floor for comments.

Representative Reynolds requested and was granted the privilege of the floor for the introduction of guests.

Representative Petrilli deferred to Representative Ulbrich.

Representative Ulbrich introduced and brought HCR 45, jointly sponsored by Senator Amick on behalf of all Legislators, before the House for consideration.

HCR 45 - Mourning the Loss of Sarah Duval Rodney Cooch, Descendent of Two Signers of the Declaration of Independence.

Representative Ulbrich made comments.

HCR 45 was adopted by voice vote and sent to the Senate for concurrence.

Representative Caulk was granted personal privilege of the floor for comments.

Representative B. Ennis brought HB 435, jointly sponsored by Senator Voshell & Representatives Banning, Brady, Bunting, DiLiberto, Gilligan, Houghton, Jonkiert, Plant, Schroeder, VanSant, West, Lofink, Ulbrich, Caulk, Cloutier, D. Ennis & Wagner & Senator Vaughn, before the House for consideration.

HB 435 - An Act to Amend Subchapter IIIA of Chapter 41, Title 21, Delaware Code Relating to Controlled-Access Highways. (2/3 bill)

Representative B. Ennis brought HA 1 to HB 435 before the House for consideration. Representative B. Ennis made a comment. HA 1 was adopted by voice vote.

Representative B. Ennis introduced & brought HA 2 to HB 435 before the House for consideration.

Representative B. Ennis made a comment. HA 2 was adopted by voice vote.

Representatives B. Ennis, Ewing & B. Ennis made comments.

The roll call on HB 435 w/HA 1 & 2 was taken and revealed:

YES: 40.

ABSENT: Representative Lofink - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 435 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Smith.

Representative Smith requested that action on HB 446 be deferred to a Day Certain, Thursday, March 28, 1996.

Representative Gilligan made a comment.

Representative Petrilli deferred to Representative DiLiberto.

Representative DiLiberto brought HB 399, jointly sponsored by Representatives Banning, Brady, Buckworth, Bunting, Davis, Fallon, Gilligan, Houghton, Jonkiert, Plant, Schroeder, Scott, Spence, VanSant, Wagner, West & Williams & Senator Still & cosponsored by Senators Blevins, Henry, Reed, Sorenson, Bair & Cook, before the House for consideration.

HB 399 - An Act to Amend Chapter 21 of Title 29 Relating to the Governor's Authority to Proclaim Special Days.

Representative DiLiberto made a comment.

The roll call on HB 399 was taken and revealed:

YES: 40.

ABSENT: Representative Lofink - 1.

Therefore, having received a constitutional majority, HB 399 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle requested that action on HB 424 be deferred to a Day Certain, Thursday, March 28, 1996.

Representative Oberle brought SB 202, jointly sponsored by Senators Venables, Adams, Cook, Vaughn, Marshall & Voshell & Representatives Davis, Ewing, West, Schroeder, Bunting, Lee & Carey, before the House for consideration.

SB 202 - An Act to Amend Title 19 of the Delaware Code Relating to the Industrial Accident Board.
(F/N)

Representatives Oberle, Davis, Caulk, Oberle, Wagner & Oberle made comments.

The roll call on **SB 202** was taken and revealed:

YES: 39.

NO: Representative Caulk - 1.

ABSENT: Representative Lofink -

Therefore, having received a constitutional majority, **SB 202** was returned to the Senate.

The Majority Leader moved to recess to the call of the Chair at 5:00 p.m.

16th LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
March 27, 1996

Mr. Acting Speaker Quillen called the House to order at 2:04 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: **SB 243**.

The Majority Leader moved to adjourn at 2:05 p.m., thereby ending the current legislative day. The House reconvened at 2:06 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Mack - 1.

A prayer was offered by Representative Jane Maroney, Tenth Representative District.

The Acting Speaker led those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

HB 481 - DAVIS & MARONEY; SENATORS BLEVINS & BONINI; REPRESENTATIVES SMITH, STONE, PLANT, SCHROEDER, WILLIAMS; SENATORS HENRY, AMICK, BAIR, REED - HEALTH & HUM DEV: An Act to Amend Chapter 31, Title 16, Relating to Vital Statistics. (2/3 bill)

HB 482 - SMITH - P/S: An Act to Amend Title 11 of the Delaware Code Relating to Licenses to Carry Concealed Deadly Weapons.

HB 483 - BOULDEN & SCHROEDER, SPENCE, PETRILLI, BUCKWORTH, CAPANO, CAREY, D. ENNIS, EWING, FALLON, LEE, MARONEY, OBERLE, ROY, SMITH, STONE, WAGNER, WELCH, BANNING, BRADY, BUNTING, B. ENNIS, SCOTT, WEST, WILLIAMS; SENATORS MCDOWELL, AMICK, BAIR, BONINI, CONNOR, HAUGE, REED, SORENSON, STILL - ED: An Act to Amend Title 14 of the Delaware Code Relating to the Size of the Funding Unit for Grades K Through 5.

HB 484 - MAIER, BUCKWORTH, BUNTING, CAPANO, CAREY, CLOUTIER, DIPINTO, EWING, FALLON, GILLIGAN, LEE, LOFINK, REYNOLDS, STONE, ULBRICH, WAGNER, WELCH, WILLIAMS; SENATORS ADAMS, AMICK, BAIR, HAUGE, REED, SOKOLA, VOSHELL - H/ADM: An Act to Amend Chapter 47, Title 15 of the Delaware Code Relating to the Appointment of Election Officers.

HB 485 - ULBRICH & OBERLE & SENATORS AMICK & REED: JUD: An Act to Amend Title 11 of the Delaware Code Relating to Receiving Stolen Property.

HB 486 - SCHROEDER, BANNING, BOULDEN, BRADY, CAULK, CLOUTIER, DILIBERTO, DIPINTO, B. ENNIS, EWING, GILLIGAN, HOUGHTON, LOFINK, OBERLE, PLANT, QUILLEN, REYNOLDS, SCOTT, STONE, VANSANT, WEST, WILLIAMS - ED: An Act to Amend Chapter 13, Title 14 of the Delaware Code Relating to Salaries and Working Conditions of School Employees.

HCR 46 - SCOTT, BANNING, BOULDEN, BRADY, BUCKWORTH, BUNTING, CAPANO, CAREY, CAULK, CLOUTIER, DIPINTO, B. ENNIS, EWING, GILLIGAN, HOUGHTON, JONKIERT, LEE, LOFINK, MACK, MAIER, PLANT, QUILLEN, REYNOLDS, SCHROEDER, SMITH, STONE, ULBRICH, VANSANT, WAGNER, WEST, WILLIAMS; SENATORS AMICK, BAIR, HAUGE, REED - CORR: Creating a Task Force to Investigate and Establish a Policy on the Use of Non-Violent Inmates for Certain Public Maintenance Projects.

HA 1 to HB 463 - SMITH & DAVIS - R & F: Placed with the bill.

SB 243 - MCBRIDE, VENABLES, AMICK, DILIBERTO, B. ENNIS, JONKIERT, BANNING, BUNTING, LEE, WELCH, CLOUTIER, BUCKWORTH - JUD: An Act to Amend Chapter 5, Title 11 of the Delaware Code Relating to Criminal Offenses; and Making the Possession of or Dealing in Certain Devices Designed, Fashioned or Otherwise Adapted for Theft or Burglary a Criminal Offense. (2/3 bill)

Representative Fallon requested and was granted the privilege of the floor for the introduction of guests.

Representative Ulbrich requested that she be marked present.

Representative Gilligan was granted personal privilege of the floor for comments.
Representatives Wagner, Plant, Capano & Jonkiert requested that they be marked present.
The Reading Clerk read the following communication into the record:

MEMORANDUM

DATE: March 27, 1996
TO: Rep. Terry R. Spence, Speaker of the House
FROM: Rep. Jeffery G. Mack

Please excuse my absence on Wednesday, March 27, 1996 due to personal business.
Thank you for your indulgence.

JGM/dlr

Representative Fallon made an announcement.

The Majority Leader moved to recess for committee meetings at 2:12 p.m.

The House reconvened at 4:35 p.m.

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

AG & FARMLAND P & A: HB 445 - 4M; SB 306 - 4M; SB 307 w/SA 1 - 4M.

R & F: HB 266 - 8M.

JUD: HB 33 - 6M; HB 455 - 8M; HB 456 - 8M; HB 468 - 7M; HB 471 - 7M; HB 473 - 7M; HB 478 - 5M; SB 303 - 6M.

CORR: SJR 17 w/SA 1 - 5M.

P/S: HB 467 - 5M; SB 261 w/SA 1 - 5M.

Mr. Acting Speaker assigned HB 266 to the Appropriations Committee.

Representatives West, Bunting & Brady requested that they be marked present.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #79

DATE: March 27, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1206	Buckworth	3/21/96	T	Dave Reynolds/DE State Wrestling Champion
H138-1207	Buckworth	3/21/96	T	C.R. Wrestling Coach Dickie Howell & Staff/Henlopen Conf. Champions
H138-1208	Wagner	9/16/96	T	Charles Weller & Diane Hill/ Marriage
H138-1209	VanSant	2/16/96	T	Jean & John Siemienski/50th Wedding Anniversary
H138-1210	Roy	12/30/95	T	Wanda & Allen Croes/50th Wedding Anniv.
H138-1211	Roy	4/03/96	T	Brandon Varga/'96 Arbor Day Poster Winner/Grades 1 & 2
H138-1212	Roy	3/03/96	T	St. John the Beloved Varsity Girls Basketball Team/CYO Champions
H138-1213	Buckworth	3/21/96	T	Aaron Sick/8th Grade Spelling Champ/Statewide
H138-1214	Petrilli	4/03/96	T	Adam Campbell/Dept. Of Ag./'96 Arbor Day Poster Contest
H138-1215	Scott	3/26/96	T	Gary Hutt/Outstanding Com. Serv.
H138-1216	Scott	3/26/96	T	Samuel L. Guy/Outstanding Com. Serv.
H138-1217	Fallon	3/11/96	M	Sadie M. Miller
H138-1218	Quillen	3/30/96	T	Virginia S. Smith/80th Birthday

HOUSE TRIBUTE ANNOUNCEMENT #80

DATE: March 27, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1219	Carey	4/02/96	T	Hardees of Dover #2/Competitive Employment/Kent-Sussex Ind., Inc.
H138-1220	Carey	4/02/96	T	Savannah Animal Hospital/Place- ment/Kent-Sussex Industries, Inc.
H138-1221	Carey	4/02/96	T	Masten Lumber/Custodial Work /Custodial Work Crew/KSI
H138-1222	Carey	4/02/96	T	Intervet/Industrial Work Crew/ Kent-Sussex Industries, Inc.
H138-1223	Carey	4/02/96	T	ILC Dover, Inc./Sub-Contract Work/Kent-Sussex Industries, Inc.

H138-1224	Carey	4/02/96	T	Playtex Apparel, Inc./Sub-Contract
	cosponsor: Quillen			Work/Kent-Sussex Industries, Inc.
H138-1225	Carey	4/02/96	T	The Sussex Company/Sub-Contract
	cosponsor: Quillen			Work/Kent-Sussex Industries, Inc.
H138-1226	Carey	4/02/96	T	State of DE/Div. Of Purchasing/
	cosponsor: Quillen			Partnership Award/KSI
H138-1227	Carey	4/02/96	T	Dentsply/Caulk/KSI Cartridge
	cosponsor: Quillen			Serv./Kent-Sussex Industries, Inc.
H138-1228	Gilligan	4/11/96	T	Paul William Jones/Ded. Serv./Stu-
				dent Athletes/St. John Beloved Sch.
H138-1229	Gilligan	4/11/96	T	Henry Tobin/Ded. Serv./Student
				Athletes/St. John Beloved Sch.
H138-1230	Gilligan	4/11/96	T	Paul Jones/Ded. Serv./Student
				Athletes/St. John Beloved Sch.

T - Tribute

M - Memoriam

Mr. Acting Speaker made an announcement.

The following prefiled Consent Calendar #17 was introduced:

SCR 48 - SOKOLA ON BEHALF OF ALL SENATORS AND REPRESENTATIVE REYNOLDS ON BEHALF OF ALL REPRESENTATIVES - Recognizing Delaware Technical and Community College in Celebrating National Community College Month.

SCR 49 - MARSHALL FOR ALL SENATORS; REPRESENTATIVE MARONEY FOR ALL REPRESENTATIVES - Recognizing March 26, 1996 as National Diabetes Alert Day.

Mr. Speaker Spence resumed the Chair.

Representatives Maier, Reynolds & Cloutier requested that they be marked present.

Representative Roy introduced **HR 58**, jointly sponsored by Representative Lofink.

HR 58 - Requesting the Secretary of the Delaware Department of Transportation to Report to the Legislature on Department Plans for Sub-Division Plowing.

HR 58 was placed on Consent Calendar #17.

Representative Welch introduced **HR 59**.

HR 59 - Relating to the Permanent Rules of the House of Representatives of the 138th General Assembly of the State of Delaware.

HR 59 was placed on Consent Calendar #17.

Consent Calendar #17 was adopted by voice vote and **SCR 48** & **SCR 49** were returned to the Senate.

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

HOUSING & COM AFF: **HB 417** - 7M.

APPRO: **SB 250** - 4F.

The Majority Leader moved to recess to the call of the Chair at 4:46 p.m.

17th LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
March 28, 1996

Mr. Speaker called the House to order at 2:06 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: **SB 256**, **SCR 51**, **SCR 52**, **HB 150 w/HA 1**, **SB 298**, **SB 308** & **SCR 45**.

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

ED: **HB 371** - 7M; **HB 391** - 7M; **HB 448** - 7M; **HB 476** - 4M, 1U.

SUBS ABUSE: **HB 372** - 7M.

The Majority Leader moved to adjourn at 2:07 p.m, thereby ending the current legislative day. The House reconvened at 2:08 p.m.

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Richard A. DiLiberto, Jr., Fourteenth Representative District.

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

Representative Fallon was granted personal privilege of the floor for the introduction of a guest.

Mr. Speaker introduced a guest.

Representative DiPinto was granted personal privilege of the floor for the introduction of a guest.

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

The following prefiled legislation was introduced:

HB 487 - ROY & SENATOR SHARP - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Habeas Corpus.

HB 488 - ROY & SENATOR SHARP - JUD: An Act Proposing Amendment to Article IV, § 11(1) of the Delaware Constitution of 1987, as Amended, Relating to the Jurisdiction of the Delaware Supreme Court in Criminal Cases. (2/3 bill)

HB 489 - ROY - HOUSING & COM AFF: An Act to Amend Subchapter II of Chapter 1 of Title 26 of the Delaware Code Relating to Public Pay Phones and Phones Available to the Public. (2/3 bill)

HB 490 - ROY & SENATOR SHARP - JUD: An Act to Amend Title 11 of the Delaware Code Relating to the Crime of Official Misconduct. (2/3 bill)

HB 491 - SCHROEDER, BUNTING, CAREY; SENATOR CORDREY - HEALTH & HUM DEV: An Act to Amend Title 16 of the Delaware Code Relating to Public Swimming and Bathing Places.

HR 60 - WAGNER, SPENCE, BOULDEN, CAPANO, EWING, LOFINK, MAIER, ROY, STONE, ULBRICH, B. ENNIS, JONKIERT - ED: Urging Delaware Public School Board of Education Members to Substitute Teach in the Classrooms of Schools in Their Districts.

HA 1 to HB 446 - JONKIERT - AGENDA: Placed with the bill.

SB 228 - SHARP; REPRESENTATIVES ROY, SPENCE; SENATOR VAUGHN - JUD: An Act Proposing an Amendment to Article IV, Section 29 of the Delaware Constitution of 1897, as Amended, Relating to the Term of Office of Justices of the Peace. (2/3 bill)

SB 308 - SHARP - JUD: An Act to Amend Subtitle II, Title 6 of the Delaware Code Relating to Other Laws Relating to Commerce and Trade; and Providing for a Uniform Fraudulent Transfer Act.

Representatives West & Buckworth requested that they be marked present.

Representative Gilligan made comments.

Representative Jonkiert requested that he be marked present.

Representative Ewing requested and was granted the privilege of the floor for the introduction of a guest.

Representative Petrilli made a comment.

Representative Stone requested that she be marked present.

Representative Plant was granted personal privilege of the floor for comments.

Representatives Spence & Cloutier made comments.

Representative Plant requested and was granted the privilege of the floor for Howard High's Basketball Team and their coach, Paul R. Brown who repeated their names for the record.

Representatives Scott, Williams, Gilligan, Fallon, Lofink, DiPinto & Spence made comments.

Representative Plant introduced and brought **HCR 47**, sponsored on behalf of all Representatives & jointly sponsored by Senator Henry on behalf of all Senators, before the House for consideration.

HCR 47 - Commending Howard High School's Basketball Team on Their State Championship Season.

WHEREAS, the Howard High School boys basketball team won the Delaware High School Boys Basketball Tournament championship on March 11, 1996; and

WHEREAS, the Howard High School boys basketball team finished the season with a 20-6 record and won its first championship title since 1985; and

WHEREAS, several key players were sidelined during the second half of the game and the younger players had to carry the team towards the end of the game; and

WHEREAS, DeCoursey Jamison, Howard's 6-foot-5-inch center, scored 31 points and grabbed 23 rebounds in the State's first over-time final game in 30 championship tournaments; and

WHEREAS, the Howard High School boys basketball team deserves special recognition for their outstanding season; and

WHEREAS, the General Assembly should encourage athletic excellence as exemplified by the Howard High School boys basketball team.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 138th General Assembly of the State of Delaware, the Senate concurring therein, that the members of the Howard High School boys basketball team are hereby commended for their achievement in winning the Delaware High School Boys Basketball Tournament championship and for the time and effort which they have expended in pursuing athletic excellence.

HCR 47 was adopted by voice vote and sent to the Senate for concurrence.

Representatives Plant, Spence, Cloutier & Petrilli made comments.

Representative Oberle requested that he be marked present.

Representative Roy requested that **HB 488** be stricken.

The Chief Clerk read the following communications into the record:

March 27, 1996

TO: JoAnn Hedrick
Chief Clerk of the House

FROM: Bernard J. Brady
Secretary of the Senate
SUBJECT: Senate Bill 250

Pursuant to the attached memorandum from Senator Thomas B. Sharp, I hereby request the return of Senate Bill 250.

Thank you.

Attachment
BJB:ks

MEMORANDUM

TO: Bernard Brady:
FROM: Senator Thomas Sharp
RE: Senate Bill 250
DATED: March 27, 1996

Please make arrangements to have Senate Bill 250 recalled from the House. Should you have any questions please contact me.

Representative Petrilli moved that SB 250 be returned to the Senate. The motion was seconded by Representative Buckworth and adopted by voice vote.

The Chief Clerk read the following communication into the record:

MEMORANDUM

TO: Bernard J. Brady
Secretary of the Senate
FROM: JoAnn M. Hedrick
Chief Clerk of the House
RE: Senate Bill No. 250
DATE: March 28, 1996

In response to your request and pursuant to a motion having been adopted in the House, I am herewith returning SB 250 to the Senate.

Att.

JMH/gmr

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #81

DATE: March 28, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1231	Gilligan	4/12/96	T	Absalom Jones Senior Center/20th Anniversary
H138-1232	Carey cosponsor: Quillen	4/02/96	T	Dogfish Head Brewery & Inc./Competitive Employ./K.S.I.
H138-1233	Fallon	3/26/96	T	Charles Savage/Cert. Achievement/1st State Com. Action Ag.
H138-1234	DiLiberto	4/03/96	T	Michelle Criel/Holy Angels Sch./State Winner/96 Arbor Day Poster
H138-1235	D. Ennis	4/04/96	T	Arturo Lopez/Yucatan, Mexico/Visit
H138-1236	D. Ennis	4/04/96	T	Emilio Castor/Yucatan, Mexico Cham. of Timber Industry/Visit
H138-1237	D. Ennis	4/04/96	T	Guillermo Hernandez/Yucatan, Mexico/Visit
H138-1238	Plant	3/30/96	T	Lola V. Gibbs/94th Birthday
H138-1239	D. Ennis	4/04/96	T	Jose Luis Baduy/Yucatan, Mexico /Visit
H138-1240	D. Ennis	4/04/96	T	Sergio Davila/Yucatan, Mexico/Visit
H138-1241	D. Ennis	4/04/96	T	Victor Boehm/Dir./Yucatan, Mexico/ Visit
H138-1242	D. Ennis	4/04/96	T	Carlos Mendiburu/Yucatan, Mexico/Visit
H138-1243	D. Ennis	4/04/96	T	Judy Abbott/Yucatan, Mexico/Visit

T - Tribute

M - Memoriam

Representative Maroney made an announcement.

The Majority Leader moved to recess for caucus at 2:36 p.m.

The House reconvened at 4:12 p.m.

The following Prefiled Legislation II was introduced:

HB 492 - EWING, BUCKWORTH; SENATOR VOSHELL - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Driver's Licenses and Nondriver Identification Cards.

HA 1 to HB 440 - DIPINTO, VANSANT - AGENDA: Placed with the bill.

SB 256 - SHARP & REPRESENTATIVE SPENCE; SENATOR VAUGHN; REPRESENTATIVE ROY - JUD: An Act to Amend Title 11 of the Delaware Code Relating to the Corpus Delicti Rule.

SCR 52 - SOKOLA & REPRESENTATIVE ROY; SENATORS SHARP, BLEVINS, BAIR, HAUGE & SORENSON; REPRESENTATIVES DILIBERTO & GILLIGAN - HEALTH & HUM DEV: Relating to Whether the State of Delaware Should Sue Tobacco Companies to Recover State Medicaid Costs From Smoking-Related Illnesses.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 315 w/SA 1, SB 336 & HCR 47.

Representative Petrilli deferred to Representative Smith.

Representatives Maier & Smith requested that they be marked present.

Representative Smith moved to lift HB 293 from the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith brought HB 293, jointly sponsored by Representatives Boulden, Capano, D. Ennis & Lofink, before the House for consideration.

HB 293 - An Act to Amend Chapter 7, Title 19 of the Delaware Code Relating to Employment Practices; and Providing for a Quality in Hiring Act.

Representative Smith made comments.

Representative Smith deferred to Representative Welch.

Representatives Brady, Schroeder, D. Ennis & Quillen requested that they be marked present.

Representative Welch introduced & brought HA 1 to HB 293 before the House for consideration.

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

The roll call on HB 293 w/HA 1 was taken and revealed:

YES: 40.

NOT VOTING: Representative Plant - 1.

Therefore, having received a constitutional majority, HB 293 w/HA 1 was sent to the Senate for concurrence.

Representatives Mack & Reynolds requested that they be marked during the roll call.

Representative Oberle brought HB 424, jointly sponsored by Senator Marshall & cosponsored by Representatives Spence, Lofink & Davis, before the House for consideration.

HB 424 - An Act to Amend Chapter 33, Title 19 of the Delaware Code Relating to Unemployment Compensation.

Representatives Oberle & Welch made comments.

The roll call on HB 424 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 424 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Smith.

Representative Smith brought HB 446, jointly sponsored by Senator Marshall, before the House for consideration.

HB 446 - An Act to Amend Title 30 of the Delaware Code Relating to Delaware Taxes.

Representative Smith deferred to Representative Jonkiert.

Representative Jonkiert requested that HA 1 to HA 446 be stricken.

Representatives Smith & Gilligan made comments.

Representative Gilligan made a comment.

The roll call on HB 446 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 446 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Maroney.

Representative Maroney brought HB 440, jointly sponsored by Senator Blevins & Representatives Spence, Petrilli, Quillen, Buckworth, Capano, Carey, DiPinto, Davis, Lee, Lofink, Mack, Maier, Bunting, DiLiberto, Gilligan, Plant, Schroeder & West & Senators Henry, Sokola, Amick, Bair, Bonini, Connor, Hauge, Reed, Sorenson & Still & cosponsored by Representative Ulbrich, before the House for consideration.

HB 440 - An Act to Amend Title 10 and Title 11 of the Delaware Code Relating to the Sale and Distribution of Tobacco Products. (2/3 bill)(F/N)

Representative Maroney deferred to Representative DiPinto.

Representative DiPinto brought HA 1 to HB 440, jointly sponsored by Representative VanSant, before the House for consideration. Representatives DiPinto & Bunting made comments. HA 1 was adopted by voice vote.

Representative Maroney made comments.

The roll call on HB 440 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 440 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Maroney.

Representative Maroney brought SS 1 to SB 72, jointly sponsored by Senators McBride, Bair, Blevins & Sorenson & Representatives Brady & Cloutier, before the House for consideration.

SB 72 - An Act to Amend Title 16 of the Delaware Code Relating to Health Care Decisions.

Representative Maroney deferred to Representative Fallon.

Representative Fallon brought HA 1 to SS 1 to SB 72 before the House for consideration.

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

Representative Maroney deferred to Representative Davis.

Representative Davis brought HA 2 to SS 1 to SB 72 before the House for consideration.

Representative Davis moved to place HA 2 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Maroney deferred to Representative Davis.

Representative Davis brought HA 3 to SS 1 to SB 72 before the House for consideration.

Representative Davis moved to place HA 3 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Davis brought HA 4 to SS 1 to SB 72 before the House for consideration.

Representative Davis moved to place HA 4 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Davis brought HA 5 to SS 1 to SB 72 before the House for consideration.

Representative Davis moved to place HA 5 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Davis brought HA 6 to SS 1 to SB 72 before the House for consideration.

Representative Davis moved to place HA 6 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Davis brought HA 7 to SS 1 to SB 72 before the House for consideration.

Representative Davis requested that HA 7 to SS 1 to SB 72 be stricken.

Representative Maroney brought HA 8 to SS 1 to SB 72 before the House for consideration.

Representative Maroney introduced & brought HA 1 to HA 8 before the House for consideration
Representative Maroney made a comment.

HA 1 to HA 8 to SS 1 to SB 72 was adopted by voice vote. Representatives Maroney, Schroeder & Davis made comments. HA 8 w/HA 1 was adopted by voice vote.

Representative Davis moved to lift HA 2 to SS 1 to SB 72 from the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representatives Davis & Maroney made comments.

Representative Maroney requested and was granted the privilege of the floor for Brenda Pierce, Corporate Counsel, Medical Center of Delaware.

Representatives Gilligan, Ewing, Maier, Davis, DiLiberto, Maroney & Boulden made comments.

The roll call on HA 2 to SS 1 to SB 72 was taken and revealed:

YES: 28.

NO: Representatives Banning, Boulden, Capano, B. Ennis, Houghton, Mack, Maroney, Quillen, Reynolds, Schroeder, Scott, West, Williams - 13.

Therefore, having received a constitutional majority, HA 2 was adopted.

Representative Davis made comments.

Representative Davis requested and was granted the privilege of the floor for Vicki Santoro, R.N., representing the Nurse Providers of Delaware.

Representatives Wagner, DiPinto, Maroney, Davis, Ewing, VanSant, Gilligan, Maroney, Davis & VanSant made comments.

Representative Maroney requested and was granted the privilege of the floor for Brenda Pierce, Corporate Counsel, Medical Center of Delaware.

Representatives Maroney, Roy, VanSant, Davis, Welch, Oberle, West, Caulk & Maroney made comments.

Representative Maroney requested and was granted the privilege of the floor for Tom Herlihy, Attorney.

Representatives Scott & Petrilli made comments.

Representative Maroney requested and was granted the privilege of the floor for Weston Nellius, representing the Catholic Diocese of Wilmington.

Representatives Maroney, Oberle, Ewing, VanSant & Gilligan made comments.

The roll call on SS 1 to SB 72 w/HA 1 & HA 8 w/HA 1 & 2 was taken and revealed:

YES: Representatives Boulden, Brady, Capano, Carey, Cloutier, DiLiberto, D. Ennis, Houghton, Lee, Mack, Maroney, Quillen, Reynolds, Schroeder, Smith, Stone, Wagner - 17.

NO: 21.

NOT VOTING: Representative Plant - 1.

ABSENT: Representatives Banning, B. Ennis - 2.

Therefore, not having received a constitutional majority, SS 1 to SB 72 w/HA 1 & HA 8 w/HA 1 & HA 2 was declared defeated.

Representative Petrilli made an announcement.

Representative Fallon requested and was granted the privilege of the floor for the introduction of a guest.

Representative Petrilli deferred to Representative DiPinto.

Representative DiPinto introduced & brought SCR 51, jointly sponsored by Senator McDowell, before the House for consideration.

SCR 51 - Congratulating the Greek-American Community of Delaware on the Occasion of the 175th Observance of Greek Independence Day, March 31, 1996.

Representative DiPinto made a comment.

SCR 51 was adopted by voice vote and returned to the Senate.

Representative Petrilli deferred to Representative Mack.

Representative Mack introduced HB 493, jointly sponsored by Senator McBride & Representatives Spence, Carey, Ewing, Lofink & Schroeder & Senator Voshell.

HB 493 - An Act to Amend Title 29 of the Delaware Code Relating to Procurement of Material for Public Works Projects.

Mr. Speaker assigned HB 493 to the Environmental Management Committee.

Representative Mack introduced HB 494, jointly sponsored by Senator McBride & Representatives Carey & Schroeder & Senators Venables, Voshell, Bair & Amick.

HB 494 - An Act to Amend Title 7, Delaware Code Relating to the Delaware Pollution Prevention Program.

Mr. Speaker assigned HB 494 to the Environmental Management Committee.

Representative Petrilli deferred to Representative Davis.

Representative Davis moved to suspend the rules which interfere with introduction of and action on SS 1 to SB 250. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Davis introduced & brought SS 1 to SB 250, jointly sponsored by Senator Sharp & All Senators & Representatives Spence, Boulden, Buckworth, Capano, Carey, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Smith, Stone, Wagner, Welch, Banning, Brady, Bunting, DiLiberto, B. Ennis, Gilligan, Houghton, Jonkiert, Plant, Schroeder, Scott, VanSant, West & Williams, before the House for consideration.

SB 250 - An Act Making an Appropriation for School Districts for the Purchase of Books and Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds.

Representative Davis made comments.

Mr. Speaker Spence appointed Representative Quillen as Acting Speaker.

Representatives Gilligan, Davis, D. Ennis, Davis, Petrilli, Spence, Gilligan, Davis, Spence, Petrilli, Gilligan, Bunting, Petrilli, Gilligan, Davis, Bunting, Spence & Cloutier made comments.

Representative Capano introduced & brought HA 1 to SS 1 to SB 250, jointly sponsored by Representatives Ulbrich, Buckworth, Cloutier, DiPinto, Fallon, Maroney, Stone & Wagner, before the House for consideration.

Representatives Capano, Houghton, DiLiberto, Petrilli, Wagner, DiLiberto, Fallon, Capano, Mack, Schroeder, Houghton, Ulbrich, Schroeder & Davis made comments.

HA 1 to SS 1 to SB 250 was adopted by voice vote.

The roll call on SS 1 to SB 250 w/HA 1 was taken and revealed:

YES: 38.

NO: Representative Cloutier - 1.

ABSENT: Representatives Banning, B. Ennis - 2.

Therefore, having received a constitutional majority, SS 1 to SB 250 w/HA 1 was returned to the Senate for concurrence on HA 1.

Representative Petrilli made an announcement.

The Majority Leader moved to recess to the call of the Chair at 7:08 p.m.

18th LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
April 3, 1996

Mr. Speaker called the House to order at 2:13 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 311, SB 294, SB 295, SS 1 to SB 250 &

SB 296 w/SA 1.

MEMORANDUM

March 29, 1996

TO: Representative Terry R. Spence
Speaker of the House

FM: Representative Joseph R. Petrilli
House Majority Leader

RE: Absence from Session

I will not be attending session on April 3rd and 4th due to legislative business.

Thank you for your attention to this matter.

JRP/jm

Copy: JoAnn Hedrick
Chief Clerk

March 28, 1996

Dear Speaker Spence,

On Thursday April 4, 1996 I will be unable to attend the legislation session. Please excuse me from my responsibilities on that day. Thank you.

Sincerely,
Deborah H. Capano
State Representative
12th District

DHC:dmd

Representative D. Ennis introduced and brought HR 62, jointly sponsored by Representatives Capano, DiPinto, Smith, Stone, Wagner, Brady, Houghton, Jonkiert, Scott & Williams & cosponsored by Representatives Buckworth, Schroeder, Quillen, Welch, Davis, B. Ennis & VanSant, before the House for consideration.

HR 62 - Mourning the Loss of Retired Wilmington Trust Banker Joseph M. Moran.

Representative D. Ennis moved to place HR 62 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

The Majority Whip moved to adjourn at 2:17 p.m., thereby ending the current legislative day. The House reconvened at 2:18 p.m.

The Chief Clerk called the roll.

Members Present 40.

Member Absent Representative Petrilli - 1.

A prayer was offered by Representative Tina Fallon, Thirty-Ninth Representative District.

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

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

The following prefiled legislation was introduced:

HB 495 - ROY & SENATOR SHARP - JUD: An Act Proposing Amendment to Article IV, § 11(1) of the Delaware Constitution of 1897, as Amended, Relating to the Jurisdiction of the Delaware Supreme Court in Criminal Cases. (2/3 bill)

HB 496 - MARONEY & QUILLEN & SENATOR BLEVINS; REPRESENTATIVES CAPANO, DAVIS, DILIBERTO; SENATORS ADAMS, BAIR, SORENSON & COSPONSORED BY REPRESENTATIVE ULBRICH - HEALTH & HUM DEV: An Act to Amend Titles 13, 29, 21, 18 and 30 of the Delaware Code, Relating to Child Support Obligations.

HB 497 - SMITH & LEE & VANSANT & BRADY, BOULDEN, BUCKWORTH, CAPANO, CLOUTIER, DIPINTO, EWING, LOFINK, MACK, WELCH, ULBRICH, BANNING, B. ENNIS, HOUGHTON, WEST - JUD: An Act to Amend Title 11 and Title 10 of the Delaware Code Regarding Certain Crimes Committed by Juveniles Involving Firearms and Other Deadly Weapons.

HB 498 - SMITH & LEE & BRADY, BOULDEN, BUCKWORTH, CLOUTIER, EWING, LOFINK, MACK, ULBRICH, WELCH, BANNING, B. ENNIS, HOUGHTON, WEST - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Certain Crimes Committed by Juveniles.

HB 499 - CLOUTIER - ED: An Act to Amend Chapter 1, Title 14, Delaware Code Relating to the State Board of Education and the Superintendent of Public Instruction Qualifications.

HB 500 - WELCH; SENATOR VENABLES; REPRESENTATIVES SPENCE, BUCKWORTH, CAULK, DAVIS, LEE, B. ENNIS; SENATOR BONINI - JUD: An Act to Amend § 1782 of Title 24 of the Delaware Code Relating to the Parental Notification of Abortion Act.

HA 1 to HB 448 - WAGNER - READY LIST: Placed with the bill.

HA 1 to HB 453 - AGENDA: Placed with the bill.

HJR 22 - MARONEY & SENATOR BLEVINS; REPRESENTATIVES SPENCE, BUCKWORTH, CAPANO, CLOUTIER, DIPINTO, DAVIS, FALLON, LEE, MAIER, ROY, WAGNER, WELCH, BANNING, BRADY, DILIBERTO, B. ENNIS, HOUGHTON, JONKIERT, PLANT, VANSANT, WEST, WILLIAMS; SENATORS ADAMS, HENRY, MARSHALL, SOKOLA, AMICK, BONINI, SORENSON, STILL & COSPONSORED BY REPRESENTATIVE ULBRICH - HEALTH & HUM DEV: Requesting and Urging the Voluntary Adoption of Guidelines Regarding Post-Partum Hospital Stays By All Delaware Health Care Providers, Insurers, Health Maintenance Organizations, and Health Benefit Plans.

HR 61 - SCOTT, BANNING, BRADY, CAULK, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, GILLIGAN, HOUGHTON, JONKIERT, LEE, LOFINK, MACK, OBERLE, PLANT, REYNOLDS, SPENCE, VANSANT, WELCH, WEST, WILLIAMS; SENATORS SOKOLA, VENABLES - SM BUS: Creating a Task Force to Investigate and Establish the Formulation of a Statewide Refund Policy to be Applicable to Retail Businesses Within the State.

SB 294 - CORDREY; REPRESENTATIVE SCHROEDER - H/ADM: 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 Long-Term Borrowing Power. (2/3 bill)

SB 295 - CORDREY; REPRESENTATIVE SCHROEDER - H/ADM: 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 Change the Title of the Town Clerk to Town Manager. (2/3 bill)

SB 296 w/SA 1 - CORDREY; REPRESENTATIVE SCHROEDER - H/ADM: 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 Alternative Methods for Collection of Unpaid Taxes, Fees and Other Charges. (2/3 bill)

SB 311 - VAUGHN; REPRESENTATIVE LEE; SENATORS ADAMS, SHARP; REPRESENTATIVES EWING, B. ENNIS - CORR: An Act to Amend Chapter 89, Title 29, Delaware Code Relating to Mandatory Screening for Illegal Use of Drugs. (F/N)

SB 315 w/SA 1 - MCDOWELL; REPRESENTATIVE DIPINTO; SENATORS MARSHALL, HENRY, SOKOLA, BLEVINS; REPRESENTATIVES SCOTT, PLANT, WILLIAMS, JONKIERT, GILLIGAN, MARONEY, HOUGHTON - HOUSING & COM AFF: An Act to Amend Chapter 45, Title 6, Delaware Code, Relating to Equal Accommodations, and Chapter 30, Title 31, Delaware Code, Relating to the State Human Relations Commission.

SB 336 - CORDREY & REPRESENTATIVE D. ENNIS - ECON DEV, B & I: An Act to Amend Title 5 of the Delaware Code Relating to Banks and Other Financial Institutions, to Amend Title 10 of the Delaware Code Relating to Attachment, and to Amend Section 1130 of Title 12 of the Delaware Code Relating to the Definition of the Term "Banking Organization". (2/3 bill)

Representative Maroney requested and was granted the privilege of the floor for the introduction of a guest.

Representative Plant requested that he be marked present.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #83

DATE: April 3, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1244	D. Ennis	4/04/96	T	Ileana Lavalle/Yucatan, Mexico
H138-1245	Brady	1/23/96	T	Elizabeth A. Matthey/Brandywine Sch. Dist./DE Sch. Nurse of Year
H138-1246	Capano	3/12/96	M	Winnifred Moreton Laird
H138-1247	Roy	4/04/96	T	Col. Thomas P. Gordon/Retire/N.C. C. Police Dept./7 Yrs. As Col.
H138-1248	Roy	3/20/96	M	Nora Knott
H138-1249	DiPinto	4/14/96	T	Thomas R. Mraz/Eagle Scout
H138-1250	B. Ennis	3/29/96	T	Ira G. White/25 Yrs. Serv. DEL-DOT/Retirement
H138-1251	West	3/28/96	T	Leroy Breasure/55th Birthday
H138-1252	Capano	4/14/96	T	Michael C. Dallatore/Eagle Scout

H138-1253	D. Ennis	4/04/96	T	Richard Hedlund, Jr./Yucatan, Mexico/Visit to DE
H138-1254	D. Ennis	4/04/96	T	Nicteha Rubio/Yucatan, Mexico /Visit to First State
H138-1255	D. Ennis	4/04/96	T	Maria Ines Quintal/Yucatan Mexico/Visit
H138-1256	D. Ennis	4/04/96	T	Jose Lavalle/Yucatan, Mexico/Visit
H138-1257	D. Ennis	4/04/96	T	Alejandro Mier y Tieran/ Yucatan, Mexico/Visit
H138-1258	D. Ennis	4/04/96	T	Solis Mier y Teran/Yucatan, Mexico/Visit

T - Tribute

M - Memoriam

Representative D. Ennis moved to lift HR 62 from the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative D. Ennis brought HR 62, jointly sponsored by Representatives Capano, DiPinto, Smith, Stone, Wagner, Brady, Houghton, Jonkiert, Scott & Williams & cosponsored by Representatives Buckworth, Schroeder, Quillen, Welch, Davis, B. Ennis & VanSant, before the House for consideration.

HR 62 - Mourning the Loss of Retired Wilmington Trust Banker Joseph M. Moran.

WHEREAS, Delaware is known as a leader in the banking industry and Joseph M. Moran was known in Delaware and beyond as a man with a vast knowledge of issues related to banking; and

WHEREAS, Joseph M. Moran was a man with a vision for Delaware banking, which began when he joined Wilmington Trust Company in 1964; from that time on, he became a strong advocate for Delaware banks; and

WHEREAS, Joseph M. Moran progressed in the Wilmington Trust organization, being named Assistant Vice President in 1966 and Vice President in 1969, following by being appointed Senior Vice President in 1971 and elected to the Board of Directors in 1976, and then named Corporate Secretary in 1979; and

WHEREAS, after retiring from Wilmington Trust in 1991, Joseph M. Moran continued to serve the Company as a government relations specialist and consultant; and

WHEREAS, Joseph M. Moran served the Delaware Bankers Association as the Chairman of the Government Affairs Committee for over 20 years;

WHEREAS, Joseph M. Moran also served on the banking trade group's Uniform Commercial Code Committee and co-chaired its committee to study the Uniform Consumer Credit Code; and

WHEREAS, Joseph M. Moran was born in LaPlata, Maryland and was an alumnus of Loyola University in Baltimore and the University of Maryland Law School; and

WHEREAS, Joseph M. Moran was a member of the Maryland and American Bar Association and was an Associate member of the Delaware Bar Association; and

WHEREAS, Joseph M. Moran served in the U.S. Naval Reserve and retired in 1991 at the rank of Commander; and

WHEREAS, Joseph M. Moran leaves a legacy of respect, knowledge and family, as he leaves his beloved wife of 40 years, Jacqueline, and four daughters, Susanne, Stacey, Siobain and Meaghan.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 138th General Assembly of the State of Delaware that we mourn the loss of Joseph M. Moran, banker, lawyer, father and husband.

BE IT FURTHER RESOLVED that a suitably prepared copy of this resolution be forwarded to Mrs. Jacqueline Moran of Hockessin, as well as his children and his former employer, Wilmington Trust Company.

Representative D. Ennis introduced guests.

Representatives D. Ennis, Gilligan, DiPinto, Spence & Ulbrich made comments.

Representative Roy requested that he be marked present.

HR 62 was adopted by voice vote.

The Majority Whip moved to recess at 2:32 p.m.

The House reconvened at 2:33 p.m.

Mr. Speaker granted the privilege of the floor to Carolyn Burger, President & CEO, Bell Atlantic - Delaware.

Representatives D. Ennis, DiPinto, Maroney & Spence made comments.

The House observed a moment of silence for a staff member having surgery at the request of Representative Banning.

Representative Brady requested that he be marked present.

The Majority Whip moved to recess for committee meetings at 2:49 p.m.

The House reconvened at 5:25 p.m. with Representative Roy as Acting Speaker.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HJR 21, HB 414 w/HA 1, SB 327 w/SA 1, SB 313, HB 405 w/HA 1 & 2 & SA 1 & SCR 53.

April 3, 1996

LEGISLATIVE ADVISORY #42

Governor Thomas R. Carper signed the following legislation on the date indicated: 3/29/96 - HB 370, SJR 13 aab HA 1, HB 335 & HB 248

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

CORR: HCR 46 - 5M; SB 311 - 5M.

ENV. MAN: HB 494 - 1F,3M; SB 283 - 1F,3M.

ECON DEV, B & I: SB 336 - 8M.

LABOR: HB 451 - 4M; HB 477 - 4M.

P/S: HB 482 - 5M.

NAT RES: HB 475 - 4M.

ED: HB 427 - 5M; HB 428 - 4M; HB 431 - 6M.

HEALTH & HUM DEV: HB 436 - 6M; HB 429 - 6M; HB 430 - 6M.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker reassigned HB 479 to the Environmental Management Committee.

Representatives Mack, Reynolds & Stone requested that they be marked present.

The following prefiled Consent Calendar #18 was introduced:

HR 63 - REYNOLDS, SPENCE, BUCKWORTH, CAPANO, CAULK, DAVIS, EWING, FALLON, LOFINK, MACK, ROY, SMITH, STONE, WAGNER, WELCH & BUNTING - Recognizing the Outstanding Accomplishments of the Modest Norwegian Explorer Leif Ericson on the Millennial Anniversary of the Discovery of America.

SCR 53 - SHARP ON BEHALF OF ALL SENATORS; REPRESENTATIVE SPENCE ON BEHALF OF ALL REPRESENTATIVES - Extending to Colonel Thomas P. Gordon, Chief of the New Castle County Police Department, the Sincere Thanks and Commendation of the General Assembly for a Job Well-Done.

Consent Calendar #18 was adopted by voice vote and SCR 53 was returned to the Senate.

The Majority Whip moved to recess to the call of the Chair at 5:32 p.m.

19th LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
April 4, 1996

Mr. Speaker called the House to order at 2:17 p.m.

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

NAT RES: HB 479 - 4M.

LABOR: HB 368 - 4M.

Mr. Speaker made an announcement regarding HB 479.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SCR 54, HB 440 w/HA 1, SB 269, SB 342 w/SA 1 & HB 411.

The Senate wishes to inform the House that it has defeated: HCR 41.

The Majority Whip moved to adjourn at 2:20 p.m., thereby ending the current legislative day. The House reconvened at 2:21 p.m.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representatives Capano, Petrilli - 2.

A prayer was offered by Representative Timothy U. Boulden, Twenty-Third Representative District.

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

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

The following prefiled legislation was introduced:

HS 1 to HB 209 - OBERLE, SPENCE, BUCKWORTH, CAPANO, CAREY, DAVIS, DIPINTO, EWING, LEE, LOFINK, MACK, WAGNER, BANNING, DILIBERTO, B. ENNIS, GILLIGAN, HOUGHTON, JONKIERT, PLANT, SCOTT, VANSANT, WEST - SM BUS: An Act to Amend Title 6 of the Delaware Code Relating to Motor Vehicle Repairs.

HB 501 - MARONEY & SENATOR BLEVINS; REPRESENTATIVES CAREY, CLOUTIER, MAIER, ROY, STONE, WAGNER, BUNTING, GILLIGAN, PLANT, VANSANT, WILLIAMS; SENATORS ADAMS, COOK, HENRY, MCBRIDE, SHARP, SOKOLA, VAUGHN, VOSHELL, AMICK, BAIR, CONNOR, SORENSON - HEALTH & HUM DEV: An Act to Amend Title 16 of the Delaware Code Regarding the Cancer Control Act.

HB 502 - BUCKWORTH & MAIER; SENATOR VENABLES; REPRESENTATIVES SPENCE, CAREY, DAVIS, DIPINTO, EWING, BUNTING, JONKIERT & SENATORS BONINI & REED - SUNSET: An Act to Amend Title 24 of the Delaware Code Relating to Termination of Human Pregnancy.

HB 503 - BUCKWORTH & DAVIS & SENATOR ADAMS; REPRESENTATIVES SPENCE, QUILLEN, CAREY, CAULK, CLOUTIER, DIPINTO, D. ENNIS, EWING, MACK, MAIER, REYNOLDS, SMITH, BRADY, BUNTING, B. ENNIS, GILLIGAN, JONKIERT; SENATORS BONINI, HAUGE, REED - JUD: An Act to Amend Title 13, Delaware Code, Relating to Marriage.

HB 504 - CAREY, BUNTING & WEST; SENATOR VOSHELL - NAT RES: An Act to Amend Chapter 9 of Title 7 of the Delaware Code Relating to the Mesh Size of Seine Nets. (2/3 bill)

HB 505 - CAREY, BUNTING & WEST; SENATORS MARSHALL, VENABLES, VOSHELL & BONINI - NAT RES: An Act to Amend Title 7 of the Delaware Code Relating to the Wearing of Hunter Orange. (2/3 bill)

HB 506 - LOFINK; SENATOR SOKOLA; REPRESENTATIVES GILLIGAN, OBERLE, PETRILLI, ROY; SENATORS AMICK, BLEVINS, MCBRIDE, SORENSON - TRANS & INFRA: An Act to Amend Chapter 91 and Chapter 92 of Title 29 of the Delaware Code Relating to State Planning and Land Use Planning Coordination.

HB 507 - WELCH, SPENCE, BOULDEN, CAPANO, CAULK, EWING, LEE, MACK, OBERLE, SMITH, STONE, WAGNER, BANNING, BRADY, B. ENNIS, GILLIGAN, JONKIERT, WEST; SENATORS VAUGHN & SHARP - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Habitual Criminals and Defining Violent Felonies.

HB 508 - WEST, BANNING, BRADY, BUCKWORTH, BUNTING, CAREY, CAULK, CLOUTIER, DILIBERTO, B. ENNIS, EWING, HOUGHTON, JONKIERT, LEE, PLANT, SCOTT, WELCH, WILLIAMS - P/S: An Act to Amend Subchapter II, Chapter 21, Title 21 of the Delaware Code Relating to Special Registration Plates.

HB 509 - DILIBERTO, BANNING, BOULDEN, BRADY, BUCKWORTH, BUNTING, CAPANO, DIPINTO, B. ENNIS, EWING, GILLIGAN, HOUGHTON, JONKIERT, LEE, OBERLE, PLANT, SCHROEDER, SCOTT, STONE, VANSANT, WILLIAMS - H/ADM: An Act to Amend Chapter 49, Subchapter II, Title 15, Delaware Code, Relating to Voting Procedure.

SB 269 - CORDREY - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Homicides of Children Which Occur Through Abuse or Neglect.

SB 313 - ADAMS & REPRESENTATIVE EWING - H/ADM: An Act to Amend Chapter 237, Volume 51, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Bridgeville" Relating to Increasing the Power to Raise Revenue. (2/3 bill)

SB 327 w/SA 1 - VOSHELL; REPRESENTATIVE EWING - SM BUS: An Act to Amend Title 4 of the Delaware Code Relating to Supplier and Sales Representative License Fees. (3/5 bill)

SB 342 w/SA 1 - VENABLES & REPRESENTATIVE CAREY; SENATORS ADAMS & VOSHELL; REPRESENTATIVES BANNING, BRADY, BUNTING, DILIBERTO, B. ENNIS, EWING, GILLIGAN, HOUGHTON, JONKIERT, SCHROEDER, VANSANT & WEST - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Registration of Vehicles.

HA 1 to SB 201 - OBERLE - LABOR: Placed with the bill.

Mr. Speaker introduced students from the Pilot School and their teachers who announced their names for the record.

Mr. Speaker made comments.

Representatives West, Schroeder, Maier & Cloutier requested that they be marked present.

Representative D. Ennis requested and was granted the privilege of the floor for Mark Huddleston, Professor, Department of Political Science, University of Delaware.

Representative D. Ennis requested and was granted the privilege of the floor for the presentation of a House Tribute to Enrique Cardenas, Leader of the delegation on a study tour from Yucatan, Mexico.

The House observed a moment of silence in memory of U.S. Commerce Secretary Ron Brown at the request of Representative Jonkiert.

Representative Ulbrich introduced a guest.

The Majority Whip moved to recess for caucus at 2:35 p.m.

The House reconvened at 4:16 p.m. with Representative Quillen as Acting Speaker.

Representative Oberle introduced and brought **HR 64**, jointly sponsored by Representatives Quillen, Caulk, Davis, Ewing, Lee, Banning & B. Ennis & cosponsored by Representative Welch, before the House for consideration.

HR 64 - Requesting the Department of Agriculture to Undertake a Study Regarding a Breeding Program for the Delaware Standardbred Race Horse Industry.

Representative Oberle made comments.

HR 64 was adopted by voice vote.

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

P/S: **SB 342 w/SA 1** - 5M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 277 w/SA 1, SCR 56, SJR 19, SS 1 to SB 250 w/HA 1 & SA 1, SB 276 w/SA 1, HCR 38, SB 334 & HCR 38.

April 4, 1996

LEGISLATIVE ADVISORY #43

Governor Thomas R. Carper signed the following legislation on the date indicated: 4/03/96 - SB 202, HB 150 aab HA 1.

April 4, 1996

LEGISLATIVE ADVISORY #44

Governor Thomas R. Carper signed the following legislation on the date indicated: 4/04/96 - HB 432. Representative Fallon deferred to Representative Jonkiert.

Representative Fallon requested that action on HB 333 be deferred to a Day Certain, Tuesday, April 23, 1996.

Representative Fallon deferred to Representative Mack.

Representative Mack requested that he be marked present.

Representative Mack brought SB 283, jointly sponsored by Senators McBride, Venables, Voshell, Bair & Amick & Representatives Schroeder, Carey, Caulk & West, before the House for consideration.

SB 283 - An Act to Amend Title 7 of the Delaware Code Relating to Waste-End Assessments.

Representative Mack made comments.

The roll call on SB 283 was taken and revealed:

YES: 39.

ABSENT: Representatives Capano, Petrilli - 2.

Therefore, having received a constitutional majority, SB 283 was returned to the Senate.

Representatives Brady & Reynolds requested that they be marked present during the roll call.

Representative Fallon deferred to Representative Gilligan.

Representative Gilligan requested and was granted the privilege of the floor for House Staff Member, Anita Messick who received a House Tribute.

Representatives Gilligan, Quillen, Bunting, DiPinto, Gilligan, Jonkiert, VanSant, B. Ennis & Buckworth made comments.

Representative Oberle moved to recess for caucus at 4:40 p.m.

The House reconvened at 4:50 p.m.

The Chief Clerk read the following amended committee report into the record:

ED: HB 428 - 5M.

Representative Spence introduced HB 510, jointly sponsored by Representative Cloutier.

HB 510 - An Act to Amend Title 29 of the Delaware Code Relating to the State Lottery Fund and Allocating Certain General Fund Revenues to Local School Districts to Offset Local Property Taxes.

Mr. Acting Speaker assigned HB 510 to the Revenue & Finance Committee.

Representatives Spence & Gilligan made comments.

Representative Fallon deferred to Representative Carey.

Representative Carey moved to suspend the rules which interfere with action on SB 342 w/SA 1. The motion was properly seconded and adopted by voice vote.

Representative Carey brought SB 342 w/SA 1, jointly sponsored by Senators Venables, Adams & Voshell & Representatives Banning, Brady, Bunting, DiLiberto, B. Ennis, Ewing, Gilligan, Houghton, Jonkiert, Schroeder, VanSant & West, before the House for consideration.

SB 342 - An Act to Amend Title 21 of the Delaware Code Relating to Registration of Vehicles.

Representative Carey made comments.

The roll call on SB 342 w/SA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Capano, Petrilli - 2.

Therefore, having received a constitutional majority, SB 342 w/SA 1 was returned to the Senate.

Representative Fallon deferred to Representative Scott.

Representative Scott brought HCR 46, jointly sponsored by Representatives Banning, Boulden, Brady, Buckworth, Bunting, Capano, Carey, Caulk, Cloutier, DiPinto, B. Ennis, Ewing, Gilligan, Houghton, Jonkiert, Lee, Lofink, Mack, Maier, Plant, Quillen, Reynolds, Schroeder, Smith, Stone, Ulbrich, VanSant, Wagner, West & Williams & Senators Amick, Bair, Hauge & Reed, before the House for consideration.

HCR 46 - Creating a Task Force to Investigate and Establish a Policy On the Use of Non-Violent Inmates for Certain Public Maintenance Projects.

HCR 46 was adopted by voice vote and sent to the Senate for concurrence.

Representative Fallon deferred to Representative Bunting.

Representative Bunting brought HB 405 w/HA 1 & 2 & SA 1, jointly sponsored by Representatives Brady, Buckworth, DiPinto, B. Ennis, Ewing, Gilligan, Oberle, Plant, Quillen, Scott, Spence, VanSant, Wagner & West & Senators Marshall, McBride & Still, before the House for concurrence on SA 1.

HB 405 - An Act to Amend Chapter 21, Title 21, Delaware Code, Relating to Special License Plates for Korean War Veterans. (3/5 bill)

The roll call on HB 405 w/HA 1 & 2 & SA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Capano, Petrilli - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 405 w/HA 1 & 2 & SA 1 was sent to the Governor.

Representative Fallon deferred to Representative Davis.

Representative Davis moved to suspend the rules which interfere with action on HB 391. The motion was properly seconded and adopted by voice vote.

Representative Davis brought HB 391, jointly sponsored by Senator Sokola & Representative Reynolds & Senator Cook & Representative Schroeder & Senator Connor & Representatives Buckworth, Capano, Carey, Cloutier, DiPinto, Ewing, Lee, Mack, Maier, Ulbrich & Wagner & Senators Blevins, Voshell, Bair, Bonini, Connor, Hauge, Reed, Sorenson & Still, before the House for consideration.

HB 391 - An Act to Amend Title 14, Delaware Code, Regarding the Financial Reporting Requirements of Reorganized School Districts.

Representative Davis made comments.

The roll call on HB 391 was taken and revealed:

YES: 39.

ABSENT: Representatives Capano, Petrilli - 2.

Therefore, having received a constitutional majority, HB 391 was sent to the Senate for concurrence.

Representative Fallon deferred to Representative D. Ennis.

Representative D. Ennis moved to suspend the rules which interfere with action on SB 336. The motion was properly seconded and adopted by voice vote.

Representative D. Ennis brought SB 336, jointly sponsored by Senator Cordrey & cosponsored by Representative Sorenson, before the House for consideration.

SB 336 - An Act to Amend Title 5 of the Delaware Code Relating to Banks and Other Financial Institutions, to Amend Title 10 of the Delaware Code Relating to Attachment, and to Amend Section 1130 of Title 12 of the Delaware Code Relating to the Definition of the Term "Banking Organization". (2/3 bill)

Representative D. Ennis made comments.

The roll call on SB 336 was taken and revealed:

YES: 38.

NOT VOTING: Representative Jonkiert - 1.

ABSENT: Representatives Capano, Petrilli - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 336 was returned to the Senate.

Representative Fallon deferred to Representative Smith.

Representative Smith brought HB 453, jointly sponsored by Senator Venables, before the House for consideration.

HB 453 - An Act to Amend Title 30 of the Delaware Code Relating to Contractors and Developers. (3/5 bill)

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis brought HA 1 to HB 453 before the House for consideration. Representative D. Ennis made comments. HA 1 was adopted by voice vote.

Representative Smith made comments.

The roll call on HB 453 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Capano, Petrilli - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 453 w/HA 1 was sent to the Senate for concurrence.

Representative Fallon deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with action on SCR 56. The motion was properly seconded and adopted by voice vote.

Representative DiPinto brought SCR 56, jointly sponsored by Senators McDowell & McBride & Representatives Carey, Quillen, Spence, Davis, Roy, Buckworth & Mack, before the House for consideration.

SCR 56 - Endorsing the National Low Emission Vehicle and Urging the Delaware Department of Natural Resources and Environmental Control to Submit Only the National Low Emission Vehicle in Delaware's State Implementation Plan, Due February 15, 1996, to the United States Environmental Protection Agency.

Representatives DiPinto & Davis made comments.

SCR 56 was adopted by voice vote and returned to the Senate.

Representative VanSant introduced HB 511, jointly sponsored by Representative Spence & Senators Cook & Vaughn & Representatives Banning, Brady, Buckworth, Bunting, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, B. Ennis, Ewing, Gilligan, Houghton, Jonkiert, Lee, Lofink, Oberle, Plant, Quillen, Roy, Scott, Stone, Ulbrich, Wagner, Welch, West & Senators Adams, Bonini, Still & Venables.

HB 511 - An Act to Amend Title 11 of the Delaware Code Relating to Licenses to Carry Concealed Deadly Weapons for Personal Protection.

Mr. Acting Speaker assigned HB 511 to the Judiciary Committee.

Representative Fallon deferred to Representative Spence.

Representative Spence introduced and brought SCR 54, jointly sponsored by Senators Connor, Cordrey, Sharp, Marshall & Bair on Behalf of All Senators & Representatives Petrilli, Quillen, Gilligan & VanSant on Behalf of All Representatives, before the House for consideration.

SCR 54 - Recognizing April 21 Through April 27 as Professional Secretaries Week, and Encouraging All Those Who Are Fortunate Enough to Have Secretaries to Honor These Unsung Heroes During This Week.

Representative Spence made comments.

SCR 54 was adopted by voice vote and returned to the Senate.

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

TRANS & INFRA: HB 366 - 4M.

Representative Fallon deferred to Representative Davis.

Representative Davis moved to suspend the rules which interfere with action on SS 1 to SB 250 w/SA 1 & HA 1. The motion was properly seconded and adopted by voice vote.

Representative Davis brought SS 1 to SB 250 w/HA 1 & SA 1, jointly sponsored by Senator Sharp & All Senators & Representatives Boulden, Buckworth, Capano, Carey, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Smith, Stone, Wagner, Welch, Banning, Brady, Bunting, DiLiberto, B. Ennis, Gilligan, Houghton, Jonkiert, Plant, Schroeder, Scott, VanSant, West & Williams, before the House for concurrence on SA 1.

SB 250 - An Act Making an Appropriation for School Districts for the Purchase of Books and Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds.

Representatives Davis, Spence, Oberle, Bunting, Buckworth, Gilligan, DiPinto & Reynolds made comments.

The roll call on SS 1 to SB 250 w/HA 1 & SA 1 was taken and revealed:

YES: 37.

NO: Representative Cloutier - 1.

ABSENT: Representatives Capano, Petrilli, Roy - 3.

Therefore, having received a constitutional majority, SS 1 to SB 250 w/HA 1 & SA 1 was returned to the Senate.

Representative Fallon deferred to Representative Ulbrich.

Representative Ulbrich moved to suspend the rules which interfere with introduction of and action on HB 512. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Ulbrich introduced and brought HB 512, jointly sponsored by Senator Bair & Representatives Spence, Boulden, Buckworth, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Quillen, Reynolds, Roy, Smith, Stone, Wagner, Welch, Gilligan, Brady, Bunting, Plant, VanSant & Williams & Senators Connor, Amick, Hauge, Bonini, Reed, Sorenson & Still, before the House for consideration.

HB 512 - An Act to Amend the Laws of Delaware by Requiring the School Districts to Establish Accountability Policies Regarding the Loss or Destruction of Books Purchased With Monies From the Public Education Text Book Fund.

Representatives Ulbrich, Maier & Wagner made comments.

The roll call on HB 512 was taken and revealed:

YES: 38.

ABSENT: Representatives Capano, Petrilli, Roy - 3.

Therefore, having received a constitutional majority, HB 512 was sent to the Senate for concurrence.

Representative Fallon deferred to Representative Smith.

Representative Smith brought HB 476, jointly sponsored by Representative Oberle & Senator Sharp & Representative Brady & Senators Vaughn, Bair & Reed, before the House for consideration.

HB 476 - An Act to Amend Title 14, Delaware Code, Relating to the State Board of Education; a State Superintendent of Public Instruction; Appointment; Confirmation; Term; Qualification; Removal and Suspension.

Mr. Speaker Spence resumed the Chair.

Representative Smith made comments.

Representative Smith deferred to Representative Cloutier.

Representative Cloutier introduced & brought HA 1 to HB 476 before the House for consideration.

Representatives Cloutier & Gilligan made comments. HA 1 was adopted by voice vote.

Representative Smith made comments.

Representative Smith deferred to Representative Davis.

Representative Davis introduced & brought HA 2 to HB 476 before the House for consideration.

Representative Davis made a comment. HA 2 was adopted by voice vote.

Representative Smith made comments.

Representative Smith moved to place HB 476 w/HA 1 & 2 on the Speaker's table. The motion was seconded by Representative D. Ennis and adopted by voice vote.

Representatives Gilligan & Oberle made comments.

Representative Smith introduced and brought HR 65, jointly sponsored by Representatives Davis, DiPinto, Oberle & Stone, before the House for consideration.

HR 65 - Relating to the Creation of a Task Force to Study Issues Related to the Inclusion of the Department of Public Instruction Into the Cabinet Form of Government.

Representatives Smith, Gilligan, Smith & Oberle made comments.

HR 65 was adopted by voice vote.

Mr. Speaker reassigned HB 502 to the Judiciary Committee.

The Acting Majority Leader moved to recess to the call of the Chair at 6:12 p.m.

20th LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
April 23, 1996

Mr. Acting Speaker Quillen called the House to order at 2:10 p.m.

The Reading Clerk read the following communication into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative William I. Houghton, Do Hereby Request That My Name Be Removed as Co-Sponsor of HB 476.

Date: April 4, 1996

Signed: Representative William I. Houghton

The Majority Leader moved to adjourn at 2:11 p.m., thereby ending the current Legislative Day. The House reconvened at 2:12 p.m.

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Acting Speaker G. Robert Quillen, Thirtieth Representative District.

The Acting Speaker led those present in a pledge of allegiance to the American Flag.

The House observed a moment of silence in memory of C. Ann Nellius and Vivian Reed at the request of Representative Maroney.

The minutes of the previous Legislative Day were approved as posted.

The following prefiled legislation was introduced:

HB 513 - QUILLEN - P/S: An Act to Amend Chapter 21, Title 21, Delaware Code Relating to Special Licenses for Ruritan Clubs.

HB 514 - BUCKWORTH, OBERLE, BUNTING & SCHROEDER - NAT RES: An Act to Amend Title 23 of the Delaware Code Relating to the Operation of a Vessel or Boat While Under the Influence of Intoxicating Liquor and/or Drugs.

HB 515 - EWING & OBERLE & WELCH - P/S: An Act to Amend Title 11 of the Delaware Code Relating to Arrest and Commitment and the Powers of the Capitol Police.

HB 516 - EWING, BANNING, BOULDEN, BUCKWORTH, BUNTING, CAPANO, CAREY, CAULK, CLOUTIER, DAVIS, DIPINTO, B. ENNIS, D. ENNIS, FALLON, GILLIGAN, HOUGHTON, LEE, MACK, REYNOLDS, SMITH, SPENCE, STONE, ULBRICH, VANSANT, WAGNER, WEST, WILLIAMS; SENATORS ADAMS, CORDREY, VOSHELL - H/ADM: An Act Requiring Any State Agency Who Has the Authority to Promulgate Rules and Regulations That Once an Individual, Company, Corporation, Institution or Distinct Entity Has Fully Complied With the Existing Rules and Regulations, the Agency Having Such Authority Shall Not Reimpose New Rules and Regulations, Particularly If the Project is Underway Because of New Technological Changes That May Have Occurred Since the Issuance of the Original Rules and Regulations.

HB 517 - EWING, CAULK, CLOUTIER, LEE & SENATOR VENABLES - R & F: An Act to Amend Title 30 of the Delaware Code Relating to the Applicability of Public Utility Taxes on Commodities and Services Distributed to the State of Delaware, Its Agencies and Political Subdivisions, Local Governments, and Public School Districts.

HB 518 - EWING; SENATOR VOSHELL - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Certain Motor Vehicle Offenses Committed by Juveniles. (2/3 bill)

HA 1 to HS 1 to HB 159 - B. ENNIS - P/S: Placed with the bill.

HA 2 to HB 452 - FALLON - NAT RES: Placed with the bill.

HA 1 to HB 466 - MACK - ED: Placed with the bill.

HA 1 to HB 469 - WEST - LABOR: Placed with the bill.

HR 66 - SCOTT, BANNING, BRADY, CAULK, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, GILLIGAN, HOUGHTON, JONKIERT, LEE, LOFINK, MACK, OBERLE, PLANT, REYNOLDS, SPENCE, VANSANT, WELCH, WEST, WILLIAMS - SM BUS: Creating a Task Force to Investigate and Establish the Formulation of a Statewide Refund Policy to be Applicable to Retail Businesses Within the State.

SB 276 w/SA 1 - SOKOLA & REPRESENTATIVE REYNOLDS & SENATOR COOK & REPRESENTATIVE DAVIS & SENATOR CONNOR & REPRESENTATIVES SCHROEDER, MAIER; SENATORS BLEVINS, VOSHELL, BAIR, BONINI, HAUGE, REED, SORENSON, STILL; REPRESENTATIVES CLOUTIER, MACK, EWING, BUCKWORTH, CAREY, LEE, WAGNER, DIPINTO, ULBRICH, CAPANO - ED: An Act to Amend Title 14 of the Delaware Code Relating to School Calendars.

SB 277 w/SA 1 - SOKOLA & REPRESENTATIVE DAVIS & SENATOR CONNOR & REPRESENTATIVES REYNOLDS, MAIER; SENATORS BAIR, BONINI, HAUGE, REED, SORENSON, STILL; REPRESENTATIVES CLOUTIER, MACK, EWING, BUCKWORTH, CAREY, WAGNER, DIPINTO, ULBRICH, CAPANO - ED: An Act to Amend Title 14 of the Delaware Code Relating to Satellite Schools.

SB 334 - ADAMS, VOSHELL, VENABLES, COOK, CORDREY, VAUGHN & REPRESENTATIVE EWING - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Exemptions of Farm Trucks From Motor Fuel Tax.

SJR 12 - MCBRIDE, SHARP; REPRESENTATIVE SPENCE; SENATORS BAIR, BLEVINS, CONNOR, CORDREY, HAUGE, HENRY, MARSHALL, MCDOWELL, REED, SOKOLA, SORENSON, STILL, VAUGHN, VENABLES, VOSHELL; REPRESENTATIVES BOULDEN, BRADY, BUCKWORTH, BUNTING, CAPANO, CAREY, DAVIS, DILIBERTO, FALLON, GILLIGAN, MACK, MAIER, MARONEY, OBERLE, REYNOLDS, ROY, SCHROEDER, SCOTT, SPENCE, STONE, QUILLEN, WAGNER, WEST, PETRILLI, WELCH, JONKIERT - ED: Requiring the Department of Public Instruction and the Department of Health and Social Services to Prepare a Plan and an Estimate of Associated Costs to Help the Population Better Understand Their Health Risks Associated With Cancer Through Comprehensive School Health Education Programs, School-Based Health Centers, and Public Education Programs.

The Reading Clerk read the following communications into the record:

April 10, 1996

LEGISLATIVE ADVISORY #45

Governor Thomas R. Carper signed the following legislation on the date indicated: 4/5/96 - HB 440 aab HA 1.

April 15, 1996

LEGISLATIVE ADVISORY #46

Governor Thomas R. Carper signed the following legislation on the date indicated: 4/15/96 - SB 24 aab HA 2.

Representatives VanSant, West & B. Ennis requested that they be marked present.

Mr. Acting Speaker Quillen granted the privilege of the floor to Paul A. Spera, VFW Commander-in-Chief, who addressed the House.

Representative Quillen made a comment.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #85

DATE: April 23, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1272	Carey	4/03/96	T	The Redden State Forest Lodge/ /Rededication Ceremony
H138-1273	Carey	4/03/96	T	Frank Geohringer/Winner/'96 Arbor Day Poster Contest
H138-1274	D. Ennis	4/03/96	M	Joseph M. Moran
H138-1275	D. Ennis	4/06/96	M	James Michael Coyne
H138-1276	Fallon	4/04/96	T	Jamie Hancock/'95 Ken Isaacs Sportsmanship Awd./Lions Club
H138-1277	Fallon	4/04/96	T	Lewis E. Huffman/DPI/Soc. Studies Task Force/Teacher Ed. Standards

H138-1278	Fallon	3/31/96	T	Rugg's Music Shop/50th Anniv.
H138-1279	Fallon	4/18/96	T	Grace Arles/'96 Mother of Year
H138-1280	Fallon	4/20/96	T	C. Bryan Bennett/20th Anniv./Harley-Davidson of Seaford
H138-1281	Fallon	4/14/96	T	Marion & Dick Merrill/50th Wedding Anniversary
H138-1282	Quillen	4/21/96	T	Avon Club of Felton/100th Anniv.
H138-1283	Quillen	5/10/96	T	Clark Brittingham/50 Yrs. Ded. Serv./Felton Com. Fire Co., Inc.
H138-1284	Scott	4/05/96	T	Lee Jarman/Outstanding Com. Serv.
H138-1285	Scott	4/05/96	T	Marion Horsey/Outstanding Com. Serv.
H138-1286	Scott	4/05/96	T	Bertha McRae/Outstanding Com. Serv.

HOUSE TRIBUTE ANNOUNCEMENT #86

DATE: April 23, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1287	Scott	4/05/96	T	Boyd/Outstanding Community Serv.
H138-1288	Scott	4/05/96	T	Kitty Treut/Outstanding Community Service
H138-1289	Scott	4/06/96	T	Charles Brittingham/Outstanding Community Service
H138-1290	Davis	3/28/96	T	Ernest "Butch" Patrick/High-Jump Record/1st Team All-State Football
H138-1291	Brady	4/27/96	T	Bonnie F. Tucker/State Pres./Ladies Aux./Veterans of Foreign Wars
H138-1292	VanSant	4/06/96	T	Elsmere Community Athletic Assoc. /40th Anniversary
H138-1293	Quillen	4/24/96	T	William Scott Masche/Eagle Scout
H138-1294	Capano	1/21/96	M	Dana J. Pyle
H138-1295	Capano	2/11/96	M	Anna Mele Remedio
H138-1296	Capano	3/27/96	T	Loretta Powell/Coach of Tatnall/Texaco Star '96 State Champions
H138-1297	Capano	3/27/96	T	John Sensing/Texaco Star '96 State Champion
H138-1298	Capano	3/27/96	T	Daniel Crawford/Texaco Star '96 State Champion
H138-1299	Capano	3/27/96	T	Roy Pollock/Texaco Star '96 State Champion
H138-1300	Capano	3/27/96	T	Tom Krapf/Texaco Star '96 State Champion

HOUSE TRIBUTE ANNOUNCEMENT #87

DATE: April 23, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1301	Gilligan	4/04/96	T	Anita Messick/Dist. Serv./House of Representatives/'92-'96
H138-1302	Buckworth	4/04/96	T	Dicky Howell/C.R. High Wrestling Coach/Div. I Coach of Year
H138-1303	Buckworth	4/04/96	T	Darrell Gravatt/C.R. High Wrestling Assis. Coach/Div. I Assis. Coach of Year
H138-1304	Buckworth	4/04/96	T	Elizabeth Maciarello/'96-'97 Teacher of Yr./Gen. Henry Arnold Sch.
H138-1305	Buckworth	4/04/96	T	Sue George/Maj. George S. Welch Elem./'96-'97 Teacher of Year
H138-1306	Buckworth	4/04/96	T	David Kaltenbaugh/Dover Air Base Middle Sch./'96-'97 Teacher of Yr.

H138-1307	Buckworth	4/04/96	T	Mary MacPherson/Nellie H. Stokes Elem. Sch./'96-'97 Teacher of Yr.
H138-1308	Buckworth	4/04/96	T	Pauline Robinson/Star Hill Elem. Sch./'96-'97 Teacher of Year
H138-1309	Buckworth	4/04/96	T	Paul Cava/W.B. Simpson Elem. Sch./'96-'97 Teacher of Year
H138-1310	Buckworth	4/04/96	T	Frederick Ernst/Allen Frear Elem. Sch./'96-'97 Teacher of Year
H138-1311	Buckworth	4/04/96	T	Kathleen Klecan/John S. Charlton Sch./'96-'97 Teacher of Year
H138-1312	Buckworth	4/04/96	T	Kathleen Dorre/W. Reily Brown Elem. Sch./'96-'97 Teacher of Year

HOUSE TRIBUTE ANNOUNCEMENT #88

DATE: April 23, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1313	Buckworth	4/04/96	T	Eric Henry/C.R. Jun. High/'96-'97 Teacher of Year
H138-1314	Buckworth	4/04/96	T	Gary Riley/C.R. High/'96-'97 Teacher of Year
H138-1315	Buckworth	4/13/96	T	Grandmaster Angi Uezu/Pres. Okinawa Isshinrya Karate
H138-1316	Capano	4/18/96	T	Flemming Nejtgaard/Visit to DE
H138-1317	Capano	4/18/96	T	Morten Martens/Visit to DE
H138-1318	Capano	4/18/96	T	Anette Borch-Jenson/Visit to DE
H138-1319	Capano	4/18/96	T	Eva Oerum Pedersen/Visit to DE
H138-1320	Capano	4/18/96	T	Annemette Broch Christensen/Visit to DE
H138-1321	Lee	4/04/96	T	Jerry Mears/Div. II '96 & Hen. Conf. Wrestling Coach of Year
H138-1322	Maier	5/13/96	T	Sheila Cassidy & John Dickinson High Band/Senior All-State Band
H138-1323	Maier	4/17/96	T	Sonja Cicconi/John Dickinson High School's '96 Teacher of Year
H138-1324	Stone	4/07/96	T	Alice Richards Watts/Godspeed
H138-1325	Fallon	1/28/96	T	Mr. & Mrs. Clifton Everton, Sr./ 50th Wedding Anniversary
H138-1326	Fallon	4/05/96	T	James Brumble/Spreading Gospel /United Male Chorus
H138-1327	Fallon	3/30/96	M	George Calhoun, III

HOUSE TRIBUTE ANNOUNCEMENT #89

DATE: April 23, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1328	Williams	4/06/96	T	Burt & Jean Lyons/50th Wedding Anniversary
H138-1329	DiLiberto	4/05/96	M	Sandra M. Wagner
H138-1330	B. Ennis	4/02/96	M	Jeanette G. Miller
H138-1331	Capano	3/17/96	T	Carolyn Woods/1st Place Winner/ State Spelling Bee
H138-1332	Wagner	4/03/96	M	Richard Willis MacFaddin
H138-1333	Wagner	4/02/96	M	Florence T. Roe
H138-1334	B. Ennis	4/10/96	T	Alexis Dunham/Smyrna High Winner/Junior Miss Pageant
H138-1335	Ulbrich	4/16/96	T	Faculty of Newark High/Dedication to Students
H138-1336	Maier	4/25/96	T	Paul Castellano/DELDOT Employ- ee/Fourth Quarter of 1995

H138-1337	Fallon	4/11/96	T	Elizabeth Gulledge Bailey/Talent In Sculpting, Music & Environment
H138-1338	B. Ennis	4/07/96	M	Frank Green
H138-1339	B. Ennis	4/11/96	T	Lorraine & Irving Hutchison/50th Wedding Anniversary
H138-1340	B. Ennis	4/25/96	T	Bernice Bailey/96th Birthday

HOUSE TRIBUTE ANNOUNCEMENT #90

DATE: April 23, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H138-1341	B. Ennis	3/23/96	T	Employees/Child Nutrition Prog. /Smyrna/Outstanding Award
H138-1342	Scott	4/15/96	T	Wendell Carr/Mansion Park/ Outstanding Com. Service
H138-1343	Scott	4/15/96	T	Dina Spencer/Mansion Park/ Outstanding Com. Serv.
H138-1344	Scott	4/15/96	T	Linda Parson/Mansion Park/ Outstanding Com. Serv.
H138-1345	Scott	4/15/96	T	Lindsey Parson/Mansion Park /Outstanding Com. Serv.
H138-1346	Scott	4/15/96	T	Dolores Miller-Foster/Mansion Park/Outstanding Com. Serv.
H138-1347	Scott	4/15/96	T	Joyce M. Woods/Mansion Park/Outstanding Com. Serv.
H138-1348	Scott	4/15/96	T	Jocelyn E. Johnson/Mansion Park/Outstanding Com. Serv.
H138-1349	Ulbrich	4/17/96	T	Charli Reasons/Qualify/Junior Nationals Competition
H138-1350	Fallon	4/12/96	M	Ruth Rugg
H138-1351	Carey	4/20/96	T	Lynn Rogers/Dist. Serv. Award/ Milton Chamber of Commerce
H138-1352	Carey	4/20/96	T	Mary Catherine Hopkins/Dist. Serv. Award/Milton Chamber
H138-1353	Carey	4/20/96	T	Wilson's Sunshine Marina/Bus. Of Year Awd./Milton Cham. Of Com.

HOUSE TRIBUTE ANNOUNCEMENT #91

DATE: April 23, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H138-1354	Carey	4/20/96	T	Ladies Aux. Of Milton Fire Dept./ Com. Serv. Awd./Cham. of Com.
H138-1355	Carey	4/20/96	T	Lt. John Miller/Com. Serv. Awd./ Milton Chamber
H138-1356	Carey	4/20/96	T	Rev. G. Ruth Batten/Lifetime Achievement/Milton Chamber
H138-1357	Carey	4/20/96	T	Mary Hughes/Lifetime Achievement Awd./Milton Cham. of Com.
H138-1358	Carey	4/20/96	T	Dr. Jacquelyn Taylor-Keyser/ Citizen of Yr./Milton Chamber
H138-1359	Carey	4/20/96	T	Ray Trivits/Retire/Southern States Cooperative, Inc./23 Yrs. Ded. Serv.
H138-1360	Quillen	2/29/96	T	Raymond S. Pusey/Retire/42 Yrs. Ded. Serv./Transportation
H138-1361	Maier	4/18/96	T	Patrick McClory/1st Round Winner/Nat. Geography Bee
H138-1362	DiPinto	4/18/96	T	Gallucio's Cafe' & Restaurant/25th Anniv. of Community Institution
H138-1363	Buckworth	4/12/96	T	Capt. W. James Beauchamp/Retire/ Dover Police Dept./20 Years

H138-1364	Fallon	4/18/96	T	Phyllis & Dennis Morgan/Dairy Bar Rest./Owners/Good Food
H138-1365	Fallon	4/18/96	T	Elva & Richard Lynch/50th Wedding Anniversary

T - Tribute

M - Memoriam

Representative DiLiberto requested and was granted the privilege of the floor for comments.

The House observed a moment of silence in memory of State Trooper Sandra Wagner at the request of Representative DiLiberto.

Representative Davis requested that he be marked present.

The Majority Leader moved to recess for caucus at 2:31 p.m.

The House reconvened at 4:15 p.m.

Representative Petrilli deferred to Representative Jonkiert.

Representatives Jonkiert & Brady requested that they be marked present.

Representative Jonkiert brought HB 333, jointly sponsored by Senator Marshall, before the House for consideration.

HB 333 - An Act to Amend Chapters 41, 42 and 43, Title 11 of the Delaware Code With Reference to Eligibility for Parole; and Providing Early Compassionate Parole Release for Terminally Ill Prisoners.

Representative Jonkiert made comments.

Representative Jonkiert introduced & brought HA 1 to HB 333 before the House for consideration.

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

Representative Houghton introduced & brought HA 2 to HB 333 before the House for consideration.

Representative Houghton made comments. HA 2 to HB 333 was adopted by voice vote.

Representatives Welch, Jonkiert, VanSant & Capano made comments.

Representative Oberle requested that he be marked present.

Representatives Oberle, Jonkiert, Lee, Houghton, VanSant, Oberle, Jonkiert & Davis made comments.

Representative Jonkiert requested and was granted the privilege of the floor for Frank Pileggi, House

Attorney.

Representatives Jonkiert, Davis, Welch & Oberle made comments.

Representatives Spence & Reynolds requested that they be marked present.

Representatives Davis & Jonkiert made comments.

The roll call on HB 333 w/HA 1 & 2 was taken and revealed:

YES: 34.

NO: Representatives Cloutier, Davis, Lee, Maier, Ulbrich, Welch, Mr. Acting Speaker Quillen - 7.

Therefore, having received a constitutional majority, HB 333 w/HA 1 & 2 was sent to the Senate for concurrence.

Representatives D. Ennis & Mack requested that they be marked present during the roll call.

Mr. Speaker Spence resumed the Chair.

Representative Petrilli deferred to Representative Wagner.

Representative Wagner brought HB 448, jointly sponsored by Senator Voshell & Representatives Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Reynolds, Roy, Smith, Spence, Stone, Ulbrich, Welch, Banning, Brady, Bunting, DiLiberto, B. Ennis & Jonkiert, before the House for consideration.

HB 448 - An Act to Amend Chapter 41, Title 14 of the Delaware Code Relating to Students Who Have Been Expelled From Public School.

Representative Wagner requested that HA 1 to HB 448 be stricken.

Representative Wagner introduced & brought HA 2 to HB 448 before the House for consideration.

Representative Wagner made a comment. HA 2 was adopted by voice vote.

Representatives Wagner, Davis, Plant, Wagner, Gilligan, Scott, Plant, Wagner, Ulbrich & D. Ennis made comments.

The roll call on HB 448 w/HA 2 was taken and revealed:

YES: 39.

NO: Representative Scott - 1.

NOT VOTING: Representative Plant - 1.

Therefore, having received a constitutional majority, HB 448 w/HA 2 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Caulk.

Representative Caulk brought HB 395, jointly sponsored by Representatives Quillen, Buckworth, Carey, Ewing, Fallon, Lee, Lofink, Welch, Banning, Bunting, B. Ennis, Schroeder & West & Senators Cook, Cordrey, Vaughn, Venables, Voshell, Bonini & Still, before the House for consideration.

HB 395 - An Act to Amend Title 3, Delaware Code, Relating to Grain Contracts of Sale, Discount Rates, and Test Weight Rates.

Representative Caulk introduced & brought **HA 1** to **HB 395** before the House for consideration.

Representative Caulk made comments. **HA 1** was adopted by voice vote.

Representative Caulk made comments.

The roll call on **HB 395 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 395 w/HA 1** was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Reynolds.

Representative Reynolds requested that action on **HB 479** be deferred to a Day Certain, Thursday, May 2, 1996.

Representative Petrilli deferred to Representative Caulk.

Representative Caulk brought **SB 306**, jointly sponsored by Senators Adams, Cook, Vaughn, Venables, Still & Bonini & Representatives Carey, Mack, Bunting & Schroeder, before the House for consideration.

SB 306 - An Act to Amend Title 3 of the Delaware Code Relating to Plant Pests.

Representative Caulk made comments.

The roll call on **SB 306** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 306** was returned to the Senate.

Representative Petrilli deferred to Representative Lee.

Representative Lee brought **SB 311**, jointly sponsored by Senators Vaughn, Adams & Sharp & Representatives Ewing & B. Ennis, before the House for consideration.

SB 311 - An Act to Amend Chapter 89, Title 29, Delaware Code Relating to Mandatory Screening for Illegal Use of Drugs. (F/N)

Representatives Lee, Gilligan, Lee, Davis, Gilligan, Williams, DiLiberto & Lee made comments.

The roll call on **SB 311** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 311** was returned to the Senate.

Representative Petrilli deferred to Representative Maroney.

Representative Maroney requested that **HB 363** be stricken.

Representative VanSant was granted personal privilege of the floor for a comment.

Representative VanSant moved to restore **SS 1** to **SB 72 w/HA 1, HA 8 w/HA 1 & 2**. The motion was seconded by Representative Quillen and adopted by voice vote.

SB 72 - An Act to Amend Title 16 of the Delaware Code Relating to Health Care Decisions.

Representative Maroney moved to place **SS 1** to **SB 72 w/HA 1, HA 8 w/HA 1 & 2** on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representatives Petrilli & Maroney made comments.

Representative Petrilli deferred to Representative Maier.

Representative Maier requested that action on **HB 431** be deferred to a Day Certain, Thursday, May 2, 1996.

The Majority Leader moved to recess to the call of the Chair at 5:30 p.m.

21st LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
April 24, 1996

Mr. Speaker Spence called the House to order at 2:05 p.m.

The Reading Clerk read the following communications into the record:

MEMORANDUM

TO: SPEAKER OF THE HOUSE, TERRY R. SPENCE
FROM: REPRESENTATIVE JEFFREY G. MACK
RE: ABSENCE FROM SESSION
DATE: April 23, 1996
CC: CHIEF CLERK, JOANN HEDRICK

Please be advised that I will not be present for session on April 24 due to surgery. The recovery time is approximately three weeks. I will hopefully be back sometime in May and will keep you posted.

April 23, 1996

The Senate wishes to inform the House that it has passed: **SB 318**,

April 17, 1996

LEGISLATIVE ADVISORY #47

Governor Thomas R. Carper signed the following legislation on the dates indicated: 4/11/96 - HJR 21,
HB 414 aab HA 1, 4/15/96 - HB 411.

April 23, 1996

LEGISLATIVE ADVISORY #48

Governor Thomas R. Carper signed the following legislation on the date indicated: 4/22/96 - HB 405
aab HA 1,2 & SA 1.

April 23, 1996

LEGISLATIVE ADVISORY #49

Governor Thomas R. Carper signed the following legislation on the date indicated: 4/23/96 - SS 1 to
SB 250 aab HA 1 & SA 1.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Arthur L. Scott, Do Hereby Request That My Name Be Removed as Co-Sponsor of
HB 448.

Date: April 23, 1996

Signed: Arthur L. Scott

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Al O. Plant, Sr., Do Hereby Request That My Name Be Removed as Co-Sponsor of
HB 448.

Date: April 23, 1996

Signed: Al O. Plant, Sr.

Representative DiLiberto requested and was granted the privilege of the floor for the introduction of
guests.

Representatives Caulk, DiLiberto, Petrilli, Gilligan & DiPinto made comments.

The Majority Leader moved to adjourn at 2:09 p.m., thereby ending the current Legislative Day. The
House reconvened at 2:10 p.m.

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Mack - 1.

A prayer was offered by Representative Tina Fallon, Thirty-Ninth Representative District.

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

Mr. Speaker introduced a guest.

The House observed a moment of silence in memory of James Williamson & the wife of former
Speaker John Ferguson.

The minutes of the previous Legislative Day were approved as posted.

The following prefiled legislation was introduced:

HB 519 - PETRILLI & SENATOR SOKOLA - HOUSING & COM AFF: An Act to Amend Title 6 of
the Delaware Code Relating to Home Construction and Home Improvement.

HB 520 - ROY & SENATOR SHARP - JUD: An Act to Amend Title 11 of the Delaware Code With
Respect to Defenses to Criminal Liability and Evidence of Intoxication.

HB 521 - MARONEY & QUILLEN & SENATOR BLEVINS; REPRESENTATIVES CAPANO,
DAVIS, DILIBERTO; SENATORS ADAMS, BAIR, SORENSON - JUD: An Act to Amend §513 of Title 13
of the Delaware Code Relating to Child Support Orders.

HB 522 - DIPINTO, SPENCE, QUILLEN, CAREY, DAVIS, MACK, MARONEY, SMITH,
BANNING, BRADY, B. ENNIS, GILLIGAN; SENATOR BAIR - HOUSING & COM AFF: An Act to
Amend Title 10 and Title 25 of the Delaware Code Relating to Landlord-Tenant Relationships; and Providing
for a Residential Landlord-Tenant Code.

HA 1 to HB 509 - DILIBERTO - H/ADM: Placed with the bill.

HCR 48 - ULBRICH & SENATOR AMICK - TRANS & INFRA: Requesting the Secretary of the
Delaware Department of Transportation to Undertake a Study to Preserve a Corridor for a Connector Between
Route 1 and the Proposed Route 301 South of the Chesapeake and Delaware Canal.

HJR 23 - JONKIERT & SENATOR MARSHALL ON BEHALF OF ALL REPRESENTATIVES AND
SENATORS - H/ADM: Honoring and Remembering Former U.S. Secretary of Commerce Ronald H. Brown,
Devoted Public Servant and Outstanding Black American.

SB 318 - BLEVINS & REPRESENTATIVE MARONEY; SENATOR BAIR; REPRESENTATIVE
DILIBERTO - JUD: An Act to Amend Titles 10 and 11 of the Delaware Code Relating to Bond Forfeiture in
Child Support Proceedings. (F/N)

HA 9 to SS 1 for SB 72 - MARONEY - L.O.T.: Placed with the bill.

Representatives B. Ennis & Plant requested that they be marked present.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #84

DATE: April 23, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1259	D. Ennis	4/04/96	T	Carlos Sanchez/Yucatan, Mexico/Visit
H138-1260	D. Ennis	4/04/96	T	Enrique Cardenas/Yucatan, Mexico/Visit
H138-1261	D. Ennis	4/04/96	T	Maria Eugenia Cardenas/Yucatan, Mexico/Visit
H138-1262	D. Ennis	4/04/96	T	Nelly Mejia/Yucatan, Mexico/Visit
H138-1263	D. Ennis	4/04/96	T	Herrera/Yucatan, Mexico/Visit
H138-1264	D. Ennis	4/04/96	T	Catalina Paloma/Yucatan, Mexico/Visit
H138-1265	D. Ennis	4/04/96	T	Harwin Ponce/Yucatan, Mexico/Visit
H138-1266	D. Ennis	4/04/96	T	Victor Arjona/Yucatan, Mexico/Visit
H138-1267	D. Ennis	4/04/96	T	Carlos Aguilar/Yucatan, Mexico/Visit
H138-1268	D. Ennis	4/04/96	T	Rene Brito/Yucatan, Mexico/Visit
H138-1269	D. Ennis	4/04/96	T	Silvia Salazar/Yucatan, Mexico/Visit
H138-1270	D. Ennis	4/04/96	T	Jorge Sanders/Yucatan, Mexico/Visit
H138-1271	D. Ennis	4/04/96	T	Luis Alfonso Rodriguez/Yucatan, Mexico/Visit

T - Tribute

Representative West requested that he be marked present.

The Majority Leader moved to recess for committee meetings at 2:19 p.m.

The House reconvened at 4:43 p.m.

Representatives Reynolds, Roy, Carey, Cloutier, Oberle, Capano, Brady & Lofink requested that they be marked present.

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

H/ADM: HB 376 - 5M; HB 484 - 5M; HB 509 - 5M; HB 516 - 5M; HJR 23 - 5M; SB 294 - 5M; SB 295 - 5M; SB 296 w/SA 1 - 5M; SB 313 - 5M.

JUD: HS 1 for HB 304 - 6M, 1U; HB 487 - 7M; HB 490 - 7M; HB 495 - 7M; HB 507 - 6M; HB 511 - 7M; SB 243 - 6M; SB 256 - 7M; SB 269 - 7M.

P/S: HB 355 - 7M; HB 508 - 6M; HB 513 - 6M.

ED: HB 466 - 8M; HCR 40 - 6M.

Mr. Speaker assigned HS 1 for HB 304 to the Appropriations Committee.

Representative D. Ennis requested that he be marked present.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #92

DATE: April 24, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1366	Fallon	4/18/96	T	Mike Hall/Powerlifting Champ/Inductee/DE Sports Hall of Fame
H138-1367	Wagner	4/15/96	M	Dale E. Waite
H138-1368	Fallon	4/18/96	T	Judge Paul E. Ellis/23 Yrs. Ded. Serv./Court of Common Pleas
H138-1369	Carey	4/20/96	T	Barbara Fleetwood/Ex. Dir./Milton Cham. Of Com./10+ Yrs. Serv.
H138-1370	Carey	4/20/96	T	Charles D. Fleetwood/10+ Yrs. Serv./Milton Cham. Of Com.
H138-1371	B. Ennis	4/21/96	T	Frances & Philip A. Messina/50th Anniversary

H138-1372	B. Ennis	3/14/96	T	Kyle G. Bullock/Eagle Scout
H138-1373	Fallon	4/20/96	T	Rosalie & John Thompson/50th Wedding Anniversary
H138-1374	Maier	4/23/96	T	St. Mark's Girls' Swimming & Div- ing Team & Coaches/State Champs
H138-1375	Maier	4/23/96	T	St. Mark's Girls' Basketball Team & Coaches/State Champions
H138-1376	Quillen	4/24/96	T	Louise R. Banks/Dedicated Service to the House of Representatives
H138-1377	Wagner	4/19/96	M	C. Ann Nellius
	cosponsor: All Members of the House			
H138-1378	Wagner	4/20/96	M	Vivian Dees Reed
	cosponsor: Stone			

HOUSE TRIBUTE ANNOUNCEMENT #93

DATE: April 24, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H138-1379	Capano	4/06/96	T	Clara & Virgil G. Carmean/50th Wedding Anniversary
H138-1380	Stone	5/01/96	T	Holy Cross Catholic Church/ Alliance to Feed Hungry
H138-1381	Stone	5/01/96	T	Christ Episcopal Church/Alliance to Feed Hungry
H138-1382	Stone	5/01/96	T	Asian Pacific Amer. Heritage Com./ /D.A.F.B./Alliance to Feed Hungry
H138-1383	Stone	5/01/96	T	Soc. Of Black Americans/D.A.F.B./ Alliance to Feed Hungry
H138-1384	Stone	5/01/96	T	D.A.F.B. Black Heritage Com./ Alliance to Feed Hungry
H138-1385	Stone	5/01/96	T	St. Andrew's Lutheran Church/ Alliance to Feed Hungry
H138-1386	Capano	3/16/96	T	Ms. Pat O'Donnell/St. Anthony Coach/East Coast Model
H138-1387	Capano	3/16/96	T	Org. of Amer. States J. Cory Tull/ /Best Delegate/East Coast Model Org. of Amer. States
H138-1388	Stone	5/01/96	T	Bob & Corinne Ventura & Creative Ventures Catering/Alliance to Feed Hung
H138-1389	Stone	5/01/96	T	Dover Post/Alliance to Feed Hungry
H138-1390	Stone	5/01/96	T	First Southern Baptist Church/ Alliance to Feed Hungry

HOUSE TRIBUTE ANNOUNCEMENT #94

DATE: April 24, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H138-1391	Buckworth	4/25/96	T	Dorothy T. Cooper/Retire/Chief Custodian/State Hill Elementary
H138-1392	Buckworth	5/01/96	T	New Life Family Worship Ctr./ Alliance to Feed Hungry
H138-1393	B. Ennis	5/01/96	T	Smyrna Baptist Women/Alliance to Feed Hungry
H138-1394	Houghton	3/23/96	M	Frank J. Carello, Jr.
H138-1395	Oberle	4/24/96	T	Virginia E. Cahill/Savings Bond Winner/Voc. Student Awds. Prog.
H138-1396	Maier	4/25/96	T	Liam Coughlin/St. Mark's High/ Texaco Star Academic Challenge
H138-1397	Maier	4/25/96	T	Steven Haus/St. Mark's High/Tex- aco Star Academic Challenge
H138-1398	Maier	4/25/96	T	Paul Kaufman/St. Mark's High/ Texaco Star Academic Challenge

H138-1399	Maier	4/25/96	T	Victoria Vallejo/St. Mark's High/ Texaco Star Academic Challenge
H138-1400	Maier	4/25/96	T	Laura Winberly, "Captain"/St. Mark's/Texaco Star Acad. Chall.
H138-1401	Maier	4/25/96	T	Coach Susan C. O'Hara/ St. Mark's /Texaco Star Acad. Chall. & Effort
H138-1402	Wagner	5/01/96	T	Calvary Baptist Church/Alliance to Feed the Hungry

T - Tribute

M - Memoriam

The following prefiled Consent Calendar #19 was introduced:

HR 67 - MARONEY & SPENCE - Recognizing April 1996 as Child Abuse Prevention Month in Delaware.

HR 68 - CAPANO - Mourning the Loss of Lucile Evelina DuPont Flint, Noted Philanthropist.

Consent Calendar #19 was adopted by voice vote.

Representative D. Ennis made an announcement.

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

SM BUS: HB 214 - 8M; HB 262 - 8M; HB 320 - 8M; HR 66 - 8M; SB 327 w/SA-1 - 9M.

The Majority Leader moved to recess to the call of the Chair at 4:53 p.m.

22nd LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
April 25, 1996

Mr. Speaker called the House to order at 2:09 p.m.

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

HEALTH & HUM DEV: HB 474 - 6M; HB 481 - 6M; HB 501 - 6M.

Mr. Speaker assigned HB 355 to the Appropriations Committee.

The Reading Clerk read the following communication into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Senator Robert J. Voshell, Do Hereby Request That My Name Be Removed as Co-Sponsor of HB

522.

Date: April 24, 1996

Signed: Senator Robert J. Voshell.

The Majority Leader moved to adjourn at 2:10 p.m., thereby ending the current legislative day. The House reconvened at 2:11 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Mack - 1.

A prayer was offered by Representative Arthur Scott, Third Representative District.

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

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

The following prefiled legislation was introduced:

HS 1 for HB 313 - ROY; SENATOR SHARP - JUD: An Act to Amend Title 11 of the Delaware Code Relating to the Forfeiture of Good Time.

HB 523 - ROY, SPENCE, PETRILLI, QUILLEN, DIPINTO, CAPANO; SENATORS SHARP, SOKOLA - SUBS ABUSE - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors.

Representative Welch requested and was granted the privilege of the floor for the introduction of guests.

Representative Fallon requested and was granted the privilege of the floor for Arlene Bowers, President of the Southern Delaware Association for the Education of Young Children.

Mr. Speaker reassigned HB 523 to the House Administration Committee.

Mr. Speaker introduced guests.

Representative DiLiberto requested and was granted the privilege of the floor for the introduction of a guest.

Representative Quillen made a comment.

The Reading Clerk read the following communication into the record at the request of Representative Quillen:

James I. Williamson, who as an Army platoon leader won the Medal of Honor in Vietnam, Died Monday of respiratory failure in Milford Memorial Hospital. He was 66 and lived in Harrington.

In 1968, Mr. Williamson's men were supporting an infantry company in a seal and search mission at a Vietnamese factory. As the platoon entered, the enemy inside opened fire. Mr. Williamson directed his men to cover the infantry while they withdrew. He kept his platoon in position until the troops could withdraw safely.

Alone and armed with a machine gun, Mr. Williamson rescued the crew of a weapons carrier that received a direct hit during the fighting.

He remained exposed to the enemy fire as he attached a tow cable to a vehicle so it could be retrieved and not captured.

For his efforts that day, he was awarded the Medal of Honor, the nation's highest military decoration.

Mr. Williamson, who served three tours of duty in Vietnam, retired in 1969 as a staff sergeant after 21 years in the Army. He also served in the Korean War. He also received the Silver Star, Purple Heart, Bronze Star and other medals.

Mr. Spence introduced guests who announced their names for the record.

Representatives Wagner, Buckworth & DiPinto requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:28 p.m.

The House reconvened at 4:25 p.m.

Representatives Cloutier & Schroeder requested that they be marked present.

Representative Welch requested and was granted the privilege of the floor for himself & Representatives B. Ennis & Lee for the presentation of a tribute.

Representative Boulden requested and was granted the privilege of the floor for the introduction of a guest.

Representative Quillen requested and was granted the privilege of the floor for the presentation of four tributes to Members of Parliament from the Republic of Georgia.

Representative Fallon introduced HB 524, jointly sponsored by Senator Adams.

HB 524 - An Act to Amend Title 30, Delaware Code, Relating to Tax Credits to Employers Who Create Summer Positions as Part of the Summer Employment Experiences Program.

Mr. Speaker assigned HB 524 to the Revenue & Finance Committee.

Representative Quillen was granted personal privilege of the floor for the introduction of guests.

Representative Petrilli deferred to Representative Caulk.

Representative Caulk brought HB 445, jointly sponsored by Senator Adams & Representatives Carey, Mack, Schroeder & West & Senators Cook, Venables, Vaughn, Bonini & Still, before the House for consideration.

HB 445 - An Act to Amend Chapter 51, Title 6 of the Delaware Code Relating to Weights and Measures.

Representatives Caulk & DiPinto made comments.

The roll call on HB 445 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 445 was sent to the Senate for concurrence.

Representatives Jonkiert, Oberle, Reynolds, Smith, Stone & D. Ennis requested that they be marked present during the roll call.

Representative Petrilli deferred to Representative Caulk.

Representative Caulk brought SB 307 w/SA 1, jointly sponsored by Senators Adams, Cook, Vaughn, Venables, Still & Bonini & Representatives Carey, Mack, Bunting & Schroeder, before the House for consideration.

SB 307 - An Act to Amend Title 3 of the Delaware Code Relating to Nurseries and Nursery Stock.

Representative Caulk made comments.

The roll call on SB 307 w/SA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, SB 307 w/SA 1 was returned to the Senate.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle requested that action on HB 477 be deferred to a Day Certain, Thursday, May 2 1996.

Representative Quillen brought HB 513 before the House for consideration.

HB 513 - An Act to Amend Chapter 21, Title 21, Delaware Code Relating to Special Licenses for Ruritan Clubs.

Representatives Quillen & Davis made comments.

The roll call on HB 513 was taken and revealed:

YES: 37.

NO: Representatives Davis, Maier, Roy - 3.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 513 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative B. Ennis.

Representative B. Ennis brought HB 467, jointly sponsored by Senator Voshell & Representatives Banning, Brady, Houghton, VanSant, West, Spence & Welch & Senator Vaughn, before the House for consideration.

HB 467 - An Act to Amend Chapter 43, Title 21 of the Delaware Code Relating to Motor Vehicles.

Representative B. Ennis introduced & brought HA 1 to HB 467 before the House for consideration.

Representative B. Ennis made comments. HA 1 was adopted by voice vote.

The roll call on HB 467 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 467 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on HB 525. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative DiPinto introduced and brought HB 525, jointly sponsored by Senator McDowell, before the House for consideration.

HB 525 - An Act Waiving the Statutory Provisions of §107(a) of Chapter 1, Title 13, Delaware Code, as It Relates to the Marriage of Lee Fausto, Jr. And Catherine Ann Williams, Non-Residents of the State of Delaware.

Representative DiPinto made comments.

The roll call on HB 525 was taken and revealed:

YES: 37.

ABSENT: Representatives B. Ennis, Mack, Quillen, VanSant - 4.

Therefore, having received a constitutional majority, HB 525 was sent to the Senate for concurrence.

Representative Oberle introduced HB 526, jointly sponsored by Senator McBride & Representatives Spence, DiPinto, Roy, Welch & Banning.

HB 526 - An Act to Amend Title 19 of the Delaware Code Relating to the Police Officers and Firefighters Employment Relations Act.

Mr. Speaker assigned HB 526 to the Labor Committee.

Representative Roy brought HB 443, jointly sponsored by Senator Sharp, before the House for consideration.

HB 443 - An Act to Amend Part III, Title 12 of the Delaware Code Relating to Descent and Distribution; and Providing for a Uniform TOD Security Registration Act.

Representatives Roy, Davis & Roy made comments.

The roll call on HB 443 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 443 was sent to the Senate for concurrence.

Representative Roy brought HB 456, jointly sponsored by Senator Sharp, before the House for consideration.

HB 456 - An Act to Amend Title 11 of the Delaware Code Relating to General Definitions.

Representative Roy made comments.

The roll call on HB 456 was taken and revealed:

YES: 39.

ABSENT: Representatives Mack, Reynolds - 2.

Therefore, having received a constitutional majority, HB 456 was sent to the Senate for concurrence.

Representative Capano requested and was granted the privilege of the floor for the introduction of a guest.

Representatives DiPinto, Ewing & DiLiberto made comments.

Representative Petrilli deferred to Representative DiLiberto.

Representative DiLiberto brought HB 438, before the House for consideration.

HB 438 - An Act to Amend Title 21 of the Delaware Code Relating to Traffic Safety. (2/3 bill)

Representatives DiLiberto, Davis, D. Ennis, DiPinto, DiLiberto, West & Davis made comments.

Representative DiLiberto moved to place HB 438 on the Speaker's table. The motion was seconded by Representative Davis and adopted by voice vote.

Representative Petrilli deferred to Representative Ewing.

Representative Ewing brought SB 261 w/SA 1, sponsored by Senator Voshell & Representative Carey & Senator Adams, before the House for consideration.

SB 261 - An Act to Amend Title 21 of the Delaware Code Relating to the Registration of Heavy Motor Vehicles.

Representatives Ewing, Davis & Carey made comments.

Representative Carey moved to place SB 261 w/SA 1 on the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Roy brought HB 303, jointly sponsored by Representatives Welch, Jonkiert & Quillen & Senators Bair, Bonini, Connor, Hauge, Henry, Reed, Sorenson & Still, before the House for consideration.

HB 303 - An Act to Amend Chapter 5, Title 11 of the Delaware Code Relating to Vehicular Homicides and Vehicular Assaults. (F/N)

Representative Roy made a comment.

Representative Roy requested and was granted the privilege of the floor for Paul Wallace, Deputy Attorney General.

Representative Gilligan requested and was granted the privilege of the floor for Brian Shirey, House Attorney.

Representative Roy brought HA 1 to HB 303 before the House for consideration.

Representative Roy deferred to Representative Gilligan.

Representatives Gilligan, Brady & Roy made comments.

Representative Davis rose on a point of order. Representatives Roy & Davis made comments. Mr. Speaker concurred.

HA 1 to HB 303 was adopted by voice vote.

Representative Roy moved to place HB 303 w/HA 1 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

The Majority Leader moved to recess to the call of the Chair at 5:55 p.m.

23rd LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
April 30, 1996

Mr. Speaker called the House to order at 2:10 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed: SB 335, HB 406 w/HA 1 & SA 1 & 2, HB 525, SB 234 w/SA 2, HB 356 w/SA 1 & HB 391.

The Majority Leader moved to adjourn at 2:11 p.m., thereby ending the current legislative day. The House reconvened at 2:12 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Mack - 1.

A prayer was offered by Representative J. Benjamin Ewing, Jr., Thirty-Fifth Representative District.

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

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

The following prefiled legislation was introduced:

HS 1 for HB 433 - B. ENNIS; SENATORS BLEVINS & MCBRIDE; REPRESENTATIVES BANNING, BRADY, BUNTING, GILLIGAN, HOUGHTON, JONKIERT, PLANT, SCHROEDER, VANSANT, WEST, SPENCE, FALLON, MAIER - HEALTH & HUM DEV: An Act to Amend Chapter 97, Title 16, Delaware Code, Relating to a Statewide Trauma Care System.

HB 527 - OBERLE & SPENCE & SENATORS SHARP & MCBRIDE - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses. (2/3 bill)

HB 528 - ROY & SENATORS SHARP, ADAMS, BLEVINS, COOK, CORDREY, HENRY, MARSHALL, MCBRIDE, MCDOWELL, SOKOLA, VAUGHN, VENABLES, VOSHELL, AMICK, BAIR, BONINI, CONNOR, HAUGE, REED, SORENSON; REPRESENTATIVES BANNING, BOULDEN, BRADY, BUCKWORTH, BUNTING, CAPANO, CAREY, CAULK, CLOUTIER, DAVIS, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, LEE, LOFINK, JONKIERT, MACK, MAIER, MARONEY, OBERLE, PETRILLI, PLANT, QUILLEN, REYNOLDS, SCHROEDER, SCOTT, SMITH, SPENCE, STONE, ULBRICH, VANSANT, WAGNER, WELCH, WEST, WILLIAMS - JUD: An Act to Amend Chapter 18, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Liability Companies and the Registration and Regulation of Foreign Limited Liability Companies. (3/5 bill)

HB 529 - ROY & SENATORS SHARP, ADAMS, BLEVINS, COOK, CORDREY, HENRY, MARSHALL, MCBRIDE, MCDOWELL, SOKOLA, VAUGHN, VENABLES, VOSHELL, AMICK, BAIR, BONINI, CONNOR, HAUGE, REED, SORENSON; REPRESENTATIVES BANNING, BOULDEN, BRADY, BUCKWORTH, BUNTING, CAPANO, CAREY, CAULK, CLOUTIER, DAVIS, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, LEE, LOFINK, JONKIERT, MACK, MAIER, MARONEY, OBERLE, PETRILLI, PLANT, QUILLEN, REYNOLDS, SCHROEDER, SCOTT, SMITH, SPENCE, STONE, ULBRICH, VANSANT, WAGNER, WELCH, WEST, WILLIAMS - JUD: An Act to Amend Chapter 15, Title 6 of the Delaware Code Relating to the Registration and Regulation of Foreign Registered Limited Liability Partnerships. (3/5 bill)

HB 530 - ROY & SENATORS SHARP, ADAMS, BLEVINS, COOK, CORDREY, HENRY, MARSHALL, MCBRIDE, MCDOWELL, SOKOLA, VAUGHN, VENABLES, VOSHELL, AMICK, BAIR, BONINI, CONNOR, HAUGE, REED, SORENSON; REPRESENTATIVES BANNING, BOULDEN, BRADY, BUCKWORTH, BUNTING, CAPANO, CAREY, CAULK, CLOUTIER, DAVIS, DILIBERTO, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, LEE, LOFINK, JONKIERT, MACK, MAIER, MARONEY, OBERLE, PETRILLI, PLANT, QUILLEN, REYNOLDS, SCHROEDER, SCOTT, SMITH, SPENCE, STONE, ULBRICH, VANSANT, WAGNER, WELCH, WEST, WILLIAMS - JUD: An Act to Amend Chapter 17, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Partnerships and the Registration and Regulation of Foreign Limited Partnerships. (3/5 bill)

HB 531 - ROY & SENATOR SHARP - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Sentencing for Certain Crimes.

HB 532 - WEST & SENATOR ADAMS - APPRO: An Act Making a Supplemental Appropriation to the Department of Transportation, Division of Highway Operations, South District, for the Purpose of Reimbursing Baxter Farms, Inc.

HB 533 - BANNING, BOULDEN, BRADY, BUNTING, CAPANO, CAREY, DAVIS, DILIBERTO, B. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, JONKIERT, LEE, MACK, MAIER, PLANT, QUILLEN, REYNOLDS, SCHROEDER, SCOTT, SMITH, SPENCE, VANSANT, WEST, WILLIAMS; SENATORS MCBRIDE, VAUGHN, VOSHELL - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Abuse of Animals.

HB 534 - QUILLEN, JONKIERT & SCHROEDER, PETRILLI, BOULDEN, BUCKWORTH, CAULK, DAVIS, EWING, LEE, WELCH, BANNING - JUD: An Act to Amend § 513 of Title 13 of the Delaware Code Relating to the Definition of "Income" for Purposes of Determining Support.

HA 1 to HA 1 to HB 303 - ROY - AGENDA: Placed with the bill.

HA 1 to HB 355 - ULBRICH - APPRO: Placed with the bill.

HA 1 to HB 431 - MAIER - DEFERRED: Placed with the bill.

HA 1 to HB 438 - DILIBERTO - L.O.T.: Placed with the bill.

HA 1 to HB 485 - ULBRICH - JUD: Placed with the bill.

SB 234 w/SA 2 - ADAMS; REPRESENTATIVE DIPINTO - ECON DEV, B & I: An Act to Amend Title 5 of the Delaware Code by Adding Thereto a New Section Granting a Self-Analysis Privilege to Depository Institutions and Their Affiliates.

SB 335 - VENABLES & MARSHALL; REPRESENTATIVES SMITH & WEST; SENATORS ADAMS, BLEVINS, COOK, CORDREY, HENRY, MCBRIDE, MCDOWELL, SHARP, SOKOLA, VAUGHN, VOSHELL, AMICK, BAIR, BONINI, CONNOR, HAUGE, REED, SORENSON & STILL; REPRESENTATIVES BOULDEN, BUCKWORTH, CAPANO, CAREY, CAULK, CLOUTIER, DAVIS, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MACK, MAIER, MARONEY, OBERLE, PETRILLI, QUILLEN, REYNOLDS, ROY, SPENCE, STONE, ULBRICH, WAGNER, WELCH, BANNING, BRADY, BUNTING, DILIBERTO, B. ENNIS, GILLIGAN, HOUGHTON, JONKIERT, PLANT, SCHROEDER, SCOTT, VANSANT & WILLIAMS - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax. (F/N)

Representative Roy requested that he be marked present.

The House observed a moment of silence in memory of Mary Jane Starkey's mother at the request of Representative Houghton.

Representatives Buckworth, Schroeder & B. Ennis requested that they be marked present.

The House observed a moment of silence in memory of Raymond Book and Andy Stayton's mother at the request of Representative Wagner & Representative Spence.

Representative Roy requested and was granted the privilege of the floor for John Bennett, Senate Majority Leader from New Jersey and Chairman of CSG/ERC and Alan Sokolow, Executive Director of the Council of State Governments Eastern Regional Conference.

Representative Spence made comments.

Representative Gilligan requested and was granted personal privilege of the floor for comments.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Smith made comments.

Representative DiPinto requested that he be marked present.

Representative Maier requested and was granted the privilege of the floor for Mary Hudson, Delaware State Coordinator for Delta Sigma Theta Sorority.

The Delta Sigma Theta Sorority members introduced themselves for the record.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #95

DATE: April 30, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H138-1403	Wagner	5/01/96	T	Joseph Crossen/Capitol Sch. Dist./Alliance to Feed the Hungry
H138-1404	Wagner	5/01/96	T	Presbyterian Church of Dover/Alliance to Feed the Hungry
H138-1405	Wagner	5/01/96	T	Wesley Methodist Church/Alliance to Feed the Hungry
H138-1406	Wagner	5/01/96	T	Congregation Beth Shalom/Alliance to Feed the Hungry
H138-1407	Wagner	5/01/96	T	E. Stuart Outten, Jr./Cap. Cleaners /Alliance to Feed the Hungry
H138-1408	Smith	4/23/96	T	Harriet Clawson/Tireless Service/Greentree Civic Assoc./President
H138-1409	Cloutier	4/09/96	M	Kalman Marcali
H138-1410	Lee	4/24/96	T	Dr. Wayne Bastian/Retire/34 Yrs. /Delmar/Rural Educator of Year
H138-1411	Maier	4/25/96	T	Eleanor E. Mitchell/86th Birthday
H138-1412	Quillen	4/25/96	T	Mr. Lasha Mindeli/Parliament of Republic of Georgia/Welcome
H138-1413	Quillen	4/25/96	T	Mr. Rostom Dolidze/Parliament of Republic of Georgia/Welcome
H138-1414	Quillen	4/25/96	T	Mr. Paata Chekurishvili/Parliament of Republic of Georgia/Welcome
H138-1415	Quillen	4/25/96	T	Mr. Givi Giginishvili/Parliament of Republic of Georgia/Welcome

HOUSE TRIBUTE ANNOUNCEMENT #96

DATE: April 30, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H138-1416	Banning	4/24/96	T	Sergeant Richard C. Pulling, Jr./'96 State Trooper of Year
H138-1417	Banning	4/24/96	M	Lee Walker
H138-1418	Fallon	4/25/96	T	Kelly Allen/Down Syndrome News Article
H138-1419	Scott	5/01/96	T	Damian L. Vice/Outstanding Community Service
H138-1420	Scott	6/01/96	T	Larry Kopec/Outstanding Community Service
H138-1421	Scott	5/01/96	T	Cheryl A. Lewis/Outstanding Community Service
H138-1422	Scott	5/01/96	T	Alvin L. Boardley, Jr./Outstanding Community Service
H138-1423	Banning	4/22/96	M	James J. Williamson
H138-1424	Quillen	4/27/96	T	Pheobe Anthony/75th Birthday
H138-1425	Maier	4/27/96	T	Megan Ifland/'96 DE Swimmer of Year

H138-1426	Jonkiert	2/25/96	T	Marie & Paul Okonowicz/50th Wedding Anniversary
H138-1427	Jonkiert	3/20/96	T	Ethel & Joseph Kaminski/50th Wedding Anniversary
H138-1428	Jonkiert	5/05/96	T	Michael & Sophie Szotkiewicz/50th Wedding Anniversary

HOUSE TRIBUTE ANNOUNCEMENT #97

DATE: April 30, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1429	Jonkiert	4/11/96	T	Mary & Walter Ratasiewicz/60th Wedding Anniversary
H138-1430	Jonkiert	3/19/96	T	Joseph Wyszynski/98th Birthday
H138-1431	Petrilli	4/25/96	T	Mary Carison/Chicago/Children's Choir/Performance
H138-1432	Petrilli	4/25/96	T	Charles Hayes/Chicago Children's Choir/Performance
H138-1433	Petrilli	4/25/96	T	William Chin/Chicago Children's Choir/Performance
H138-1434	Petrilli	4/25/96	T	Al Towns/Chicago Children's Choir/Performance
H138-1435	Petrilli	4/25/96	T	Matthew Whittaker/Chicago Children's Choir/Performance
H138-1436	Petrilli	4/25/96	T	Michael Preacely/Chicago Children's Choir/Performance
H138-1437	Petrilli	4/25/96	T	Catherine Otis/Chicago Children's Choir/Performance
H138-1438	Petrilli	4/25/96	T	Sarah Katsarus/Chicago Children's Choir/Performance

HOUSE TRIBUTE ANNOUNCEMENT #98

DATE: April 30, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1439	Petrilli	4/25/96	T	Gabe Jimenez/Chicago Children's Choir/Performance
H138-1440	Petrilli	4/25/96	T	Ted Hearne/Chicago Children's Choir/Performance
H138-1441	Petrilli	4/25/96	T	Michael Green/Chicago Children's Choir/Performance
H138-1442	Petrilli	4/25/96	T	Nia Easley/Chicago Children's Choir/Performance
H138-1443	Petrilli	4/25/96	T	Jonathan Brooks/Chicago Children's Choir/Performance
H138-1444	Petrilli	4/25/96	T	Alex Baker/Chicago Children's Choir/Performance
H138-1445	Welch	4/25/96	T	Heather Kidwell/Hon. Mention/ MD/DE/D.C/News Competition
H138-1446	cosponsors: Lee, B. Ennis D. Ennis	4/26/96	T	Mr. Alfred J. Belak/Ded./Founding Mem./Diamond State Concert Band
H138-1447	D. Ennis	4/26/96	T	Mr. Joseph Naff/Ded./Conductor /Diamond State Concert Band

T - Tribute

M - Memoriam

Representative Scott brought HR 66, jointly sponsored by Representatives Banning, Brady, Caulk, DiLiberto, DiPinto, B. Ennis, D. Ennis, Ewing, Gilligan, Houghton, Jonkiert, Lee, Lofink, Mack, Oberle, Plant, Reynolds, Spence, VanSant, Welch, West & Williams, before the House for consideration.

HR 66 - Creating a Task Force to Investigate and Establish the Formulation of a Statewide Refund Policy to be Applicable to Retail Businesses Within the State.

Representatives Scott, Capano, Boulden, VanSant, Ulbrich, Wagner, Gilligan & Smith made comments.

HR 66 was adopted by voice vote.

Representative DiPinto brought HB 460, jointly sponsored by Senator Voshell, before the House for consideration.

HB 460 - An Act to Amend Chapters 13 and 19 of Title 2 of the Delaware Code Repealing the Employee Commute Options Act and Providing for the Confidentiality of Certain Information.

Representative DiPinto made comments.

The roll call on HB 460 was taken and revealed:

YES: 36.

ABSENT: Representatives Brady, D. Ennis, Mack, Quillen, Spence - 5.

Therefore, having received a constitutional majority, HB 460 was sent to the Senate for concurrence.

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

Representative Petrilli deferred to Representative Jonkiert.

Representative Jonkiert brought HJR 23, jointly sponsored by Senator Marshall on behalf of all Representatives & Senators, before the House for consideration.

HJR 23 - Honoring and Remembering Former U.S. Secretary of Commerce Ronald H. Brown, Devoted Public Servant and Outstanding Black American.

Representative Jonkiert made a comment.

The roll call on HJR 23 was taken and revealed:

YES: 37.

ABSENT: Representatives Brady, D. Ennis, Mack, Spence - 4.

Therefore, having received a constitutional majority, HJR 23 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Wagner.

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

Representative Wagner brought HB 427, jointly sponsored by Senator Blevins & Representatives Boulden, Buckworth, Capano, Carey, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Lee, Lofink, Mack, Petrilli, Reynolds, Spence, Stone, Ulbrich, Banning, Brady & B. Ennis & Senators Amick, Bair, Hauge, McBride, Reed, Sorenson, Still & Vaughn, before the House for consideration.

HB 427 - An Act to Amend Chapter 41, Title 14 of the Delaware Code Relating to Education; and Providing Limited Opportunities for Parents of a Student to Meet With a School Official Where Disciplinary Action Against the Student Being Considered.

Representatives Wagner, Gilligan, DiLiberto, Houghton, Wagner, Caulk, Plant, Boulden & Wagner made comments.

Representative Wagner moved to place HB 427 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative D. Ennis requested that he be marked present.

Representative Petrilli deferred to Representative B. Ennis.

Representative B. Ennis brought HB 436, jointly sponsored by Senators Blevins & Representatives Banning, Houghton, Brady, D. Ennis, Wagner, Welch & Cloutier, before the House for consideration.

HB 436 - An Act to Amend Chapter 98, Title 16, Delaware Code, Relating to Paramedic Services.

Representative B. Ennis brought HA 1 to HB 436 before the House for consideration.

Representative B. Ennis made a comment.

HA 1 was adopted by voice vote.

Representatives B. Ennis & Davis made comments.

The roll call on HB 436 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 436 w/HA 1 was sent to the Senate for concurrence.

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

Representative Petrilli deferred to Representative Maroney.

Representative Maroney moved to lift SS 1 to SB 72 w/HA 1 & HA 8 w/HA 1 & HA 2 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Maroney brought SS 1 to SB 72 w/HA 1 & HA 8 w/HA 1 & HA 2, jointly sponsored by Senators McBride, Bair, Blevins & Sorenson & Representatives Brady & Cloutier, before the House for consideration.

SB 72 - An Act to Amend Title 16 of the Delaware Code Relating to Health Care Decisions.

Mr. Speaker Spence resumed the Chair.

Representative Maroney requested that HA 9 to SS 1 to SB 72 be stricken.

Representative Maroney introduced & brought HA 10 to SS 1 to SB 72 before the House for consideration.

Representatives Maroney, Davis & Ewing made comments.

Representative Maroney requested and was granted the privilege of the floor for David Boswell, House Attorney.

Representative Ewing made a comment.

Representative Maroney requested and was granted the privilege of the floor for James R. Reynolds, Deputy Public Guardian for the State of Delaware.

Representatives Ewing, Davis & Maroney made comments.

HA 10 to SS 1 to SB 72 was adopted by voice vote.

Representative Maroney made a comment.

Representative Ewing rose on a point of order. Mr. Speaker concurred.

Representative Petrilli made a comment.

Representatives Maroney & Davis made comments.

Representative Maroney requested and was granted the privilege of the floor for James R. Reynolds, Deputy Public Guardian.

Representative Maroney deferred to Representative Davis.

Representatives Davis, Gilligan, Maroney, Wagner, Capano & Oberle made comments.

The following communication was read into the record at the request of Representative Oberle:

April 25, 1996

Dear Mr. Oberle,

Thank you for voting against S.B. 72 on March 28th. This is definitely a Euthanasia Bill or a Death by Neglect Bill. It is a sad commentary when we now have become so animalistic that we only desire survival of the fittest. I realize what family members go through when they perceive their loved ones to be suffering and feel that any invasive treatment they receive to be burdensome. But food and water, no matter how defined in a medical setting, is still basic care that everyone is entitled to. In actuality, it is the families that feel burdened, and it is not actually that it is burdensome to the patient.

My own brother died from cancer at the age of twenty-seven and I was fortunate enough to take care of him at home. Hospice was involved with his care and he had intravenous fluids infusing to keep him from becoming dehydrated. He ate what he could, when he could, but that intravenous served a purpose. It helped him to maintain his life with some comfort, not really sustain it, because there was no fighting against the disease process itself. With this bill there will be many premature deaths, and many people making erroneous decisions.

My fear is that now we will start seeing Death Rooms and Death Wards in the hospital. My standard as an R.N. requires me to care for and protect my patients. I cannot stand by silently and allow patients not to be cared for, which should be every patients' expectation and demand. In the twenty-two years that I have been in practice, the plea I hear from patients who are terminally ill, is "Please help me.", not "Please kill me.". Will there no longer be any liability? Every case is so unique and so individual, as the people they involve. Generalizations cannot and should not be made, especially in the form of Bills such as S.B. 72.

Sincerely,

Vicki Santoro, R.N.

Representative Oberle requested and was granted the privilege of the floor for Robin Kerchner, representing Nurses for Life.

Representatives Maroney, Oberle & VanSant made comments.

Representative Maroney requested and was granted the privilege of the floor for Dr. Michael C. Bradley, Immediate Past President, Medical Society of Delaware.

Representatives Davis, Maier, Maroney, Plant, Davis, Wagner, Ewing, Ulbrich, Welch & Davis made comments.

Representative Davis requested and was granted the privilege of the floor for Dr. Tom Sweeney.

Representative Maroney made comments.

Representative Maroney requested and was granted the privilege of the floor for Daniel L. DePietropaola, M.D., representing the Medical Center of Delaware.

Representatives Maroney & Davis made comments.

The roll call on SS 1 to SB 72 w/HA 1, HA 8 w/HA 1, HA 2 & 10, was taken and revealed:

YES: 21.

NO: Representatives Buckworth, Bunting, Davis, DiPinto, Ewing, Gilligan, Lofink, Maier, Oberle, Petrilli, Roy, VanSant, Welch, West, Williams, Mr. Speaker Spence - 16.

ABSENT: Representatives Jonkiert, Mack, Plant, Ulbrich - 4.

Therefore, having received a constitutional majority, SS 1 to SB 72 w/HA 1, HA 8 w/HA 1, HA 2 & 10 was returned to the Senate for concurrence on HA 1, HA 8 w/HA 1, HA 2 & 10.

Representative West requested that HB 349 be stricken.

Representative Oberle introduced HB 535, jointly sponsored by Representatives VanSant, Spence, Lofink, Mack, Reynolds & B. Ennis & Senators Sharp & Vaughn & cosponsored by Representatives Ewing, Lee, Buckworth & Quillen.

HB 535 - An Act to Amend Title 11 of the Delaware Code Relating to County and Municipal Police Eligibility for Disability Pension.

Mr. Speaker assigned HB 535 to the Labor Committee.

Representative Spence made comments.

Representative Roy moved to lift HB 303 w/HA 1 from the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Roy brought HB 303, jointly sponsored by Representatives Welch, Jonkiert & Quillen & Senators Bair, Bonini, Connor, Hauge, Henry, Reed, Sorenson & Still, before the House for consideration.

HB 303 - An Act to Amend Chapter 5, Title 11 of the Delaware Code Relating to Vehicular Homicides and Vehicular Assaults. (F/N)

Representative Roy made a comment.

Representative Roy requested that HA 1 to HA 1 be stricken.

Representative Roy introduced & brought HA 2 to HB 303 before the House for consideration.

Representative Roy made comments.

Representative Gilligan requested and was granted the privilege of the floor for Brian Shirey, House Attorney.

Representative Roy requested and was granted the privilege of the floor for Paul Wallace, Deputy Attorney General.

Representative Gilligan made comments.

HA 2 to HB 303 was adopted by voice vote.

The roll call on HB 303 w/HA 1 & 2 was taken and revealed:

YES: 35.

NOT VOTING: Representatives Banning, Bunting, Scott - 3.

ABSENT: Representatives Jonkiert, Mack, Maroney - 3.

Therefore, having received a constitutional majority, HB 303 w/HA 1 & 2 was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 5:00 p.m.

24th LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
May 1, 1996

Mr. Speaker called the House to order at 2:45 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 354 w/SA 1, SB 350, SB 361 w/SA 1 & SB 359.

Representative Oberle introduced HB 550, jointly sponsored by Representatives Wagner, Spence & DiPinto & Senator Sokola & Representatives Capano, Lee, Maier & Stone & Senators Cook, Sharp, Sorenson, Reed, Amick, Bair, Blevins, Henry, Marshall, McBride, Vaughn & Voshell & cosponsored by Representative Ulbrich.

Representative Oberle requested and was granted personal privilege of the floor for comments.

Representative Oberle requested that HB 442 be stricken.

HB 550 - An Act to Amend Title 6, Delaware Code, Relating to New Home Construction and the Completion of Unfinished Work.

Mr. Speaker assigned HB 550 to the Housing & Community Affairs Committee.

The Majority Leader moved to adjourn at 2:47 p.m., thereby ending the current legislative day. The House reconvened at 2:48 p.m.

The Chief Clerk called the roll.

Members Present: 37.

Members Absent: Representatives Fallon, Houghton, Mack, Maier - 4.

A prayer was offered by Representative David H. Ennis, Sixth Representative District.

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

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

The following prefiled legislation was introduced:

HB 536 - ROY & SENATOR SOKOLA - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Bicyclists. (2/3 bill)

HB 537 - ROY & SENATOR SOKOLA - P/S: An Act to Amend § 4306 of Title 21 of the Delaware Code Relating to Harassment of a Bicyclist. (2/3 bill)

HB 538 - D. ENNIS & SENATOR VAUGHN - ECON DEV, B & I: An Act to Amend Title 18, Delaware Code, Relating to Insurer Signature Requirements.

HB 539 - SMITH, DAVIS & SENATORS VAUGHN, CONNOR - ED: An Act to Amend Chapter 75, Title 29, Delaware Code, Relating to Guaranteed Energy Cost Savings Contracts.

HB 540 - SMITH & SENATOR BAIR - H/ADM: An Act to Amend Chapter 515, Volume 60, Laws of Delaware Entitled "An Act to Incorporate the Village of Ardencroft;" as Amended, to Provide for a Quorum of Fourteen (14) Eligible Voters of the Town Meeting. (2/3 bill)

HB 541 - SMITH & SENATOR CORDREY; REPRESENTATIVES SPENCE, PETRILLI, QUILLEN, D. ENNIS, GILLIGAN, VANSANT & SENATOR VENABLES - JUD: An Act to Amend Title 6, Delaware Code, Relating to the Delaware Worker's Cooperative Act. (3/5 bill)

HB 542 - WAGNER & DAVIS & SENATOR VENABLES; REPRESENTATIVES SPENCE, QUILLEN, BOULDEN, BUCKWORTH, CAPANO, CAULK, CLOUTIER, DIPINTO, FALLON, LEE, MAIER, REYNOLDS, STONE, ULBRICH, BUNTING, HOUGHTON, WEST; SENATORS BONINI, CONNOR, STILL - R & F: An Act to Amend § 2905 of Title 30 of the Delaware Code Relating to Gross Receipts Taxes.

HB 543 - WELCH & DAVIS, SPENCE, PETRILLI, CLOUTIER, LEE, MAIER, ULBRICH, OBERLE; SENATOR MARSHALL - LABOR: An Act to Amend Title 19 of the Delaware Code Relating to Unemployment Compensation.

HB 544 - GILLIGAN & ROY & LOFINK & SENATORS SHARP, MCBRIDE & CONNOR & REPRESENTATIVES BANNING, BOULDEN, BRADY, BUCKWORTH, CAPANO, CAREY, CAULK, CLOUTIER, DAVIS, DILIBERTO, DIPINTO, D. ENNIS, EWING, HOUGHTON, JONKIERT, LEE, LOFINK, MACK, MAIER, MARONEY, OBERLE, PETRILLI, PLANT, QUILLEN, REYNOLDS, SCOTT, SMITH, STONE, ULBRICH, VANSANT, WAGNER, WELCH, WEST, WILLIAMS, SPENCE; SENATORS AMICK, BAIR, BLEVINS, MARSHALL, SOKOLA, REED, SORENSON, VAUGHN - TRANS & INFRA: An Act to Amend Title 17 of the Delaware Code Relating to the Removal of Snow on Public Roads and Highways.

HB 545 - GILLIGAN & LOFINK - ED: An Act to Amend Chapter 1, Title 14 of the Delaware Code Relating to the Delaware Secondary Schools Athletic Association.

HB 546 - VANSANT & SENATOR VAUGHN; REPRESENTATIVES BANNING, BRADY, BUNTING, CAPANO, CAULK, DAVIS, DILIBERTO, B. ENNIS, EWING, GILLIGAN, HOUGHTON, JONKIERT, LEE, PLANT, SCHROEDER, SCOTT, STONE, SPENCE, ULBRICH, WAGNER, WELCH, WEST, WILLIAMS - JUD: An Act to Amend Chapter 5 of Title 11 of the Delaware Code Relating to the Crime of Robbery.

HB 547 - WEST, BANNING, BRADY, CAREY, CAULK, B. ENNIS, LEE, EWING, PLANT, SCOTT, WILLIAMS - NAT RES: An Act to Amend Chapter 19, Title 7, Delaware Code, Relating to Shellfish Penalty Provisions.

HB 548 - WEST, BANNING, BUNTING, CAREY, B. ENNIS, HOUGHTON, LEE, PLANT, SCOTT, WILLIAMS - NAT RES: An Act to Amend Chapter 23, Title 7, Delaware Code Relating to the Penalty for Placing More Crab Pots in the Waters of This State in Excess of the Number Authorized Under One's Commercial Crab Pot License.

HB 549 - BUNTING & SENATOR COOK; REPRESENTATIVES BANNING, BRADY, DAVIS, DILIBERTO, B. ENNIS, GILLIGAN, HOUGHTON, JONKIERT, OBERLE, PLANT, SCHROEDER, SCOTT, SMITH, VANSANT, WEST, WILLIAMS; SENATORS BLEVINS, BONINI, CORDREY, HAUGE, SOKOLA, SORENSON, VAUGHN, VENABLES, VOSHELL - LABOR: An Act to Amend Title 29 of the Delaware Code Relating to the Board of Pension Trustees and Investment Pools.

HA 1 to HB 266 - SMITH - APPRO: Placed with the bill.

HA 1 to HB 523 - ROY - H/ADM: Placed with the bill.

HR 69 - WELCH - RULES: Relating to Amending the Permanent Rules of the House of Representatives of the 138th General Assembly of the State of Delaware, Formerly Known as House Resolution No. 49.

SB 350 - CORDREY & REPRESENTATIVE D. ENNIS; SENATORS ADAMS, SOKOLA, SORENSON & STILL; REPRESENTATIVES DIPINTO, CAPANO, SMITH, STONE, WAGNER, BRADY & JONKIERT - ECON DEV, B & I: An Act to Amend Title 5 of the Delaware Code, Relating to Mortgage Loan Brokers and Licensed Lenders.

SB 354 w/SA 1 - SHARP & SOKOLA; REPRESENTATIVES BUCKWORTH & ROY; SENATORS BLEVINS, COOK, MCBRIDE, VAUGHN, BONINI & SORENSON; REPRESENTATIVES CAPANO, EWING, LOFINK, MAIER & SPENCE - JUD: An Act to Amend Chapter 43 of Title 11 of the Delaware Code Relating to Sex Offenders.

SB 359 - CORDREY & REPRESENTATIVE D. ENNIS - ECON DEV, B & I: An Act to Amend Sections 701 and 933 of Title 5 of the Delaware Code, Relating to Banks and Other Financial Institutions. (2/3 bill)

SB 361 w/SA 1 - CORDREY & REPRESENTATIVE D. ENNIS - ECON DEV, B & I: An Act to Further Amend "An Act to Incorporate the Artisans' Savings Bank". (2/3 bill)

Representatives Williams, B. Ennis & Stone requested that they be marked present.

Representative Buckworth introduced & brought HCR 49, sponsored on Behalf of All Representatives and jointly sponsored by Senator Still on Behalf of All Senators, before the House for consideration.

HCR 49 - Commending Brig. General Robert Boots, Commander of the 436th Airlift Wing and His Command Staff for Their Expeditious, Efficient and Rapid Preparation and Execution of One of the Most Moving and Poignant Military Memorial Services, Seen Around the World, for Secretary of Commerce, Ron Brown and His Entourage on Saturday, April 6, 1996 at Dover Air Force Base, Delaware.

Representative Buckworth introduced guests and made and made comments.

Mr. Speaker Spence made comments.

HCR 49 was adopted by voice vote and sent to the Senate for concurrence.

Representative Buckworth requested and was granted the privilege of the floor for Brig. General Robert Boots in order to present him with a House Tribute.

Representatives Roy & Bunting requested that they be marked present.

Mr. Speaker Spence appointed Representative Quillen as Acting Speaker.

Representative Stone requested and was granted the privilege of the floor for herself & Representatives Wagner, B. Ennis & Buckworth & Senator Still to present House Tributes to members of the Dover Alliance to Feed the Hungry.

Representative Lofink requested that he be marked present.

The Reading Clerk read the following communication into the record:

TO: Terry Spence, Speaker of the House
FROM: Eric Lehman, Secretary
DATE: May 1, 1996
RE: Rep. Maier's Absence

Representative Maier will be absent from session today to attend to her son's sickness.

Representative Maroney requested and was granted personal privilege of the floor for the introduction of guests.

The Majority Leader moved to recess for committee meetings at 3:15 p.m.

The House reconvened at 5:17 p.m.

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

HOUSING & COM AFF: HB 522 - 8M; HB 550 - 7M; SB 315 w/SA 1 - 7M.

NAT RES: HB 505 - 5M.

LABOR: HB 469 - 4M; HB 526 - 4M; HB 535 - 4M.

H/ADM: HB 523 - 5M; HB 540 - 5M.

JUD: HB 500 - 7M; HB 518 - 7M; HB 520 - 6M; SB 298 - 5M.

APPRO: HB 355 - 4M.

HEALTH & HUM DEV: HB 491 - 5M, 1U.

ED: HR 60 - 5M; SB 276 w/SA 1 - 5M; SB 277 w/SA 1 - 5M.

The following prefiled Consent Calendar #20 was introduced:

HR 70 - WELCH - Celebrating the Granting of United States Citizenship to Millie Thayer.

HCR 50 - REYNOLDS ON BEHALF OF ALL REPRESENTATIVES & SENATOR SOKOLA ON BEHALF OF ALL SENATORS - Commending the Students Selected as State Superintendent's Scholars of 1996.

Consent Calendar #20 was adopted by voice vote and HCR 50 was sent to the Senate for concurrence.

Representative Davis requested that he be marked present.

The Majority Leader moved to recess to the call of the Chair at 5:21 p.m.

25th LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
May 2, 1996

Mr. Speaker Spence resumed the Chair.

Mr. Speaker called the House to order at 2:04 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 355 w/SA 1 & 4, SB 353 w/SA 1 & SB

356.

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

HOUSING & COM AFF: HB 519 - 8M.

R & F: SB 334 - 9M; SB 335 - 9M.

ECON DEV, B & I: SB 195 w/SA 2 - 8M.

TRANS & INFRA: HCR 48 - 5M.

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

Mr. Speaker assigned SB 335 to the Appropriations Committee.

Representative Quillen requested that HB 459 be stricken.

Representatives Maier & Fallon requested that they be marked present for the current Legislative Day.

The Majority Leader moved to adjourn at 2:05 p.m., thereby ending the current legislative day. The House reconvened at 2:06 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Mack - 1.

A prayer was offered by Representative Vincent A. Lofink, Twenty-Seventh Representative District.

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

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

The following prefiled legislation was introduced:

HA 1 to HB 501 - WAGNER - READY LIST: Placed with the bill.

SB 353 w/SA 1 - MCDOWELL & REPRESENTATIVE MARONEY; SENATORS BLEVINS, HENRY, SORENSON; REPRESENTATIVES DILIBERTO, REYNOLDS, SCHROEDER - HEALTH & HUM DEV: An Act to Amend Title 31 of the Delaware Code Relating to Dependent or Neglected Children as Wards of the State, and Title 31 of the Delaware Code Relating to Delinquent Youth.

SB 355 w/SA 1 & 4 - SHARP & SOKOLA; REPRESENTATIVES BUCKWORTH & ROY; SENATORS BLEVINS, COOK, MCBRIDE, VAUGHN, BONINI & SORENSON; REPRESENTATIVES CAPANO, EWING, LOFINK, MAIER, SPENCE - JUD: An Act to Amend § 4120 of Title 11 of the Delaware Code and Title 21 of the Delaware Code Relating to Sex Offenders.

SB 356 - VENABLES; REPRESENTATIVE LEE - H/ADM: An Act to Amend an Act Being Chapter 288, Volume 64, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Laurel," to Allow the Monition Method to be Used as an Alternative Method to Collect Delinquent Taxes. (2/3 bill)

Representative Quillen moved to suspend the rules which interfere with introduction of and action on HCR 51. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Quillen introduced and brought HCR 51 before the House for consideration.

HCR 51 - Directing the Secretaries of State and Administrative Services to Immediately Begin Necessary Repairs and Painting of the State Museum Building at the Meeting House Square in Dover.

Representative Quillen made comments.

HCR 51 was adopted by voice vote and sent to the Senate for concurrence.

Representative D. Ennis requested that he be marked present.

Representative Gilligan requested and was granted the privilege of the floor for all House Leaders and Representative Charles West who was presented with a House Tribute in honor of his 75th Birthday.

Representative West requested and was granted the privilege of the floor for the introduction of guests.

Representative Roy requested that he be marked present.

Representatives Spence & Ewing made comments.

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

ECON DEV, B & I: SB 359 - 9M; SB 361 w/SA 1 - 9M.

The Majority Leader moved to recess for caucus at 2:25 p.m.

The House reconvened at 4:10 p.m.

Representative Schroeder requested that he be marked present.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Jonkiert requested that he be marked present.

Representatives Jonkiert & Gilligan requested and were granted personal privilege of the floor for the introduction of guests.

Representatives Smith & Brady requested that they be marked present.

Representative Jonkiert requested and was granted the privilege of the floor for the Terri Chrzanowski, guest writer for the News Journal and a cancer victim.

Mr. Acting Speaker Oberle made comments.

Representatives Bunting, Reynolds & Maroney requested that they be marked present.

Representative Petrilli deferred to Representative West.

Representative West moved to suspend the rules which interfere with introduction of and action on HB 551. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative West introduced and brought HB 551 before the House for consideration.

HB 551 - An Act Directing the Indian River School District to Maintain a Polling Place Within the Area Known as Gumboro, Delaware for the School Board Election to be Held on Saturday, May 11, 1996.

The roll call on **HB 551** was taken and revealed:

YES: 34.

ABSENT: Representatives Capano, Mack, Maier, Spence, Stone, Ulbrich, Wagner - 7.

Therefore, having received a constitutional majority, **HB 551** was sent to the Senate for concurrence.

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

Mr. Acting Speaker Oberle appointed Representative Quillen as Acting Speaker.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle brought **HB 477**, jointly sponsored by Representatives VanSant, Spence, Lofink, Mack, Reynolds & B. Ennis & Senators Sharp & Vaughn & cosponsored by Representatives Ewing, Lee, Buckworth & Quillen, before the House for consideration.

HB 477 - An Act to Amend Title 11 of the Delaware Code Relating to State Police Eligibility for Disability Pension.

Representative Oberle made comments.

The Reading Clerk read the following communication into the record at the request of Representative Oberle:

April 1, 1993

Corporal Kurt E. Einbrod
906 Clydesdale Drive
Rolling Meadows
Bear, DE 19701-2205
Dear Corporal Einbrod:

The Acting Executive Secretary to the Board of Pension Trustees reviewed your application for a total duty-connected disability pension on March 26, 1993. It was determined that your application does not meet the definition of a duty-connected disability as set forth under 11 Delaware Code, §8365(a).

The Secretary further determined that you are disabled and have, therefore, awarded you a partial non duty-connected disability pension under 11 Delaware Code, §8371. If you do not agree with this decision, you have the right to appeal to the Board of Pension Trustees. Enclosed is a copy of the Board's Application and Hearing Procedures.

If you have any questions, please feel free to contact me.

Sincerely,
Office of Pensions
W. Ray Johnson
Retirement Services Manager

WRJ:dpc

Representatives, Oberle, Ewing, Plant, Davis, Oberle & Williams made comments.

The roll call on **HB 477** was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, **HB 477** was sent to the Senate for concurrence.

Representative Oberle brought **HB 535**, jointly sponsored by Representatives VanSant, Spence, Lofink, Mack, Reynolds & B. Ennis & Senators Sharp & Vaughn & cosponsored by Representatives Ewing, Lee, Buckworth & Quillen & cosponsored by Representatives Ewing, Lee, Buckworth & Quillen, before the House for consideration.

HB 535 - An Act to Amend Title 11 of the Delaware Code Relating to County and Municipal Police Eligibility for Disability Pension.

Representatives Oberle & Plant made comments.

Mr. Speaker Spence resumed the Chair.

The roll call on **HB 535** was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, **HB 535** was sent to the Senate for concurrence.

Representative Plant made comments.

Representative Oberle brought **HB 526**, jointly sponsored by Senator McBride & Representatives Spence, DiPinto, Roy, Welch & Banning, before the House for consideration.

HB 526 - An Act to Amend Title 19 of the Delaware Code Relating to the Police Officers and Firefighters Employment Relations Act.

Representatives Oberle & D. Ennis made comments.

The roll call on **HB 526** was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 526 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Reynolds.

Representative Fallon requested and was granted personal privilege of the floor for the introduction of a guest.

Representative Reynolds brought HB 479 before the House for consideration.

HB 479 - An Act to Amend Title 29 of the Delaware Code Relating to State Symbols.

Representative Reynolds made comments.

Representative Reynolds requested and was granted the privilege of the floor for Kathy Tidball, teacher, and her students from the Martin Luther King School, Colonial School District who announced their names for the record.

Representative Reynolds made comments.

The roll call on HB 479 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 479 was sent to the Senate for concurrence.

Representatives Reynolds, Wagner, Oberle, Jonkiert, Lofink, Reynolds & West made comments.

Representative Petrilli deferred to Representative D. Ennis.

Representative D. Ennis moved to suspend the rules which interfere with introduction of and action on

HCR 52. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative DiLiberto introduced a guest.

Representative D. Ennis introduced and brought HCR 52, jointly sponsored by Representatives Carey, Spence, Petrilli, Quillen, Buckworth, Capano, Ewing, Lee, Lofink, Reynolds, Smith, Ulbrich, Wagner, Banning, Bunting & DiLiberto & Senators Voshell, Bonini & Sorenson, before the House for consideration.

HCR 52 - Requiring the Department of Transportation to Provide Accommodations for Tourists and Travelers.

Representative Gilligan made comments.

Representative Boulden announced that he will not be voting on HCR 52 because of a possible conflict of interest.

Representatives B. Ennis, D. Ennis & DiPinto made comments.

HCR 52 was adopted by voice vote and sent to the Senate for concurrence.

Representative Oberle introduced & brought HR 71, cosponsored by Representatives Spence & Brady, before the House for consideration.

Representative Oberle made a comment.

HR 71 - Requesting the Delaware Congressional Delegation to Investigate the Facts, Ramifications, and Practical Effects of the Marcus Hook British Petroleum Refinery Sale to Tosco Corporation and the Subsequent Closure of the Refinery.

Representative Oberle made comments.

Representative Oberle moved to place HR 71 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Maier introduced and brought HS 1 for HB 484, jointly sponsored by Representatives Boulden, Buckworth, Bunting, Capano, Carey, Cloutier, DiPinto, Ewing, Fallon, Gilligan, Lee, Lofink, Reynolds, Stone, Ulbrich, Wagner, Welch & Williams & Senators Adams, Amick, Bair, Hauge, Reed, Sokola & Voshell, before the House for consideration.

HB 484 - An Act to Amend Chapter 47, Title 15 of the Delaware Code Relating to the Appointment of Election Officers.

Representative Maier moved to place HS 1 for HB 484 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Maier brought HB 431, jointly sponsored by Representatives Petrilli, Boulden, Capano, Cloutier, Davis, DiPinto, Maroney, Oberle, Smith, Ulbrich, Wagner, Bunting, DiLiberto, Gilligan, Schroeder & VanSant & Senators Venables, Voshell, Reed & Still, before the House for consideration.

HB 431 - An Act to Amend Chapter 10, Title 14, Delaware Code, Relating to Reorganization of School Districts. (F/N)

Representative Maier brought HA 1 to HB 431 before the House for consideration.

Representatives Maier & Houghton made comments.

HA 1 to HB 431 was adopted by voice vote.

Representative Capano introduced & brought HA 2 to HB 431, jointly sponsored by Representative Maier, before the House for consideration.

Representative Capano made a comment.

HA 2 was adopted by voice vote.

Representative Maier requested and was granted the privilege of the floor for Ed Ratledge, Director, Survey Research, University of Delaware.

Representatives Maier, Gilligan, Maier, Davis & B. Ennis made comments.

Representative Maier requested and was granted the privilege of the floor for Ron Smith, House Attorney.

Representatives B. Ennis, Gilligan, Davis & Petrilli made comments.

Representative Maier moved to place HB 431 w/HA 1 & 2 on the Speaker's table. The motion was seconded by Representative D. Ennis and adopted by voice vote.

Representative B. Ennis brought HB 468, jointly sponsored by Senator Vaughn & Representatives Banning, Brady, Houghton, VanSant, Lee, Wagner, Welch & West & Senators Adams & Voshell, before the House for consideration.

HB 468 - An Act to Amend Chapter 82, Title 29 of the Delaware Code Relating to Exemption From Liability When Rendering Assistance or Advice at the Request of Any Emergency Service Agency.

Representative B. Ennis deferred to Representative Davis.

Representative Davis introduced & brought HA 1 to HB 468 before the House for consideration.

Representative Davis made a comment.

HA 1 was adopted by voice vote.

Representatives B. Ennis & Smith made comments.

The roll call on HB 468 w/HA 1 was taken and revealed:

YES: 38.

NO: Representative DiLiberto - 1.

ABSENT: Representatives Mack, Petrilli - 2.

Therefore, having received a constitutional majority, HB 468 w/HA 1 was sent to the Senate for concurrence.

Representative Maier brought HCR 40, jointly sponsored by Senator Sokola, before the House for consideration.

HCR 40 - Extending the Due Date of the Task Force on Truancy's Recommendations to the Governor, the Speaker of the House, and the President Pro Tempore of the Senate From March 1, 1996, to May 15, 1996

Representative Maier brought HA 1 to HCR 40 before the House for consideration.

Representative Maier made a comment.

HA 1 was adopted by voice vote.

HCR 40 w/HA 1 was adopted by voice vote and sent to the Senate for concurrence.

Representative Banning brought HB 406 w/HA 1 & SA 1 & 2 jointly sponsored by Representatives Spence, Brady, Bunting, B. Ennis, Gilligan, Houghton, Jonkiert, Plant, VanSant & West & Senators Vaughn & Venables, before the House for concurrence on SA 1 & 2.

HB 406 - An Act to Amend Chapter 5, Title 11 of the Delaware Code Relating to Crimes. (3/5 bill)

Representative Banning introduced & brought HA 2 to HB 406 before the House for consideration.

Representatives Banning, Welch & Davis made comments.

HA 2 to HB 406 was adopted by voice vote.

The roll call on HB 406 w/HA 1 & SA 1 & 2 & HA 2 was taken and revealed:

YES: 39.

ABSENT: Representatives Mack, Petrilli - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 406 w/HA 1 & SA 1 & 2 & HA 2 was sent to the Senate for concurrence on HA 2.

Representative Quillen deferred to Representative Schroeder.

Representative Schroeder brought HB 475, jointly sponsored by Representatives Bunting & Lofink, before the House for consideration.

HB 475 - An Act to Amend Chapter 9 of Title 7 of the Delaware Code Relating to the Sale of Food Fish. (2/3 bill)

Representative Schroeder made a comment.

The roll call on HB 475 was taken and revealed:

YES: 37.

NO: Representatives Banning, B. Ennis - 2.

ABSENT: Representatives Mack, Petrilli - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 475 was sent to the Senate for concurrence.

Representative Quillen deferred to Representative Ewing.

Representative Ewing moved to lift SB 261 w/SA 1 from the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Ewing brought SB 261 w/SA 1, sponsored by Senator Voshell & Representative Carey & Senator Adams, before the House for consideration.

SB 261 - An Act to Amend Title 21 of the Delaware Code Relating to the Registration of Heavy Motor Vehicles.

Representative Ewing deferred to Representative Carey.

Representatives Carey, Davis & Carey made comments.

The roll call on SB 261 w/SA 1 was taken and revealed:

YES: 26.

NOT VOTING: Representatives Capano, Davis, DiLiberto, DiPinto, Gilligan, Jonkiert, Maier, Maroney, Smith, Stone, VanSant, Wagner, Williams - 13.

ABSENT: Representatives Mack, Petrilli - 2.

Therefore, having received a constitutional majority, SB 261 w/SA 1 was returned to the Senate.

Representative Quillen deferred to Representative Lofink.

Representative Lofink introduced HB 552, jointly sponsored by Representatives Cloutier, Oberle, Smith, Roy & Maroney & Senators Amick & Connor & Representatives Spence, Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Mack, Maier, Reynolds, Ulbrich & Welch & Senators Bair, Hauge, Reed & Sorenson.

HB 552 - An Act to Amend Title 17 of the Delaware Code Relating to Access to State-Maintained Highways in New Castle County.

Mr. Speaker assigned HB 552 to the Transportation & Infrastructure Committee.

Representative Smith introduced HB 553, jointly sponsored by Representatives Cloutier, Oberle, Lofink, Roy & Maroney & Senators Amick, Connor & Hauge & Representatives Spence, Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Mack, Maier, Reynolds, Ulbrich & Welch.

HB 553 - An Act to Amend Title 9 of the Delaware Code Relating to Rezoning, Subdivisions, Use Variances and Deed Restrictions and to Create Local Zoning Boards.

Mr. Speaker assigned HB 553 to the Transportation & Infrastructure Committee.

Representative Cloutier introduced HB 554, jointly sponsored by Representatives Oberle, Spence, Smith, Lofink, Roy & Maroney & Senators Connor & Amick & Representatives Petrilli, Quillen, Boulden, Buckworth, Carey, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Mack, Maier, Reynolds, & Welch & Senators Bair, Hauge, Reed & Sorenson.

HB 554 - An Act to Amend Title 9 of the Delaware Code Relating to Rezoning and Subdivisions and to Create the New Castle County Land Development Task Force.

Mr. Speaker assigned HB 554 to the Transportation & Infrastructure Committee.

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

ECON DEV, B & I: SB 234 w/SA 2 - 1F,9M.

HEALTH & HUM DEV: HB 496 - 5M.

The Reading Clerk read the following communication into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Timothy U. Boulden, Do Hereby Request That My Name Be Removed as Co-Sponsor of HCR 52.

Date: May 2, 1996

Signed: Timothy U. Boulden

The Majority Whip moved to recess to the call of the Chair at 6:30 p.m.

26th LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
May 7, 1996

Mr. Speaker called the House to order at 2:07 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 349 w/SA 1, SJR 21, HB 458, HCR 49, HB 551, HB 238, HCR 50 & SCR 57.

May 2, 1996

LEGISLATIVE ADVISORY #50

Governor Thomas R. Carper signed the following legislation on the date indicated: 5/02/96 - SB 283, SB 306, SB 342 aab SA 1, SB 336 & HB 525.

The Majority Leader moved to adjourn at 2:08 p.m., thereby ending the current legislative day. The House reconvened at 2:09 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Mack - 1.

A prayer was offered by Representative Timothy U. Boulden, Twenty-Third Representative District.

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

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

The following prefiled legislation was introduced:

HB 555 - ROY - TRANS & INFRA: An Act to Amend Title 16 of the Delaware Code Relating to the Plumbing Code for Rural New Castle County.

HB 556 - ROY & SENATOR SOKOLA - P/S: An Act to Amend Title 28 of the Delaware Code Relating to the Delaware Bicycle Council.

HB 557 - EWING & SENATOR VOSHALL - P/S: An Act to Amend Chapter 26, Title 21, Delaware Code to Establish Out-of-Service Penalties for Commercial Drivers.

HB 558 - CAULK - ENV MAN - An Act to Amend Title 9 of the Delaware Code Relating to Garbage Disposal in Kent County.

HB 559 - WAGNER, SPENCE, PETRILLI, QUILLEN, BUCKWORTH, CAREY, CAULK, CLOUTIER, DAVIS, D. ENNIS, EWING, LEE, LOFINK, MAIER, MARONEY, OBERLE, REYNOLDS, ROY, SMITH, STONE, ULBRICH, WELCH, BANNING, BRADY, BUNTING, DILIBERTO, B. ENNIS, GILLIGAN, HOUGHTON, SCOTT, VANSANT, WEST, WILLIAMS; SENATORS BLEVINS, VENABLES, AMICK, BONINI, CONNOR, STILL - ED: An Act to Amend Titles 29 and 14, Delaware Code, Relating to Adoption Leave for State Employees, Teachers, and School Employees.

HA 1 to HB 392 - REYNOLDS, CAPANO, CAULK, CLOUTIER, DAVIS, DIPINTO, LEE, MAIER, SMITH, ULBRICH, WELCH, JONKIERT - ED: Placed with the bill.

HA 1 to HB 506 - CLOUTIER - TRANS & INFRA: Placed with the bill.

HA 1 to HB 511 - VANSANT - AGENDA: Placed with the bill.

SB 349 w/SA 1 - VENABLES, VOSHALL, ADAMS, CORDREY; REPRESENTATIVES EWING, BUNTING, SCHROEDER - ED: An Act to Amend Title 14 of the Delaware Code Relating to Unit Counts. (F/N)

SJR 21 - VAUGHN, ADAMS, SHARP, COOK, STILL; REPRESENTATIVES EWING, LEE, BUCKWORTH, DAVIS - CORR: Relating to the Establishment of the Corrections Facilities Construction Task Force.

Representatives Carey & Plant requested that they be marked present.

Representative Plant requested and was granted personal privilege of the floor for a comment.

Representative D. Ennis requested that he be marked present.

Mr. Speaker reassigned **HB 541** to the Revenue & Finance Committee.

Mr. Speaker assigned **HB 496** to the Appropriations Committee.

Mr. Speaker assigned **HB 523** to the Labor Committee.

Representative Fallon introduced **HA 1 to HB 524**. **HA 1** was placed with the bill.

Representative Cloutier made a comment.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #99

DATE: May 7, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1448	Wagner	5/27/96	M	Raymond F. Book, Jr.
	Cosponsor: All Members of House			
H138-1449	DiLiberto	4/02/96	T	Frank & Betty Terranova/40th Wedding Anniversary
H138-1450	Carey	5/05/96	T	Broadkill Post 6984 & Ladies Aux. V.F.W./50th Anniversary
H138-1451	Wagner	4/25/96	M	Harry T. Pusey
H138-1452	Scott	5/02/96	T	Barbara Washam/Outstanding Community Service
H138-1453	Scott	5/02/96	T	Gary Fullman/Outstanding Community Service
H138-1454	Scott	5/02/96	T	Senior Corporal John Washington, Jr./Outstanding Com. Service
H138-1455	Welch	5/15/96	T	Com. Edward Lane/Coast Guard
H138-1456	Welch	4/26/96	M	/Commander/Alameda Luke Atwood Smith

H138-1457	Petrilli	5/16/96	T	Judith S. Paca, R.N.,C./Retire/Student Health Serv./U. Of D./25 Yrs.
H138-1458	B. Ennis	5/02/96	T	Rep. Charles P. West/75th Birthday
H138-1459	Buckworth	5/01/96	T	Brig. Gen. Robert J. Boots/ New Assignment
H138-1460	Smith	4/30/96	T	Karlie Alexis Smith/Proud Parents are Mark & Donna Smith/Millville

HOUSE TRIBUTE ANNOUNCEMENT #100

DATE: May 7, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1461	VanSant	4/28/96	T	Marian & Stanley Witkowski/50th Wedding Anniversary
H138-1462	Jonkiert	5/13/96	T	Esperanza Collazo/10 Yrs. Ded. Service/Opportunity Center, Inc.
H138-1463	Williams	5/13/96	T	Ruthie Greene/5 Yrs. Ded. Serv./Opportunity Center, Inc.
H138-1464	Williams	5/13/96	T	Hank Strain/30 Yrs. Ded. Serv./Opportunity Center, Inc.
H138-1465	Ewing	4/29/96	T	Nancy A. Jefferson/Masonic Golf Tournament/Scored Eagle Hole #3
H138-1466	Maier	5/03/96	T	Navy Junior ROTC/Christiana
	cosponsors: Petrilli, Davis, DiPinto, Lofink, Plant, Ulbrich, Boulden, DiLiberto, Jonkiert, Oberle, Scott			/1st Place/Nat. Champ./Inspection
H138-1467	B. Ennis	5/05/96	T	William Hardee/'95-'96 Pres./Del-Mar-Va Vol. Firemen's Assoc.
H138-1468	B. Ennis	5/11/96	T	Smyrna/Clayton Little Lass League /25th Anniv./Opening Day
H138-1469	Fallon	5/07/96	T	Peninsula Oil Co./Clean Water Partnership Awd./Div. Water Res.
H138-1470	Welch	5/03/96	T	Mille Trayer/United States Citizen
H138-1471	Williams	5/02/96	T	Linda Smith/Outstanding Com. Service
H138-1472	Williams	5/02/96	T	Dwight Holden/Outstanding Com. Service
H138-1473	Williams	5/02/96	T	Daniel Young/Outstanding Com. Service

T - Tribute

M - Memoriam

Representatives Jonkiert & Ulbrich requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:18 p.m.

The House reconvened at 4:15 p.m.

Representative Petrilli deferred to Representative Maier.

Representative Maier moved to lift HS 1 for HB 484 from the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Maier brought HS 1 for HB 484, jointly sponsored by Representatives Boulden, Buckworth, Bunting, Capano, Carey, Cloutier, DiPinto, Ewing, Fallon, Gilligan, Lee, Lofink, Reynolds, Stone, Ulbrich, Wagner, Welch & Williams & Senators Adams, Amick, Bair, Hauge, Reed, Sokola & Voshell, before the House for consideration.

HB 484 - An Act to Amend Chapter 47, Title 15 of the Delaware Code Relating to the Appointment of Election Officers.

Representatives Brady, Bunting & West requested that they be marked present.

Representative Maier introduced & brought HA 1 to HS 1 for HB 484 before the House for consideration.

Representative Maier made a comment.

HA 1 was adopted by voice vote.

Representative Maier requested and was granted the privilege of the floor for Thomas J. Cook, State Elections Commissioner.

Representatives Maier & Jonkiert made comments.

The roll call on HS 1 for HB 484 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HS 1 for HB 484 w/HA 1 was sent to the Senate for concurrence.

Representatives Buckworth, Reynolds & Smith requested that they be marked present during the roll call.

Representative Petrilli deferred to Representative Roy.

Representative Roy brought HB 471, jointly sponsored by Senator Sharp, before the House for consideration.

HB 471 - An Act to Amend Chapters 27 and 41, Title 21 of the Delaware Code Relating to Driving Under the Influence of Alcohol and/or Drugs.

Representative Roy made comments.

The roll call on HB 471 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 471 was sent to the Senate for concurrence.

Representative Roy brought HB 473, jointly sponsored by Senator Sharp, before the House for consideration.

HB 473 - An Act to Amend Title 21 of the Delaware Code Relating to Department of Motor Vehicle Records and Driving During Suspension Offenders.

Representative Roy made a comment.

The roll call on HB 473 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 473 was sent to the Senate for concurrence.

Representative Petrilli brought HB 356 w/SA 1, jointly sponsored by Representatives Banning, B. Ennis, Gilligan, Plant & Scott & Senators Bair, Connor & Sorenson, before the House for concurrence on SA 1.

HB 356 - An Act to Amend Title 29 of the Delaware Code to Add a New Chapter Relating to the Establishment of the First State Quality Improvement Fund. (F/N)

Representatives Petrilli & Davis made comments.

The roll call on HB 356 w/SA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 356 w/SA 1 was sent to the Governor.

Representative Fallon requested and was granted personal privilege of the floor for the introduction of guests.

Representative Roy requested and was granted personal privilege of the floor for an announcement regarding HB 503.

Representative Petrilli deferred to Representative D. Ennis.

Representative D. Ennis brought SB 359, jointly sponsored by Senator Cordrey, before the House for consideration.

SB 359 - An Act to Amend Sections 701 and 933 of Title 5 of the Delaware Code, Relating to Banks and Other Financial Institutions. (2/3 bill)

Representative D. Ennis made comments.

The roll call on SB 359 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 359 was returned to the Senate.

Representative D. Ennis brought SB 361 w/SA 1, jointly sponsored by Senator Cordrey, before the House for consideration.

SB 361 - An Act to Further Amend "An Act to Incorporate the Artisans' Savings Bank". (2/3 bill)

Representative D. Ennis made comments.

The roll call on SB 361 w/SA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Mack, Williams - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 361 w/SA 1 was returned to the Senate.

Representative Petrilli deferred to Representative Reynolds.

Representative Reynolds brought SCR 57, jointly sponsored by Senator Sokola on Behalf of All Senators & Representatives, before the House for consideration.

SCR 57 - Joining in Recognition of National Teacher Day, May 7, 1996, and Commending Delaware Teachers for Their Dedication in Performing the Significant Role of Educating Future Generations of Delawareans.

Representatives Reynolds made comments.

Representative Reynolds requested and was granted the privilege of the floor for Earlene G. Smith, President, DSEA.

SCR 57 was adopted by voice vote & returned to the Senate.

Representative Petrilli deferred to Representative Jonkiert.

Representative Jonkiert moved to suspend the rules which interfere with introduction of and action on HB 560. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Jonkiert introduced and brought HB 560, jointly sponsored by Senators Marshall, Blevins, Henry & Sorenson & cosponsored by Senator McDowell, before the House for consideration.

HB 560 - An Act Directing the Red Clay School District to Maintain a Polling Place Within the City of Wilmington for the School Board Election to be Held on, May 14, 1996.

Representatives Jonkiert, Davis & Roy made comments.

The roll call on HB 560 was taken and revealed:

YES: 39.

NOT VOTING: Representative Davis - 1.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 560 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Banning.

Representative Banning introduced HB 561, jointly sponsored by Representative B. Ennis & Senators Vaughn & Voshell.

HB 561 - An Act to Amend Chapter 4, Title 17, Delaware Code, Relating to the Power of the Department of Transportation or Its Agents to Impose Tolls.

Mr. Speaker assigned HB 561 to the Transportation & Infrastructure Committee.

Representative Roy brought HB 444, jointly sponsored by Senator Sharp, before the House for consideration.

HB 444 - An Act to Amend Part V, Title 12 of the Delaware Code Relating to Fiduciary Relations; and Providing for a Uniform Transfers to Minors Act.

Representative Roy made comments.

The roll call on HB 444 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 444 was sent to the Senate for concurrence.

Representative Roy brought HB 478, jointly sponsored by Senator Sharp, before the House for consideration.

HB 478 - An Act to Amend Title 11 of the Delaware Code Relating to the Crime of Theft. (F/N)

Representative Roy made comments.

The roll call on HB 478 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 478 was sent to the Senate for concurrence.

Representative Roy brought HB 487, jointly sponsored by Senator Sharp, before the House for consideration.

HB 487 - An Act to Amend Title 10 of the Delaware Code Relating to Habeas Corpus.

Representatives Roy, Schroeder, Welch & Smith made comments.

The roll call on HB 487 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 487 was sent to the Senate for concurrence.

Representative Roy brought HB 490, jointly sponsored by Senator Sharp, before the House for consideration.

HB 490 - An Act to Amend Title 11 of the Delaware Code Relating to the Crime of Official Misconduct. (2/3 bill)

Representatives Roy, D. Ennis, Gilligan, Roy & Welch made comments.

The roll call on HB 490 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 490 was sent to the Senate for concurrence.

Representative Roy brought HB 520, jointly sponsored by Senator Sharp, before the House for consideration.

HB 520 - An Act to Amend Title 11 of the Delaware Code With Respect to Defenses to Criminal Liability and Evidence of Intoxication.

Representatives Roy & Davis made comments.

The roll call on HB 520 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 520 was sent to the Senate for concurrence.

Representative Roy brought HB 495, jointly sponsored by Senator Sharp, before the House for consideration.

HB 495 - An Act Proposing Amendment to Article IV, Section 11 (1) of the Delaware Constitution of 1897, as Amended, Relating to the Jurisdiction of the Delaware Supreme Court in Criminal Cases. (2/3 bill)

Representative Roy made a comment.

Representative Roy introduced & brought HA 1 to HB 495 before the House for consideration.

Representative Roy made a comment.

HA 1 was adopted by voice vote.

Representatives Roy & Davis made comments.

Representative Roy requested and was granted the privilege of the floor for David Boswell, House Attorney.

Representative Davis made comments.

The roll call on HB 495 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Jonkiert, Mack - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 495 w/HA 1 was sent to the Senate for concurrence.

Representatives Roy, Petrilli & DiPinto made comments.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle moved to lift HR 71 from the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Oberle brought HR 71, cosponsored by Representatives Spence & Brady, before the House for consideration.

HR 71 - Requesting the Delaware Congressional Delegation to Investigate the Facts, Ramifications, and Practical Effects of the Marcus Hook British Petroleum Refinery Sale to Tosco Corporation and the Subsequent Closure of the Refinery.

Representatives Oberle & Gilligan made comments.

HR 71 was adopted by voice vote.

Representative Petrilli deferred to Representative DiLiberto.

Representative DiLiberto moved to lift HB 438 from the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative DiLiberto brought HB 438 before the House for consideration.

HB 438 - An Act to Amend Title 21 of the Delaware Code Relating to Traffic Safety. (2/3 bill)

Representative DiLiberto brought HA 1 to HB 438 before the House for consideration.

Representative DiLiberto made a comment.

HA 1 was adopted by voice vote.

Representatives DiLiberto, Ewing, Ulbrich & DiPinto made comments.

The roll call on HB 438 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Mack - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 438 w/HA 1 was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 5:45 p.m.

Mr. Speaker called the House to order at 2:14 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 340 w/SA 1 & 2, SB 339 w/SA 1, HB 560, SB 363, SB 324, HB 435 w/HA 1 & 2 & SA 2 & SB 323 w/SA 1 & 2.

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

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Mack - 1.

A prayer was offered by Representative Jane Maroney, Tenth Representative District.

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

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

The following prefiled legislation was introduced:

HS 1 for HB 276 - CAPANO & SENATOR BLEVINS - ECON DEV, B & I: An Act to Amend Section 2607, Title 18 of the Delaware Code, Relating to Consent to Insured in Life, Health Insurance.

HB 562 - OBERLE, GILLIGAN, WELCH; SENATOR MCBRIDE; REPRESENTATIVES VANSANT, WILLIAMS, SCOTT, BANNING, ROY, LOFINK; SENATORS, CONNOR, AMICK, MCDOWELL, SOKOLA - LABOR: An Act to Amend Chapter 48, Title 29, Delaware Code Relating to Security of Lottery Operations.

HB 563 - MARONEY & SENATOR BLEVINS; REPRESENTATIVE DAVIS; SENATORS HENRY, REED & SORENSON - HEALTH & HUM DEV: An Act to Amend Chapter 50, Title 25 of the Delaware Code, Relating to Liens and Estate Recoveries.

HB 564 - SMITH & SENATOR VENABLES; REPRESENTATIVES SPENCE, PETRILLI, QUILLEN, D. ENNIS, GILLIGAN, VANSANT & SENATORS CORDREY, SHARP, BAIR & CONNOR - R & F: An Act to Amend Title 6, Delaware Code, Relating to the Delaware Workers Cooperative Act. (3/5 bill)

HB 565 - ULBRICH & SENATOR BLEVINS; REPRESENTATIVES CAPANO, MAIER, HOUGHTON, SCOTT; SENATORS SOKOLA, VOSHELL, BONINI, REED - SUNSET: An Act to Amend Title 24 of the Delaware Code Relating to the Board of Chiropractic.

HB 566 - ULBRICH & SENATOR BLEVINS; REPRESENTATIVES CAPANO, MAIER, HOUGHTON, SCOTT; SENATORS SOKOLA, VOSHELL, BONINI, REED - SUNSET: An Act to Amend Title 24 of the Delaware Code Relating to Optometry.

HB 567 - ULBRICH & SENATOR BLEVINS; REPRESENTATIVES CAPANO, MAIER, HOUGHTON, SCOTT; SENATORS SOKOLA, VOSHELL, BONINI, REED - SUNSET: An Act to Amend Title 24 of the Delaware Code Relating to Dentistry and Dental Hygiene.

HA 2 to HB 501 - MARONEY - READY LIST: Placed with the bill.

SB 323 w/SA 1 & 2 - VOSHELL; REPRESENTATIVE EWING - P/S: An Act to Amend Chapter 41, Title 21 of the Delaware Code Relating to Driving Under the Influence of Alcohol and/or Drugs.

SB 324 - SHARP & VAUGHN; REPRESENTATIVES SPENCE & OBERLE - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Falsely Reporting an Incident.

SB 339 w/SA 1 - SHARP & VAUGHN; REPRESENTATIVES SPENCE & OBERLE - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Wearing Disguises During the Commission of a Felony.

SB 340 w/SA 1 & 2 - SHARP & REPRESENTATIVE ROY - JUD: An Act to Amend Title 10 and Title 11 of the Delaware Code Relating to Appeals by the State in Criminal Cases.

SB 363 - SHARP & REPRESENTATIVE ROY; SENATORS ADAMS, BLEVINS, COOK, CORDREY, HENRY, MARSHALL, MCBRIDE, MCDOWELL, SOKOLA, VAUGHN, VENABLES, VOSHELL, AMICK, BAIR, BONINI, CONNOR, HAUGE, REED, SORENSON; ALL REPRESENTATIVES - JUD: An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law. (2/3 bill)

Representative Carey requested that he be marked present.

Mr. Speaker Spence granted the privilege of the floor to Terry Suess, Teacher from Sussex Elementary Consortium and her students who announced their names for the record.

Representative Gilligan introduced HB 575, jointly sponsored by Representative Spence & Senator Sharp & Representatives Banning, Brady, Buckworth, Bunting, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, B. Ennis, Ewing, Houghton, Jonkiert, Lee, Lofink, Maier, Plant, Reynolds, Scott, Ulbrich, VanSant, Welch, West & Williams & Senators Blevins, Bonini, Hauge, Marshall, Vaughn & Voshell.

HB 575 - An Act to Amend Title 6 of the Delaware Code Relating to Motor Vehicle Leases. (2/3 bill)

Mr. Speaker assigned HB 575 to the Economic Development, Banking & Insurance Committee.

Representative DiLiberto requested that he be marked present.

The Majority Leader moved to recess for committee meetings at 2:26 p.m.

The House reconvened at 4:33 p.m. with Representative Quillen as Acting Speaker.

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

R & F: HB 517 - 8M.

P/S: HB 515 - 7M; HB 536 - 7M.

ED: HB 492 - 6M,1U; SJR 19 - 5M.

ECON DEV, B & I: HB 538 - 1F,6M; SB 350 - 7M.

TRANS & INFRA: HB 506 - 7M; HB 552 - 7M; HB 553 - 6M; HB 554 - 7M.

HUM NEEDS & DEV: HJR 22 - 5M; SB 288 - 6M.

H/ADM: SB 247 w/SA 1 & 2 - 4M; SB 356 - 4M.

JUD: HB 527 - 7M; HB 528 - 7M; HB 530 - 7M; HB 534 - 7M; HB 529 - 7M; HB 531 - 7M; HB 546 - 7M; SB 354 w/SA 1 - 7M; SB 355 w/SA 1 & 4 - 7M.

Representatives Ulbrich, Jonkiert, Cloutier, Reynolds, Boulden, Brady, Lofink, Smith, West & B. Ennis requested that they be marked present.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #101

DATE: May 8, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1474	Williams	5/02/96	T	Jacqueline Carney/Outstanding Community Service
H138-1475	Bunting	5/05/96	T	Charles R. Hudson, Ed.D./Superintendent/Indian River/Retire
H138-1476	B. Ennis	5/05/96	T	Stephanie & Francis Hawke/50th Anniversary
H138-1477	Fallon	4/21/96	T	Lovett Purnell/Drafted by New England Patriots/Best Wishes
H138-1478	Gilligan	5/18/96	T	Frank Jones/Minquas Fire Co. Fireman of Year Award
H138-1479	Gilligan	5/18/96	T	George Williamson/Minquas Fire Co. Fireman of Year Award
H138-1480	Gilligan	5/18/96	T	Anthony Graciano/Minquas Fire Co. Fireman of Year Award
H138-1481	Gilligan	5/18/96	T	John Kane/Minquas Fire Co. Fireman of Year Award
H138-1482	Quillen	5/04/96	T	Donald W. Derrickson/Outstanding Efforts Harrington H.S. Alumni
H138-1483	Stone	5/04/96	T	Commander LeRoy Rench/V.F.W./Testimonial in His Honor
H138-1484	Cloutier	4/08/96	M	Dora Dukart
H138-1485	Fallon	5/07/96	T	Summer Cook/Horatio Alger Feinstein Humanitarian Junior Award
H138-1486	Smith	5/07/96	T	Frank Livoy/High Sch. English Teacher of Yr.

HOUSE TRIBUTE ANNOUNCEMENT #102

DATE: May 8, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1487	Maier	5/19/96	T	Art Gamsby/MAP's Samuel McKay Award/Faith in Action
H138-1488	Wagner	5/18/96	T	Sasha Marie Kopp & Matthew J. Harrison/Marriage
H138-1489	Wagner	5/24/96	T	Rev. & Mrs. Rudolph W. Coleman/30th Anniv./Mount Zion A.M.E.
H138-1490	Wagner	5/25/96	T	Hope W. Murray/Doctorate/Education Leadership/U. Of D.
H138-1491	Quillen	5/26/96	T	Mr. & Mrs. William J. Walls, Sr./50th Wedding Anniversary
H138-1492	Gilligan	6/08/96	T	Adrian P. Hoover/Eagle Scout
H138-1493	Smith	6/15/96	T	Lois Lipton/50th Birthday
H138-1494	Quillen	6/16/96	T	Irene E. Welch/90th Birthday
H138-1495	Welch	5/09/96	T	John C. Sigler/Nat. Bd. Of Directors/Nat. Rifle Assoc.

Cosponsors: Buckworth, VanSant

H138-1496	Wagner	5/01/96	T	Crawford J. Carroll/DE Bar Assoc. Liberty Bell Award
H138-1497	DiLiberto	5/19/96	T	Paul L. Ackerman/Outstanding Serv./Wilm. Men of Malvern
H138-1498	Brady	5/17/96	T	John F. Smith, Jr./75th Birthday
H138-1499	Jonkiert	4/29/96	T	Argentina Valiante/50 Yrs./U.S.A.
H138-1500	Jonkiert	3/03/96	T	Stella & Henry Maczynski/50th Wedding Anniversary

T - Tribute

M - Memoriam

The following prefiled Consent Calendar #21 was introduced:

HR 72 - DIPINTO & MARONEY - Recognizing May 1996 as Mental Health Month in Delaware.

HR 73 - WELCH & SMITH ON BEHALF OF ALL REPRESENTATIVES - Bidding a Fond Farewell to Delaware State News Ace Reporter Meg Schneider.

HR 74 - OBERLE - Honoring the 166 Airlift Group of the Delaware National Guard on Their Air Force Outstanding Unit Award.

HCR 53 - PETRILLI, SPENCE, QUILLEN, GILLIGAN & VANSANT; SENATORS SHARP, CORDREY, MARSHALL, BAIR, CONNOR ON BEHALF OF ALL REPRESENTATIVES & ALL SENATORS - Commending the Recipients and Nominees of the 1996 Delaware Award for Excellence and Commitment in State Service.

Representative Petrilli requested that HR 73 be removed from Consent Calendar #21.

Representative Petrilli introduced HR 75, cosponsored by Representative Maroney.

Representative Plant requested that he be marked present.

HR 75 - Urging the Congress of the United States to Pass S.1629, the Tenth Amendment Enforcement Act of 1996.

HR 75 was placed on Consent Calendar #21.

Consent Calendar #21 was adopted by voice vote and HCR 53 was sent to the Senate for concurrence.

Representative Welch brought HR 73, jointly sponsored by Representative Smith On Behalf of All Representatives, before the House for consideration.

HR 73 - Bidding a Fond Farewell to Delaware State News Ace Reporter Meg Schneider.

WHEREAS, once upon a time, little Meg Schneider ran and played among the cornfields and pig farms of Iowa, a place known for caucuses, fields of dreams and Tom and Roseanne's Big Food Diner, home of the loose meat sandwich; and

WHEREAS, one day, while looking through Editor and Publisher, a new world opened up for Meg, that, being a job covering the Delaware Legislature, so she traded cornfields for soybean fields and pigs for chickens and headed East, to a small place where everyday people have great opportunities to meet and hobnob with elected officials on both the local and statewide level and it is those everyday people who call the most widely-read section of the Delaware State News, Sound Off; and

WHEREAS, in the two years she covered Delaware, Meg Schneider learned all about snow plowing, tax cuts, preferences and quotas, the Second Amendment and even what constitutes a legal marriage in Delaware; and

WHEREAS, Meg Schneider has witnessed midnight skits and banter on the last, seemingly endless night of session, which is followed by the Governor's press conference in the wee hours of July 1, at a time when most mortals with day jobs are snoozing and reporters are asking themselves just why they write for a living; and

WHEREAS, the House of Representatives views itself as one large boisterous family and the 41 members are now losing one of the best reporters who has ever covered "the family business" and Meg Schneider will be sorely missed; and

WHEREAS, when Meg Schneider leaves Delaware, it will be on to bigger (but not necessarily better) things, as she will cover business and the economy for a newspaper, double the size of the Delaware State News, in Utica, New York, a town which has seen better industrial days but it will be, after all, in the big apple state, which is the home of both high taxes and President Clinton's favorite radio personality Don Imus; and

WHEREAS, Meg Schneider will live close to yet another Air Force Base so she will still see planes fly overhead, just as in Dover and she will be close to the Adirondack Mountains, home of the famous chairs so adored by the L.L. Bean crowd; and

WHEREAS, as we bid farewell to Meg Schneider, we hope she remembers her time in Delaware as a bright spot in her career, for not many people can say they worked for a newspaper which printed most major cuss words known to man on the front page of the newspaper in a story about a lawsuit; and

WHEREAS, it is hoped that her replacement will pay the necessary dues of the Legislative Hall Reporters Association.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 138th General Assembly of the State of Delaware that we bid Delaware State News reporter Meg Schneider a fond farewell and let her know she is welcome back in Legislative Hall anytime and remind her that she can visit her adopted home state anytime via the Internet and can E-mail us on a regular basis, all brought to you by the folks who made the Legislature user-friendly and open to the public.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be given to Meg Schneider.

Representative Welch made a comment.

HR 73 was adopted by voice vote.

Representatives Gilligan, Welch, Smith & DiLiberto made comments.

Representative Welch requested and was granted the privilege of the floor for Meg Schneider, Delaware State News Reporter.

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

LABOR: HB 420 - 5M; HB 421 - 5M; HB 422 - 5M; SB 201 w/SA 1 - 4M.

HEALTH & HUM DEV: SB 353 w/SA 1 - 5M.

RULES: HR 69 - 6M.

Representative Smith requested that HB 541 be stricken.

The Majority Leader moved to recess to the call of the Chair at 4:55 p.m.

28th LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
May 9, 1996

Mr. Speaker resumed the Chair.

Mr. Speaker called the House to order at 2:05 p.m.

Mr. Speaker assigned HB 507 & HB 517 to the Appropriations Committee.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 337 & SB 325 w/SA 1.

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

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Mack - 1.

Representatives Banning, Houghton & Smith requested that they be marked present.

A prayer was offered by Representative Wayne A. Smith, Seventh Representative District.

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

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

The following prefiled legislation was introduced:

HB 568 - BANNING - LABOR: An Act to Amend Chapter 35, Title 6 of the Delaware Code Relating to Building Construction Payments.

HA 1 to HB 262 - ROY - READY LIST: Placed with the bill.

HA 1 to HB 447 - WAGNER - ED: Placed with the bill.

HA 1 to HB 544 - GILLIGAN - TRANS & INFRA: Placed with the bill.

HA 1 to HB 561 - BANNING - TRANS & INFRA: Placed with the bill.

HA 1 to HB 564 - SMITH - R & F: Placed with the bill.

SB 325 w/SA 1 - SHARP; REPRESENTATIVES SPENCE, ROY, OBERLE - JUD: An Act to Amend Title 11 of the Delaware Code Relating to the Establishment of a Videophone Fund.

SB 337 - BLEVINS & REPRESENTATIVE CAPANO & SENATORS SORENSON, VAUGHN, SOKOLA, BAIR & HENRY; REPRESENTATIVES WAGNER, MAIER, BANNING, JONKIERT, SPENCE & SCHROEDER - HEALTH & HUM DEV: An Act to Amend Title 13 of the Delaware Code Relating to the Powers and Duties of the Domestic Violence Coordinating Council.

Representatives Boulden, Fallon & Scott requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:11 p.m.

The House reconvened at 4:05 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SS 1 to SB 347 & SCR 58.

Representatives Reynolds, Oberle, Schroeder, DiPinto, Bunting, Maroney, Buckworth, B. Ennis & Brady requested that they be marked present.

Representative Petrilli deferred to Representative B. Ennis.

Representative B. Ennis brought HB 451, jointly sponsored by Senator Blevins & Representatives Banning, Houghton, Brady, VanSant, West, D. Ennis & Caulk & Senators Vaughn & Bonini & cosponsored by Representative Spence, before the House for consideration.

HB 451 - An Act to Amend Chapter 16, Title 19, Delaware Code, Relating to Firefighting and Rescue Squad Workers From Being Paid Overtime Compensation When They Volunteer Their Services Within the Various Communities.

Representative B. Ennis brought HA 1 to HB 451 before the House for consideration.

Representative B. Ennis made a comment.

HA 1 was adopted by voice vote.

Representative B. Ennis introduced and brought HA 2 to HB 451 before the House for consideration.

Representatives B. Ennis & Davis made comments.

HA 2 to HB 451 was adopted by voice vote.

Representative B. Ennis made comments.

The roll call on HB 451 w/HA 1 & 2 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 451 w/HA 1 & 2 was sent to the Senate for concurrence.

Representatives Carey, D. Ennis, Jonkiert & Ulbrich requested that they be marked present during the roll call.

Representative Petrilli brought HB 435 w/HA 1 & 2 & SA 2, sponsored by Representative B. Ennis & Senator Voshell & Representatives Banning, Brady, Bunting, DiLiberto, Gilligan, Houghton, Jonkiert, Plant, Schroeder, VanSant, West, Lofink, Ulbrich, Caulk, Cloutier, D. Ennis & Wagner & Senator Vaughn, before the House for concurrence on SA 2.

HB 435 - An Act to Amend Subchapter IIIA of Chapter 41, Title 21, Delaware Code Relating to Controlled-Access Highways. (2/3 bill)

Representative Petrilli deferred to Representative B. Ennis.

Representatives B. Ennis & Oberle made comments.

The roll call on HB 435 w/HA 1 & 2 & SA 2 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 435 w/HA 1 & 2 & SA 2 was sent to the Governor.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle brought HB 550, jointly sponsored by Representatives Wagner, Spence & DiPinto & Senator Sokola & Representatives Capano, Lee, Maier & Stone & Senators Cook, Sharp, Sorenson, Reed, Amick, Bair, Blevins, Henry, Marshall, McBride, Vaughn & Voshell & cosponsored by Representative Ulbrich, before the House for consideration.

HB 550 - An Act to Amend Title 6, Delaware Code, Relating to New Home Construction and the Completion of Unfinished Work.

Representative Oberle introduced and brought HA 1 to HB 550 before the House for consideration.

Representative Oberle made comments.

HA 1 was adopted by voice vote.

Representatives Oberle, Schroeder, Oberle & Bunting made comments.

The roll call on HB 550 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 550 w/HA 1 was sent to the Senate for concurrence.

Representative DiPinto was granted personal privilege of the floor for an announcement.

Representative Oberle requested that action on SB 201 be Deferred to a Day Certain, Tuesday, May 14, 1996.

Representative Petrilli deferred to Representative Wagner.

Representative Wagner moved to lift HB 427 from the Speaker's table. The motion was seconded by Representative Ewing and adopted by voice vote.

Representative Wagner brought HB 427, jointly sponsored by Senator Blevins & Representatives Boulden, Buckworth, Capano, Carey, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Lee, Lofink, Mack, Petrilli, Reynolds, Spence, Stone, Ulbrich, Banning, Brady & B. Ennis & Senators Amick, Bair, Hauge, McBride, Reed, Sorenson, Still & Vaughn, before the House for consideration.

HB 427 - An Act to Amend Chapter 41, Title 14 of the Delaware Code Relating to Education; and Providing Limited Opportunities for Parents of a Student to Meet With a School Official Where Disciplinary Action Against the Student Being Considered.

Mr. Speaker Spence appointed Representative Quillen as Acting Speaker.

Representative Wagner introduced and brought HA 1 to HB 427 before the House for consideration. Representatives Wagner, Gilligan, Houghton, Gilligan, Wagner & Plant made comments.

HA 1 to HB 427 was adopted by voice vote.

Representative Plant introduced and brought HA 2 to HB 427 before the House for consideration.

Representatives Plant, Wagner, Plant, Boulden, Houghton, Plant & Boulden made comments.

Representative Plant requested and was granted the privilege of the floor for Ron Smith, House Attorney.

Representative Houghton made comments.

HA 2 to HB 427 was defeated by voice vote.

Representatives Schroeder, Wagner, Schroeder, Wagner, Reynolds, Smith, Plant, Wagner, Gilligan & Oberle made comments.

Representative Wagner moved to place HB 427 w/HA 1 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Spence brought HB 371, jointly sponsored by Senator Sharp & Representatives Petrilli, Quillen, Buckworth, Capano, Caulk, Cloutier, Davis, DiPinto, Ewing, Fallon, Lee, Mack, Maier, Oberle, Reynolds, Roy, Smith, Stone, Ulbrich, Welch, Banning, Brady, B. Ennis, Houghton, Jonkiert, Gilligan, Plant, Schroeder, Scott & VanSant & Senators McBride & Connor, before the House for consideration.

HB 371 - An Act to Amend Title 14 of the Delaware Code Relating to the Use of Video Cameras for Surveillance on Public School Property.

Representatives Spence, Reynolds, DiLiberto & Spence made comments.

Representative Spence moved to place HB 371 on the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Petrilli deferred to Representative Roy.

Representative Roy brought HB 528, jointly sponsored by Senators Sharp, Adams, Blevins, Cook, Cordrey, Henry, Marshall, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Amick, Bair, Bonini, Connor, Hauge, Reed & Sorenson & All Representatives, before the House for consideration.

HB 528 - An Act to Amend Chapter 18, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Liability Companies and the Registration and Regulation of Foreign Limited Liability Companies. (3/5 bill)

Representative Roy made comments.

Mr. Speaker Spence resumed the Chair.

Representative Oberle made comments.

Representative Roy requested and was granted the privilege of the floor for John Small, Attorney, Chairman, Corporation Law Section, Delaware State Bar Association.

Representatives Oberle & Gilligan made comments.

The roll call on HB 528 was taken and revealed:

YES: 39.

ABSENT: Representatives Mack, Schroeder - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 528 was sent to the Senate for concurrence.

Mr. Speaker Spence introduced a guest.

Representative Roy brought HB 530, jointly sponsored by Senators Sharp, Adams, Blevins, Cook, Cordrey, Henry, Marshall, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Amick, Bair, Bonini, Connor, Hauge, Reed & Sorenson & All Representatives, before the House for consideration.

HB 530 - An Act to Amend Chapter 17, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Partnerships and the Registration and Regulation of Foreign Limited Partnerships. (3/5 bill)

Representative Roy made comments.

The roll call on HB 530 was taken and revealed:

YES: 39.

ABSENT: Representatives Mack, Schroeder - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 530 was sent to the Senate for concurrence.

Representative Roy brought HB 529, jointly sponsored by Senators Sharp, Adams, Blevins, Cook, Cordrey, Henry, Marshall, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Amick, Bair, Bonini, Connor, Hauge, Reed & Sorenson & All Representatives, before the House for consideration.

HB 529 - An Act to Amend Chapter 15, Title 6 of the Delaware Code Relating to the Registration and Regulation of Foreign Registered Limited Liability Partnerships. (3/5 bill)

Representative Roy made a comment.

The roll call on HB 529 was taken and revealed:

YES: 39.

ABSENT: Representatives Mack, Schroeder - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 529** was sent to the Senate for concurrence.

Representative Roy moved to suspend the rules which interfere with action on **SB 363**. The motion was seconded by Representative Buckworth adopted by voice vote.

Representative Roy brought **SB 363**, jointly sponsored by Senators Sharp, Adams, Blevins, Cook, Cordrey, Henry, Marshall, McBride, McDowell, Sokola, Vaughn, Venables, Voshell, Amick, Bair, Bonini, Connor, Hauge, Reed & Sorenson & All Representatives, before the House for consideration.

SB 363 - An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law. (2/3 bill)

Representative Roy made a comment.

The roll call on **SB 363** was taken and revealed:

YES: 39.

ABSENT: Representatives Mack, Schroeder - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 363** was returned to the Senate.

Representative Petrilli deferred to Representative Jonkiert.

Representative Jonkiert moved to suspend the rules which interfere with introduction of and action on **SB 387**. The motion was seconded by Representative Buckworth adopted by voice vote.

Representative Jonkiert introduced & brought **SB 387**, jointly sponsored by Senator Marshall, before the House for consideration.

SB 387 - An Act Relating to the Red Clay School District's May 14, 1996 School Board Election.

Representative Jonkiert made a comment.

The roll call on **SB 387** was taken and revealed:

YES: 39.

ABSENT: Representatives Mack, Schroeder.

Therefore, having received a constitutional majority, **SB 387** was returned to the Senate.

Representative Spence made a comment.

Representative Petrilli deferred to Representative D. Ennis.

Representative D. Ennis moved to suspend the rules which interfere with introduction of and action on **HJR 24**. The motion was properly seconded and adopted by voice vote.

Representative D. Ennis introduced and brought **HJR 24**, jointly sponsored by Representatives Carey, Spence, Petrilli, Quillen, Buckworth, Capano, Ewing, Lee, Lofink, Reynolds, Smith, Ulbrich, Wagner, Banning, Bunting & DiLiberto & Senators Voshell, Bonini & Sorenson, before the House for consideration.

HJR 24 - Requiring the Department of Transportation to Provide Accommodations for Tourists and Travelers.

Representative D. Ennis deferred to Representative Gilligan.

Representatives Gilligan, Oberle, Ewing & D. Ennis made comments.

The roll call on **HJR 24** was taken and revealed:

YES: 35.

NOT VOTING: Representative Boulden -1.

ABSENT: Representatives Banning, Caulk, Jonkiert, Mack, Schroeder - 5.

Therefore, having received a constitutional majority, **HJR 24** was sent to the Senate for concurrence.

Representatives Buckworth, Spence & Quillen made comments.

Representative Petrilli deferred to Representative Smith.

Representative Smith introduced **HB 569**, jointly sponsored by Representatives Petrilli, Boulden, Buckworth, Capano, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Maier, Roy, Stone, Ulbrich, Wagner, Welch, VanSant, Brady, Banning, DiLiberto, Gilligan, Jonkiert, Plant, Schroeder, Scott, West & Williams & Senators Bair, Amick, Bonini, Connor, Hauge, Reed, Sorenson & Still & cosponsored by Representative Spence.

HB 569 - An Act to Amend Title 30 of the Delaware Code With Regard to Personal Income Tax.

Representatives Smith & Gilligan made comments.

Mr. Speaker assigned **HB 569** to the Revenue & Finance Committee.

Representative Petrilli deferred to Representative Maroney.

Representative Maroney introduced and brought **SCR 58**, jointly sponsored by Senators Blevins & Henry for All Senators & Representative Capano for All Representatives, before the House for consideration.

SCR 58 - Mourning the Death and Celebrating the Life of Charles H. Debnam, a Dedicated and Selfless Public Servant Who Made a Real Difference in the Lives of Many Delawareans.

Representative Maroney made comments.

The House observed a moment of silence in memory of Charles H. Debnam at the request of Representative Maroney.

SCR 58 was adopted by voice vote and returned to the Senate.

Representative Petrilli introduced and brought HR 76, jointly sponsored by Representatives Spence, Quillen, Gilligan & VanSant on Behalf of All Representatives, before the House for consideration.

HR 76 - Recognizing and Honoring All Mothers in Delaware.

Representatives Petrilli & Maier made comments.

HR 76 was adopted by voice vote.

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

ECON DEV, B & I: HS 1/HB 276 - 9M.

Representative Lofink made an announcement.

The Majority Leader moved to recess to the call of the Chair at 6:03 p.m.

29th LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
May 14, 1996

Mr. Speaker called the House to order at 2:05 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 373, SS 1 to SB 281, HB 436 w/HA 1, SB 387, SB 377 w/SA 1, HB 467 w/HA 1, SB 366 w/SA 1, SCR 59, HCR 53 & HCR 40 w/HA 1.

May 9, 1996

LEGISLATIVE ADVISORY #51

Governor Thomas R. Carper signed the following legislation on the date indicated: 5/8/96: HB 391,

HB 238 & HB 551.

May 7, 1996

The Honorable JoAnn M. Hedrick

Chief Clerk

Delaware House of Representatives

Legislative Hall

Dover, DE 19901

Dear Ms. Hedrick,

Please be aware that Senator McDowell signed HB 560 as an additional sponsor while the bill was in the Senate.

Thank you for your cooperation.

Very truly yours,

Bernard J. Brady

Secretary of the Senate

WITHDRAWAL OF SPONSORSHIP

I, , Timothy U. Boulden do hereby request that my name be removed as Co-Sponsor of HJR 24.

Date: 5/09/96.

Signed: Timothy U. Boulden.

The Majority Leader moved to adjourn at 2:07 p.m., thereby ending the current legislative day. The House reconvened at 2:08 p.m.

The Chief Clerk called the roll.

Members Present: 39.

Members Absent: Representative Ewing, Mack - 2.

A prayer was offered by Representative Bruce C. Ennis, Twenty-Eighth Representative District.

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

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

The following prefiled legislation was introduced:

HS 1 for HB 514 - BUCKWORTH, OBERLE, BUNTING & SCHROEDER - NAT RES: An Act to Amend Title 23 of the Delaware Code Relating to the Operation of a Vessel or Boat While Under the Influence of Intoxicating Liquor and/or Drugs. (2/3 bill)

HB 570 - OBERLE & SENATORS MARSHALL, MCDOWELL & MCBRIDE;
REPRESENTATIVES DAVIS, LOFINK, B. ENNIS, HOUGHTON, SCOTT, VANSANT; SENATORS, BLEVINS, HENRY, VAUGHN, CONNOR - LABOR: An Act to Amend Title 19 of the Delaware Code Relating to Fair Share Fees and the Public Employment Relations Act.

HB 571 - EWING - P/S: An Act to Amend Chapter 21, Title 21 of the Delaware Code Relating to the Number of Plates for Manufacturers and Dealers.

HB 572 - DIPINTO & VANSANT; SENATOR CORDREY - SUBS ABUSE: An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors, Cider, and Taxes. (3/5 bill)

HB 573 - WEST & SENATOR CORDREY; REPRESENTATIVES BANNING, BRADY, BUNTING, DILIBERTO, B. ENNIS, GILLIGAN, HOUGHTON, JONKIERT, PLANT, SCHROEDER, SCOTT, VANSANT, WILLIAMS, BOULDEN, BUCKWORTH, CAPANO, CAREY, CAULK, CLOUTIER, DAVIS, DIPINTO, D. ENNIS, EWING, LEE, LOFINK, MAIER, OBERLE, QUILLEN, REYNOLDS, ROY, SPENCE, STONE, ULBRICH, WAGNER, WELCH; SENATORS ADAMS, BLEVINS, MARSHALL, MCBRIDE, MCDOWELL, VAUGHN, VENABLES, VOSHELL - H/ADM: An Act Authorizing and Directing the Delaware Commission of Veterans Affairs to Establish, Maintain and Operate a Second Delaware Veterans Memorial Cemetery to be Located in Sussex County on Land Owned by the State of Delaware, Said Land to be Deeded to the Commission by the Department of Health & Social Services on Land Presently a Part of the Stockley Center, Located Near Millsboro, Delaware.

HB 574 - OBERLE & SENATOR MCBRIDE; REPRESENTATIVES SPENCE, DIPINTO, ROY, WELCH & BANNING - LABOR: An Act to Amend Title 11 of the Delaware Code Relating to the Law-Enforcement Officers' Bill of Rights.

HA 1 to HB 449 - WAGNER - ED: Placed with the bill.

HA 1 to HB 481 - DAVIS - AGENDA: Placed with the bill.

HA 1 to HB 496 - MARONEY - APPRO: Placed with the bill.

HA 2 to HB 511 - VANSANT - AGENDA: Placed with the bill.

HA 3 to HB 511 - VANSANT - AGENDA: Placed with the bill.

HA 1 to HB 516 - EWING - AGENDA: Placed with the bill.

HR 77 - QUILLEN - AG & FP & A: Requesting the Department of Agriculture to Undertake a Study Regarding a Breeding Program for the Delaware Equine Industry.

HA 1 to HR 60 - WAGNER - READY LIST: Placed with the bill.

SS 1 to SB 281 - MARSHALL & REPRESENTATIVE SMITH - R & F: An Act to Amend Title 30 of the Delaware Code Relating to Withholding Taxes.

SS 1 for SB 347 - HENRY, SOKOLA, VOSHELL & HAUGE; REPRESENTATIVES EWING & WILLIAMS - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Sale of Motor Vehicles.

SB 366 w/SA 1 - BLEVINS & REPRESENTATIVE GILLIGAN; SENATORS HENRY, REED, SOKOLA, SORENSON, MARSHALL, MCDOWELL, VOSHELL; REPRESENTATIVES DAVIS, SMITH - HEALTH & HUM DEV: An Act to Amend Title 16, Delaware Code, Relating to General Powers of the Secretary, Delaware Department of Health and Social Services. (3/5 bill)

SB 373 - CORDREY - NAT RES: An Act to Amend Chapter 68 of Title 7 of the Delaware Code Relating to the Building Line in Rehoboth Beach and Bethany Beach.

SB 377 w/SA 1 - VAUGHN; REPRESENTATIVE LEE; SENATORS SHARP & BLEVINS; REPRESENTATIVES EWING, B. ENNIS & CAPANO - CORR: An Act to Amend Title 10, Title 29 and Title 11 Relating to Court Costs, Filing Fees and Creating a Mechanism for Sanctioning Frivolous Prisoner Litigation.

The Reading Clerk read the following communications into the record:

M E M O R A N D U M

TO: The Honorable Terry R. Spence
Speaker of the House of Representatives
FROM: Representative J. Benjamin Ewing, Jr.
DATE: May 14, 1996
RE: Absence from Session

Because of personal business, I will be unable to attend Session today, Tuesday, May 14, 1996.

JBEjr/dlc

cc: JoAnn Hedrick, Chief Clerk

MEMORANDUM

TO: The Honorable Terry R. Spence
Speaker of the House
FROM: Representative Richard A. DiLiberto, Jr.
DATE: May 14, 1996
RE: Absence from session

Please excuse my absence from session on May 15 and May 16, 1996.

My law practice requires my preparation for and attendance at an unavoidable court-ordered hearing in New Castle County.

Thank you.

cc: The Honorable Robert F. Gilligan

May 14, 1996

LEGISLATIVE ADVISORY #52

Governor Thomas R. Carper signed the following legislation on the dates indicated: 5/9/96 - **SB 307 aab SA 1**, 5/10/96 - **HB 458**.

May 14, 1996

LEGISLATIVE ADVISORY #53

Governor Thomas R. Carper signed the following legislation on the date indicated: 5/13/96 - SB 387.
Representatives Ulbrich, Williams & Plant requested that they be marked present.

Representatives Plant & B. Ennis requested and were granted personal privilege of the floor for the introduction of guests.

Representatives Bunting & Wagner made comments regarding the widespread power outage today.
The House observed a moment of silence in memory of Bill Montgomery's mother.

Representative Gilligan requested that he be marked present.

Representative Petrilli made comments regarding the power outage.

Representatives Boulden & West requested that they be marked present.

Representative VanSant requested and was granted the privilege of the floor for Adjutant General George K. Hastings and other retired members of the Delaware National Guard who introduced themselves for the record.

Representatives Maroney & Fallon made comments.

Representatives Smith, Schroeder, Quillen & Buckworth requested that they be marked present.

Representative Capano requested and was granted personal privilege of the floor for an announcement.

Representative Jonkiert requested that he be marked present.

Representative Gilligan made a comment.

Representative D. Ennis requested that he be marked present.

Representative D. Ennis requested and was granted personal privilege of the floor for a comment.

Representative Maier requested that she be marked present.

Representative Quillen requested and was granted personal privilege of the floor for the introduction of a guest

Mr. Speaker Spence granted the privilege of the floor to Keith Johnson, President of Future Farmers of America; David Eppler, President, Business Professionals of America; Bryan Drowos, President, Distributive Education Clubs of America; Jennifer Daniels, President, Future Homemakers of America; Dan Waddell, President, Delaware Technology Students Association & Kimberly Betts, President, Vocational Industrial Clubs of America.

Representatives Bunting & spence made comments.

Representative Davis requested and was granted the privilege of the floor for the introduction of guests.

The Majority Leader moved to recess for caucus at 2:41 p.m.

The House reconvened at 4:29 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 364, HB 434, HB 359 w/HA 1 & SA 1,

HB 406 w/HA 1 & SA 1 & 2.

WITHDRAWAL OF SPONSORSHIP

I, Dennis P. Williams, do hereby request that my name be removed as Co-Sponsor of HB 511.

Date: May 14, 1996.

Signed: Dennis P. Williams.

WITHDRAWAL OF SPONSORSHIP

I, Arthur L. Scott, do hereby request that my name be removed as Co-Sponsor of HB 511.

Date: May 14, 1996.

Signed: Arthur L. Scott.

Representative Oberle requested that he be marked present.

Representative DiLiberto requested and was granted personal privilege of the floor for the introduction of a guest.

Representative Petrilli deferred to Representative DiLiberto.

Representative DiLiberto brought HB 502, jointly sponsored by Representatives Banning, Boulden, Brady, Buckworth, Bunting, Capano, DiPinto, B. Ennis, Ewing, Gilligan, Houghton, Jonkiert, Lee, Oberle, Plant, Schroeder, Scott, Stone, VanSant & Williams, before the House for consideration.

HB 502 - An Act to Amend Chapter 49, Subchapter II, Title 15, Delaware Code, Relating to Voting Procedure.

Representative DiLiberto brought HA 1 to HB 509 before the House for consideration.

Representative DiLiberto made a comment.

HA 1 was adopted by voice vote.

Representative DiLiberto made a comment.

The roll call on HB 509 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Ewing, Mack - 2.

Therefore, having received a constitutional majority, HB 509 w/HA 1 was sent to the Senate for concurrence.

Representatives DiPinto & Renolds requested that they be marked present during the roll call.

Representative West brought HB 469, jointly sponsored by Representatives Banning, Brady, Buckworth, Bunting, Caulk, DiLiberto, B. Ennis, D. Ennis, Ewing, Fallon, Jonkiert, Lee, Mack, Oberle, Plant, Quillen, Reynolds, Schroeder, Scott, Spence, Wagner, Welch & Williams & Senators Cordrey, Vaughn & Venables, before the House for consideration.

HB 469 - An Act to Amend Chapter 33, Title 19 of the Delaware Code Relating to Unemployment Compensation.

Representative West brought HA 1 to HB 469 before the House for consideration. HA 1 was adopted by voice vote.

The roll call on HB 469 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Ewing, Mack - 2.

Therefore, having received a constitutional majority, HB 469 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Carey.

Representative Carey brought HB 505, jointly sponsored by Representatives Bunting & West & Senators Marshall, Venables, Voshell & Bonini, before the House for consideration.

HB 505 - An Act to Amend Title 7 of the Delaware Code Relating to the Wearing of Hunter Orange. (2/3 bill)

Representative Carey made comments.

The roll call on HB 505 was taken and revealed:

YES: 39.

ABSENT: Representatives Ewing, Mack - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 505 was sent to the Senate for concurrence.

Mr. Speaker Spence introduced guests.

Representative Petrilli brought HB 519, jointly sponsored by Senator Sokola, before the House for consideration.

HB 519 - An Act to Amend Title 6 of the Delaware Code Relating to Home Construction and Home Improvement.

Representative Petrilli made a comment.

Mr. Speaker Spence appointed Representative Quillen as Acting Speaker.

The roll call on HB 519 was taken and revealed:

YES: 39.

ABSENT: Representatives Ewing, Mack - 2.

Therefore, having received a constitutional majority, HB 519 was sent to the Senate for concurrence.

Representative Petrilli brought the Consent Agenda, which requires a two-thirds vote, before the House for consideration.

Representative Petrilli requested that SB 356 be removed from the Consent Agenda.

HB 540 - SMITH; SENATOR BAIR - An Act to Amend Chapter 515, Volume 60, Laws of Delaware Entitled "An Act to Incorporate the Village of Ardencroft," as Amended, to Provide for a Quorum of Fourteen (14) Eligible Voters of the Town Meeting. (2/3 bill)

SB 294 - CORDREY; REPRESENTATIVE SCHROEDER - 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 Long-Term Borrowing Power. (2/3 bill)

SB 295 - CORDREY; REPRESENTATIVE SCHROEDER - 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 Change the Title of the Town Clerk to Town Manager. (2/3 bill)

SB 296 w/SA 1 - CORDREY; REPRESENTATIVE SCHROEDER - 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 Alternative Methods for Collection of Unpaid Taxes, Fees and Other Charges. (2/3 bill)

SB 356 - VENABLES; REPRESENTATIVE LEE - An Act to Amend an Act Being Chapter 288, Volume 64, Laws of Delaware, As Amended, Entitled "An Act to Reincorporate the Town of Laurel," to Allow the Monition Method to be Used as an Alternate Method to Collect Delinquent Taxes. (2/3 bill)

SB 313 - ADAMS; REPRESENTATIVE EWING - An Act to Amend Chapter 237, Volume 51, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Bridgeville" Relating to Increasing the Power to Raise Revenue. (2/3 bill)

The roll call on the Consent Agenda was taken and revealed:

YES: 39.

ABSENT: Representatives Ewing, Mack - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 540 was sent to the Senate for concurrence and SB 294, SB 295, SB 296 w/SA 1 & SB 313 were returned to the Senate.

Representative Petrilli deferred to Representative Maroney.

Representative Maroney brought HB 501, jointly sponsored by Senator Blevins & Representatives Carey, Cloutier, Maier, Roy, Stone, Wagner, Bunting, Gilligan, Plant, VanSant & Williams & Senators Adams, Cook, Henry, McBride, Sharp, Sokola, Vaughn, Voshell, Amick, Bair, Connor & Sorenson, before the House for consideration.

HB 501 - An Act to Amend Title 16 of the Delaware Code Regarding the Cancer Control Act.

Representative Maroney deferred to Representative Wagner.

Representative Wagner brought HA 1 to HB 501 before the House for consideration.

Representative Wagner made comments.

HA 1 was adopted by voice vote.

Representative Maroney requested that HA 2 to HB 501 be stricken.

Representative Maroney introduced and brought HA 3 to HB 501 before the House for consideration.

Representative Maroney made comments.

HA 3 was adopted by voice vote.

Representatives Maroney & Caulk made comments.

The roll call on HB 501 w/HA 1 & 3 was taken and revealed:

YES: 38.

ABSENT: Representatives Banning, Ewing, Mack - 3.

Therefore, having received a constitutional majority, HB 501 w/HA 1 & 3 was sent to the Senate for concurrence.

Representative Spence moved to lift HB 371 from the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Spence brought HB 371, jointly sponsored by Senator Sharp & Representatives Petrilli, Quillen, Buckworth, Capano, Caulk, Cloutier, Davis, DiPinto, Ewing, Fallon, Lee, Mack, Maier, Oberle, Reynolds, Roy, Smith, Stone, Ulbrich, Welch, Banning, Brady, B. Ennis, Houghton, Jonkiert, Gilligan, Plant, Schroeder, Scott & VanSant & Senators McBride & Connor, before the House for consideration.

HB 371 - An Act to Amend Title 14 of the Delaware Code Relating to the Use of Video Cameras for Surveillance on Public School Property.

Representatives Spence, Plant & Maier made comments.

Representative DiLiberto introduced and brought HA 1 to HB 371 before the House for consideration.

Representative DiLiberto made comments.

HA 1 was adopted by voice vote.

Representatives Buckworth, Spence & DiPinto made comments.

The roll call on HB 371 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Ewing, Mack - 2.

Therefore, having received a constitutional majority, HB 371 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Lofink.

Representative Lofink requested that action on HB 552 be Deferred to a Day Certain, Thursday, May 16, 1996.

Representative Petrilli deferred to Representative Smith.

Representative Smith requested that action on HB 553 be Deferred to a Day Certain, Thursday, May 16, 1996.

Representative Petrilli deferred to Representative Cloutier.

Representative Cloutier requested that action on HB 554 be Deferred to a Day Certain, Thursday, May 16, 1996.

Representative Petrilli deferred to Representative Roy.

Representative Roy requested that action on SB 354 & SB 355 be Deferred to a Day Certain, Tuesday, May 28, 1996.

Representative Petrilli deferred to Representative Schroeder.

Mr. Speaker Spence resumed the Chair.

Representative Schroeder introduced HB 576, jointly sponsored by Representative Carey.

HB 576 - An Act to Amend Chapter 23, Title 7, Delaware Code, Also Being Chapter 216, 70 Laws of Delaware or Senate Bill No. 204, Relating to Shellfish Licenses.

Mr. Speaker assigned HB 576 to the Natural Resources Committee.

Representative Petrilli deferred to Representative Quillen.

Representative Quillen moved to suspend the rules which interfere with introduction of and action on HB 577. The motion was seconded by Representative Petrilli adopted by voice vote.

Mr. Speaker reassigned HB 493 to the Natural Resources Committee.

Representative Quillen introduced and brought HB 577, jointly sponsored by Representative Caulk & Senators Cook & Voshell, before the House for consideration.

HB 577 - An Act to Authorize the Lake Forest Board of Education to Conduct Its 1996 Annual Elections on Tuesday, May 28, 1996.

Representatives Quillen, Petrilli & Cloutier made comments.

The roll call on HB 577 was taken and revealed:

YES: 37.

ABSENT: Representatives Ewing, Fallon, Mack, Scott - 4.

Therefore, having received a constitutional majority, HB 577 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative B. Ennis.

Representative B. Ennis introduced HS 1 to HB 437, jointly sponsored by Senator Vaughn & Representatives Houghton, West, Banning, Brady, Gilligan, Jonkiert, Plant, VanSant, Caulk, Carey, Mack, Wagner, Buckworth, Welch & D. Ennis & Senator Voshell.

HB 437 - An Act to Amend Chapter 9, Title 7, Delaware Code, Relating to Commercial Food Fishing License. (2/3 bill)

Mr. Speaker assigned HS 1 to HB 437 to the Natural Resources Committee.

Representative Petrilli deferred to Representative Davis.

Representative Davis brought HB 481, jointly sponsored by Representative Maroney & Senators Blevins & Bonini & Representatives Smith, Stone, Plant, Schroeder & Williams & Senators Henry, Amick, Bair & Reed, before the House for consideration.

HB 481 - An Act to Amend Chapter 31, Title 16, Relating to Vital Statistics. (2/3 bill)

Representative Davis brought HA 1 to HB 481 before the House for consideration.

Representative Davis made a comment.

HA 1 was adopted by voice vote.

Representatives Davis & DiPinto made comments.

The roll call on HB 481 w/HA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Ewing, Fallon, Mack - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 481 w/HA 1 was sent to the Senate for concurrence.

Representative D. Ennis requested and was granted personal privilege of the floor for the introduction of a guest.

Representative Petrilli deferred to Representative Roy.

Representative Roy brought HB 536, jointly sponsored by Senator Sokola, before the House for consideration.

HB 536 - An Act to Amend Title 21 of the Delaware Code Relating to Bicyclists. (2/3 bill)

Representative Roy made comments.

Representative DiLiberto introduced and brought HA 1 to HB 536 before the House for consideration.

Representatives DiLiberto & Oberle made comments.

HA 1 to HB 536 was adopted by voice vote.

Representatives Gilligan, Roy, Jonkiert, Roy & DiPinto made comments.

The roll call on HB 536 w/HA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Ewing, Fallon, Mack - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 436 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative VanSant.

Representative VanSant requested that action on HB 511 be Deferred to a Day Certain, Thursday, May 16, 1996.

Representative Quillen deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on SCR 60. The motion was seconded by Representative Quillen adopted by voice vote.

Representative DiPinto introduced & brought SCR 60, jointly sponsored by Senator McDowell, before the House for consideration.

SCR 60 - Advising and Urging the U.S. Environmental Protection Agency to Thoroughly Evaluate Any Change to the National Ambient Air Quality Standard for Ozone Including Any Potential Incremental Health Impacts, Utilize Valid Risk Assessment Protocols and Identify Any Unfunded Mandates on the State of Delaware.

Representatives DiPinto & Gilligan made comments.

SCR 60 was adopted by voice vote and returned to the Senate.

Representative Cloutier introduced HB 578.

HB 578 - An Act to Amend Title 13, Delaware Code, Relating to Domestic Partnerships. (3/5 bill).

Mr. Speaker assigned HB 578 to the Judiciary Committee.

The Majority Whip moved to recess to the call of the Chair at 5:48 p.m.

30th LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
May 15, 1996

Mr. Acting Speaker Oberle called the House to order at 2:14 p.m.

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

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SCR 60, SB 317 w/SA 1 & SB 346 w/SA 1.

MEMORANDUM

TO: Rep. Terry R. Spence
Speaker of the House
FM: Rep. Joseph R. Petrilli
House Majority Leader
DT: May 14, 1996
RE: Absence from Session

Due to some personal business I will not be attending session on May 15, 1996. Thank you for your consideration.

/Jm

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

The Chief Clerk called the roll.

Members Present: 35.

Members Absent: Representatives Brady, DiLiberto, Mack, Petrilli, Reynolds - 5.

A prayer was offered by Representative Pamela S. Maier, Twenty-First Representative District.

The Acting Speaker led those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

HB 579 - ROY & SENATOR SHARP - JUD: An Act to Amend Section 1405, Title 11 of the Delaware Code, Relating to the Exceptions to the Offense of Possessing a Gambling Device.

HB 580 - WELCH, CLOUTIER & SENATOR AMICK; REPRESENTATIVES CAULK, DAVIS, EWING, LEE, STONE, WAGNER, BANNING; SENATORS BONINI, HAUGE - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses and the Definition of "Swears Falsely." (2/3 bill)

HB 581 - BRADY, BANNING, BUCKWORTH, CAREY, DILIBERTO, B. ENNIS, WILLIAMS, GILLIGAN, LOFINK, PLANT, SCOTT, VANSANT, WEST - TRANS & INFRA: An Act to Amend Title 2 of the Delaware Code Relating to the Liability of the Delaware Transportation Authority.

HB 582 - SCOTT, BANNING, BRADY, BUCKWORTH, CAREY, B. ENNIS, HOUGHTON, JONKIERT, PLANT, SMITH, STONE, WELCH, WEST, WILLIAMS; SENATORS BONINI, COOK, HAUGE, HENRY, REED, STILL, VAUGHN - ED: An Act to Amend Section 107 of Title 14 Relating to the Qualifications for the State Superintendent of Schools.

HJR 25 - WELCH & CAULK & SENATOR BONINI; REPRESENTATIVES EWING, LEE, STONE, WAGNER, B. ENNIS, BANNING, SCHROEDER; SENATORS COOK, STILL - H/ADM: Creating a Bingo Task Force to Study Delaware's Bingo Rules and Regulations and the Reasons for Declining Bingo Revenues and to Make Recommendations Thereon to the 138th General Assembly.

HA 3 to HB 431 - MAIER - L.O.T.: Placed with the bill.

HA 1 to HB 537 - ROY - P/S: Placed with the bill

SB 317 w/SA 2 - BLEVINS & REPRESENTATIVE MARONEY; SENATOR BAIR - HEALTH & HUM DEV: An Act to Amend Titles 10, 11 and 13 of the Delaware Code Relating to Criminal Non-Support (2/3 bill)(F/N)

SB 346 w/SA 1 - SHARP & BLEVINS & REPRESENTATIVE SPENCE; SENATOR MARSHALL & REPRESENTATIVES BOULDEN, BUCKWORTH, CAPANO, CLOUTIER, DAVIS, EWING, LEE, LOFINK, MACK, MAIER, MARONEY, OBERLE, REYNOLDS, ROY, STONE, ULBRICH, WAGNER & WELCH - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Unlawful Sexual Intercourse.

SB 364 - VOSHELL; REPRESENTATIVE SCHROEDER - AG & FP & A: An Act to Amend Chapter 3 of Title 29 of the Delaware Code Relating to the Designation of Solidago Odora (Sweet Golden Rod) as the Official State Herb.

Representative Wagner requested that she be marked present.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #103

DATE: May 15, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H138-1501	Jonkiert	6/07/96	T	Angela & John Sadowski/57th Wedding Anninversary
H138-1502	Jonkiert	6/16/96	T	Joseph & Sophie Dombrowski/50th Wedding Anniversary
H138-1503	Jonkiert	5/29/96	T	Elsie Chetkowski/90th Birthday
H138-1504	Buckworth	5/08/96	T	Tim Layton/Eagle Scout
H138-1505	Fallon	5/08/96	T	Susan Nancarrow/Pres. Awd./Elementary Mathematics
H138-1506	Roy	5/05/96	T	Mr. & Mrs. Harry J. Davitt/60th Wedding Anniversary
H138-1506	Maier	5/22/96	T	Mrs. Kathleen Nelson/Eben-ezer United Methodist Preschool/Program 30th Anniv.
H138-1508	Schroeder	5/11/96	T	VFW Post 7447/50th Anniversary
H138-1509	Maier	5/14/96	T	Matthew Lesley/Excellence in State Award
H138-1510	Petrilli	5/14/96	T	Chakravarthi Rangan/Excellence in State Service Award
H138-1511	Fallon	5/14/96	T	Raymond Abrams/Excellence in State Award
H138-1512	Stone	5/14/96	T	Pete Clark/Excellence in State Award
H138-1513	Carey	5/11/96	M	Dorothy B. Oliver
H138-1514	Fallon	5/06/96	T	William & Elgarie Windley/50th Wedding Anniversary

HOUSE TRIBUTE ANNOUNCEMENT #104

DATE: May 15, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H138-1515	Lofink	5/11/96	T	Stephanie Hansen/Good Gov. Award/Civic League
H138-1516	Jonkiert	5/10/96	T	Eva Drueding & Thomas Sowinski /Marriage
H138-1517	Fallon	5/14/96	T	Betty Richardson/'96 Women of Distinction Award
H138-1518	Fallon	5/14/96	T	Joy Oliver/Soroptimist Inter. North Atlantic Reg. Forum Winner
H138-1519	Fallon	5/14/96	T	Hon. Ruth Ann Minner/Women Helping Women Award
H138-1520	Wagner	5/08/96	M	Irving Briddell
H138-1521	Spence	5/27/96	T	C. William Tulloch/60th Birthday
H138-1522	Schroeder	5/15/96	T	Karen J. Warrington/U.S. Postal Serv. Public Serv. Recogn. Awd.
H138-1523	Schroeder	5/15/96	T	Nat. Assoc. Retired Fed. Employees /Chap. 1690/Pub. Serv. Recogn. Wk
H138-1524	Schroeder	5/15/96	T	Robert O'Hara/Div. Of Rev./Pub. Serv. Recogn. Week
H138-1525	Wagner	5/08/96	M	Christopher Cherry
H138-1526	Spence	5/16/96	T	Willard R. Brustman/66th Birthday
H138-1527	Schroeder	5/15/96	T	John L. Brown/"Mr. Do It All" Pub. Service Recogn. Week
H138-1528	Schroeder	5/15/96	T	Brad Hawkes/S.C. Engin. Depart. Public Service Recogn. Week

T - Tribute

M - Memoriam

The Majority Whip moved to recess for committee meetings at 2:20 p.m.

The House reconvened at 5:10 p.m. with Representative Quillen as Acting Speaker

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

R & F: HB 524 - 8M; HB 564 - 8M; SS 1/SB 281 - 7M.

JUD: HB 503 - 6M, 1U; SB 318 - 6M.

P/S: HB 556 - 6M; HB 557 - 6M; SB 323 w/SA 1 & 2 - 6M.

CORR: SJR 21 - 6M.

HEALTH & HUM DEV: HB 563 - 5M; SB 337 - 5M.

SM BUS: HB 462 - 7M.

NAT RES: SB 373 - 4M.

ED: HB 447 - 5M; HB 449 - 5M; HB 539 - 5M; SB 349 w/SA 1 - 5M.

APPRO: HB 496 - 5M; HB 507 - 6M.

LABOR: HB 543 - 4M; HB 549 - 4M; HB 562 - 4M; HB 568 - 4M.

The following prefiled Consent Calendar #22 was introduced:

HCR 54 - CAREY; SENATOR VOSHELL; REPRESENTATIVES CAULK, EWING, QUILLEN; SENATOR ADAMS; ON BEHALF OF ALL REPRESENTATIVES AND SENATORS - Honoring Milford School District Superintendent Charles E. (Chuck) Moses Upon His Upcoming Retirement.

HCR 55 - PETRILLI, SPENCE, QUILLEN, GILLIGAN & VANSANT ON BEHALF OF ALL REPRESENTATIVES; SENATORS CORDREY, SHARP, MARSHALL, BAIR & CONNOR ON BEHALF OF ALL SENATORS - Extending "Many Thanks" to the Delaware Vocational Student Organizations of Delaware for the Geraniums Given, and Extending Best Wishes and Success to Each of You in Your Chosen Careers.

SCR 59 - MARSHALL & REPRESENTATIVE JONKIERT & SENATORS BLEVINS, HENRY & SORENSON - Apologizing to the Red Clay School District Board of Education for Incorrectly Alleging That Red Clay Had Failed to Provide Polling Places in the City of Wilmington for the May 14, 1996 School Board Elections.

Representative Smith introduced HR 78, sponsored on Behalf of All Representatives.

HR 78 - Bidding a Fond Farewell to Kenneth R. Biederman as He Leaves His Post as Dean of the College of Business & Economics at the University of Delaware.

HR 78 was placed on Consent Calendar #22.

Representatives Schroeder, West & Jonkiert requested that they be marked present.

Consent Calendar #22 was adopted by voice vote and HCR 54 & HCR 55 were sent to the Senate for concurrence and SCR 59 was returned to the Senate.

Representative Spence requested and was granted personal privilege of the floor for an announcement.

The Acting Majority Leader moved to recess to the call of the Chair at 5:18 p.m.

31st LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
May 16, 1996

Mr. Acting Speaker Oberle called the House to order at 2:05 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 376 w/SA 1, SB 326, SB 338 w/SA 2 & HB 577.

May 14, 1996

JoAnn,

I will not be in attendance on May 15 and May 16 due to a personal business trip.

Thank-you,

Representative Bruce Reynolds

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

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

The Chief Clerk called the roll.

Members Present: 37.

Members Absent: Representatives Buckworth, DiLiberto, Mack, Reynolds - 4.

A prayer was offered by Representative Arthur Scott, Third Representative District.

The Acting Speaker led those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

HB 583 - QUILLEN & WAGNER, BRADY, SCOTT, SCHROEDER - ED: An Act to Amend Title 14 of the Delaware Code Relating to School Employees.

HB 584 - D. ENNIS - ECON DEV, B & I: An Act to Amend Title 18 Relating to the Delaware Life and Health Insurance Guaranty Association.

HB 585 - LEE & BANNING; SENATORS VAUGHN & SHARP - JUD: An Act to Amend Chapter 59 of Title 10 of the Delaware Code Regarding Legal Name Changes.

HB 586 - CAPANO & SENATOR VAUGHN; REPRESENTATIVES PETRILLI, BOULDEN, BUCKWORTH, DAVIS, D. ENNIS, LEE, MAIER, OBERLE, REYNOLDS, STONE, ULBRICH, BANNING, BRADY, B. ENNIS, HOUGHTON & SCOTT; SENATOR BONINI - SUNSET - An Act to Amend Titles 24 and 29 of the Delaware Code Relating to Court Reporters. (3/5 bill)

HB 587 - GILLIGAN & VANSANT - H/ADM: An Act Proposing an Amendment to Article II, Section 2 of the Delaware Constitution of 1897, as Amended, Relating to the Apportionment for Representative and Senatorial Districts. (2/3 bill)

HB 588 - GILLIGAN & VANSANT - JUD: An Act Proposing an Amendment to Article V, Section 8 of the Delaware Constitution of 1897, as Amended, Relating to Jury Trials for Election Violations. (2/3 bill)

HA 4 to HB 511 - BOULDEN - AGENDA: Placed with the bill.

HA 1 to HB 532 - WEST - APPRO: Placed with the bill.

HA 1 to HB 552 - CLOUTIER - AGENDA: Placed with the bill.

HA 1 to HB 553 - BOULDEN - AGENDA: Placed with the bill.

HA 1 to HB 554 - STONE, QUILLEN, BOULDEN, CAPANO, DIPINTO, GILLIGAN & B. ENNIS - AGENDA: Placed with the bill.

HA 1 to HB 575 - GILLIGAN - ECON DEV, B & I: Placed with the bill.

HA 1 to HJR 22 - MARONEY - READY LIST: Placed with the bill.

SB 326 - VOSHELL; REPRESENTATIVE EWING - P/S: An Act to Amend Title 4 of the Delaware Code Relating to Transportation of Spirits, Wines or Beer.

SB 338 w/SA 2 - VOSHELL & REPRESENTATIVE EWING - P/S: An Act to Amend Title 20 of the Delaware Code by Creating a New Chapter 34 Establishing the Emergency Management Assistance Compact. (3/4 bill)

SB 376 w/SA 1 - VAUGHN & REPRESENTATIVE LEE; SENATOR SHARP & REPRESENTATIVES B. ENNIS, EWING & CAPANO - CORR: An Act to Amend Title 11 of the Delaware Code Relating to Requirements for Inmates to Pay for Certain Medical Services and Medications.

HA 1 to SB 354 - ROY - DEFERRED: Placed with the bill.

HA 1 to SB 355 - ROY - DEFERRED: Placed with the bill.

Representative Smith requested and was granted personal privilege of the floor for the introduction of a guest.

Representative Maroney requested that she be marked present.

The Majority Leader moved to recess for caucus at 2:12 p.m.

The House reconvened at 3:25 p.m with Representative Quillen as Acting Speaker.

The Reading Clerk read the following communication into the record:

WITHDRAWAL OF SPONSORSHIP

I, Senator Patricia M. Blevins, do hereby request that my name be removed as Co-Sponsor of **HB 555**.

Date: May 15, 1996.

Signed: Patricia Blevins.

Representatives DiPinto & Gilligan requested that they be marked present.

Representative Petrilli deferred to Representative Fallon.

Representative Fallon introduced and brought **HCR 56**, sponsored by Representative Reynolds & Senator Sokola on Behalf of All Representatives & Senators, before the House for consideration.

HCR 56 - Commending Darryl J. Hudson for Being Selected Delaware Teacher of the Year 1996.

WHEREAS some 6356 teachers work each day with the 108,461 children who attend Delaware public schools; and

WHEREAS teachers are encouraged to strive for excellence when they know the community supports them and appreciates their efforts in behalf of our children; and

WHEREAS the Teacher of the Year Program identifies representatives possessing the best traits of all Delaware teachers; and

WHEREAS the State Teacher of the Year was chosen for his superior ability to inspire students with a love of learning and for having won the admiration and respect of students, fellow teachers, school administrators, and the parents of students; and

WHEREAS Darryl J. Hudson of Sussex Central Middle School, Indian River School District, has been named as Delaware Teacher of the Year for 1996; and

WHEREAS other school districts declared local Teachers of the Year; namely: Anabelle G. Hood, Appoquinimink; Margaret "Maggie" Alexander, Brandywine; Lou Ann Carlson, Caesar Rodney; William E. Degnan, Cape Henlopen; Charles "Ted" Ammann, Capital; Betty Jane Cain, Christina; Betsey F. Corrigan, Colonial; David E. Smith, Delmar; Wendy F. Schachte, Lake Forest; Linda L. Waltz, Laurel; Sherry I. McKee, Milford; Mary L. Kelly, New Castle County Vo-Tech; Diana L. Roscoe, Polytech; Peter Parlett, Red Clay; Marcia L. Windley, Seaford; Robin W. Smith, Smyrna; Louis R. Nicoletti, Sussex County Vo-Tech; and Anthony J. Burton, Woodbridge;

NOW, THEREFORE:

BE IT RESOLVED by the members of the House of Representatives of the 138th General Assembly of the State of Delaware, the Senate concurring therein, that commendations and appreciation are hereby extended to Mr. Hudson on being selected as Delaware Teacher of the Year for 1996.

BE IT FURTHER RESOLVED that upon passage of this Resolution a suitably prepared copy be forwarded to Mr. Hudson at Sussex Central Middle School.

Representative Fallon requested and was granted the privilege of the floor for all Teachers of the Year who introduced themselves for the record.

Representative Fallon requested and was granted the privilege of the floor for Darryl J. Hudson, Delaware Teacher of the Year.

HCR 56 was adopted by voice vote.

Representatives Quillen, Schroeder, West & Ewing made comments.

The House observed a moment of silence in memory of Bill Degnan at the request of Representative Fallon.

Representative B. Ennis made comments.

Representative D. Ennis requested that he be marked present.

Representative Petrilli deferred to Representative DiPinto.

Representative DiPinto brought SB 315 w/SA 1 jointly sponsored by Senators McDowell, Marshall, Henry, Sokola & Blevins & Representatives Scott, Plant, Williams Jonkiert, Gilligan, Maroney & Houghton, before the House for consideration.

SB 315 - An Act to Amend Chapter 45, Title 6, Delaware Code, Relating to Equal Accommodations; and Chapter 30, Title 31, Delaware Code, Relating to the State Human Relations Commission.

Representative DiPinto made comments.

The roll call on SB 315 w/SA 1 was taken and revealed:

YES: 36.

ABSENT: Representatives Buckworth, DiLiberto, Jonkiert, Mack, Reynolds - 5.

Therefore, having received a constitutional majority, SB 315 w/SA 1 was returned to the Senate.

Representative Roy requested and was granted personal privilege of the floor for the introduction of a guest.

Mr. Speaker Spence resumed the Chair.

Representative Petrilli deferred to Representative Lofink.

Representative Lofink brought HB 552, jointly sponsored by Representatives Cloutier, Oberle, Smith, Roy & Maroney & Senators Amick & Connor & Representatives Spence, Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Mack, Maier, Reynolds, Ulbrich & Welch & Senators Bair, Hauge, Reed & Sorenson, before the House for consideration.

HB 552 - An Act to Amend Title 17 of the Delaware Code Relating to Access to State-Maintained Highways in New Castle County.

Representative Lofink made comments.

Representative Lofink deferred to Representative Cloutier.

Representative Cloutier brought HA 1 to HB 552 before the House for consideration. Representative Cloutier moved to place HA 1 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Cloutier introduced and brought HA 2 to HB 552 before the House for consideration.

Representative Cloutier made comments.

HA 2 was adopted by voice vote.

Representative Cloutier moved to lift HA 1 to HB 522 from the Speaker's table. The motion was seconded by Representative Davis and adopted by voice vote.

Representative Cloutier requested that HA 1 be stricken.

Representatives Lofink & Gilligan made comments.

Representative Gilligan requested and was granted the privilege of the floor for Brian Schuler, Planning Director, New Castle County.

Representatives Gilligan, Cloutier, D. Ennis, Bunting & Lofink made comments.

Representative Stone requested and was granted the privilege of the floor for Philip McGinnis, Chairman, Government Affairs Committee, Delaware Association of Realtors.

Representatives Gilligan, Cloutier, Boulden, Oberle, Caulk, Oberle, Smith, Gilligan & Lofink made comments.

The roll call on HB 522 w/HA 2 was taken:

Representative Oberle moved to recess at 4:25 p.m.

The House reconvened at 4:38 p.m.

The roll call on HB 552 w/HA 2 revealed:

YES: 23.

NO: Representative Banning - 1.

NOT VOTING: Representatives Bunting, Caulk, B. Ennis, Gilligan, Houghton, Jonkiert, Plant, Schroeder, Scott, Stone, VanSant, West, Williams - 13.

ABSENT: Representatives Buckworth, DiLiberto, Mack, Reynolds - 4.

Therefore, having received a constitutional majority, HB 552 w/HA 2 was sent to the Senate for concurrence.

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

Representative Petrilli deferred to Representative Smith.

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

Representative Smith brought HB 553, jointly sponsored by Representatives Cloutier, Oberle, Lofink, Roy & Maroney & Senators Amick, Connor & Hauge & Representatives Spence, Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Mack, Maier, Reynolds, Ulbrich & Welch, before the House for consideration.

HB 553 - An Act to Amend Title 9 of the Delaware Code Relating to Rezoning, Subdivisions, Use Variances and Deed Restrictions and to Create Local Zoning Boards.

Representative Smith deferred to Representative Boulden.

Representative Boulden brought HA 1 to HB 553 before the House for consideration.

Representative Boulden made comments.

Representative Boulden introduced & brought HA 1 to HA 1 before the House for consideration.

Representative Boulden made comments.

HA 1 to HA 1 to HB 553 was adopted by voice vote.

Representatives Boulden, Davis, Smith & Ulbrich made comments.

HA 1 w/HA 1 was adopted by voice vote.

Representatives Smith & Gilligan made comments.

Representative Gilligan requested and was granted the privilege of the floor for Brian Schuler, Planning Director, New Castle County.

Representatives Gilligan, Smith, Davis, B. Ennis, Maroney, Caulk & DiPinto made comments.

The roll call on HB 553 w/HA 1 w/HA 1 was taken and revealed:

YES: 23.

NO: Representatives West, Williams - 2.

NOT VOTING: Representatives Banning, Bunting, Caulk, B. Ennis, Gilligan, Houghton, Jonkiert, Plant, Schroeder, Scott, Stone, VanSant - 12.

ABSENT: Representatives Buckworth, DiLiberto, Mack, Reynolds - 4.

Therefore, having received a constitutional majority, HB 553 w/HA 1 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Cloutier.

Representative Cloutier brought HB 554, jointly sponsored by Representatives Oberle, Spence, Smith, Lofink, Roy & Maroney & Senators Connor & Amick & Representatives Petrilli, Quillen, Boulden, Buckworth, Carey, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Mack, Maier, Reynolds & Welch & Senators Bair, Hauge, Reed & Sorenson, before the House for consideration.

HB 554 - An Act to Amend Title 9 of the Delaware Code Relating to Rezoning and Subdivisions and to Create the New Castle County Land Development Task Force.

Representative Cloutier deferred to Representative Stone.

Representative Stone brought HA 1 to HB 554, jointly sponsored by Representatives Quillen, Boulden, Capano, DiPinto, Gilligan & B. Ennis, before the House for consideration.

Representatives Stone, Gilligan & Cloutier made comments.

HA 1 to HB 554 was adopted by voice vote.

Representative Cloutier introduced and brought HA 2 to HB 554 before the House for consideration.

Representatives Cloutier, Gilligan, Cloutier, Banning, Gilligan, DiPinto, Cloutier & Gilligan made comments.

Representative Cloutier moved to place HA 2 to HB 554 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Cloutier moved to place HB 554 w/HA 1 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

The Majority Leader moved to recess at 5:10 p.m. for the purpose of changing the recording tape.

The House reconvened at 5:20 p.m.

Mr. Speaker Spence reassigned HB 572 to the Revenue & Finance Committee.

Mr. Speaker assigned HB 449, HB 546 & SB 349 to the Appropriations Committee.

Representative Petrilli deferred to Representative VanSant.

Representative VanSant brought HB 511, jointly sponsored by Representative Spence & Senators Cook & Vaughn & Representatives Banning, Brady, Buckworth, Bunting, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, B. Ennis, Ewing, Gilligan, Houghton, Jonkiert, Lee, Lofink, Oberle, Plant, Quillen, Roy, Stone, Ulbrich, Wagner, Welch, West & Senators Adams, Bonini, Still & Venables, before the House for consideration.

HB 511 - An Act to Amend Title 11 of the Delaware Code Relating to Licenses to Carry Concealed Deadly Weapons for Personal Protection.

Representative VanSant deferred to Representative Capano.

Representative Capano brought HA 1 to HB 511, sponsored by Representative VanSant, before the House for consideration.

Representative Capano made comments.

HA 1 was adopted by voice vote.

Representative VanSant brought HA 2 to HB 511 before the House for consideration.

Representative VanSant deferred to Representative B. Ennis.

Representative B. Ennis made a comment.

HA 2 to HB 511 was adopted by voice vote.

Representative VanSant brought HA 3 to HB 511 before the House for consideration.

Representative VanSant deferred to Representative Capano.

Representatives Capano & Welch made comments.

HA 3 to HB 511 was adopted by voice vote.

Representative Boulden brought HA 4 to HB 511 before the House for consideration.

Representatives Boulden & Bunting made comments.

HA 4 was adopted by voice vote.

Representative VanSant made comments.

Representative VanSant requested and was granted the privilege of the floor for James Fotis, Executive Director, Law Enforcement Alliance of America.

Representatives VanSant, D. Ennis, Scott, Williams, VanSant, Brady, Scott, Petrilli & Plant made comments.

Representative Williams requested and was granted the privilege of the floor for Kathleen Jennings, Attorney.

Representatives Capano, Boulden, B. Ennis, Ewing, Welch, VanSant, Welch, Williams & VanSant made comments.

Representative Williams requested and was granted the privilege of the floor for Colonel Alan Ellingsworth, Delaware State Police.

Representatives DiPinto, Lee, Boulden, Banning, Welch, Ewing, VanSant, Williams, Plant & VanSant made comments.

The roll call on HB 511 w/HA 1,2,3 & 4 was taken and revealed:

YES: 28.

NO: Representatives D. Ennis, Maier, Maroney, Petrilli, Plant, Schroeder, Scott, Ulbrich, Williams - 9.

ABSENT: Representatives Buckworth, DiLiberto, Mack, Reynolds - 4.

Therefore, having received a constitutional majority, HB 511 w/HA 1,2,3 & 4 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Capano.

Representative Capano introduced HJR 26, jointly sponsored by Senator Bair & Representatives Spence, Petrilli, Quillen, Boulden, Buckworth, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Oberle, Reynolds, Roy, Smith, Stone, Ulbrich, Wagner & Welch.

HJR 26 - Directing the Attorney General of the State of Delaware to Prepare a Report Advising What Percentage of Individuals Convicted of Crimes Involving a Concealed Deadly Weapon Had a License for That Weapon at the Time of the Offense.

Representative Capano made comments.

Mr. Speaker assigned HJR 26 to the Judiciary Committee.

Representative Petrilli deferred to Representative Roy.

Mr. Speaker made a comment.

Representative Roy introduced HB 589, jointly sponsored by Representatives Spence & Gilligan & Senator Sharp & Representatives DiLiberto & VanSant.

HB 589 - An Act to Amend Title 8, 9 and 29 of the Delaware Code Relating to Eliminating the Requirement for the Recordation of, and Enhancing Public Access to, Corporation Documents in the Offices of the Records of Deeds.

Mr. Speaker assigned **HB 589** to the Judiciary Committee.

Representative Petrilli introduced **HB 590**, sponsored by Representative Spence & Senators McBride & Marshall & Representatives Buckworth, Capano, Carey, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Oberle, Smith, Ulbrich, Wagner, Welch, Banning, B. Ennis, Gilligan, Houghton, Jonkiert, Schroeder, Scott, VanSant, West & Williams & Senators Adams, Henry, McDowell, Vaughn, Sokola, Bair & Connor & cosponsored by Representative Stone.

HB 590 - An Act to Amend Chapter 7, Title 18, Delaware Code Relating to the Distribution of Insurance Premium Taxes and Fees.

Mr. Speaker assigned **HB 590** to the Judiciary Committee.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #105

DATE: May 16, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1529	Gilligan	5/02/96	T	Louis & Virginia Williams/50th Wedding Anniversary
H138-1530	Gilligan	5/04/96	T	Frank & Clara Davis/50th Wedding Anniversary
H138-1531	Maier	4/25/96	T	Vikas Tandon/St. Mark's High Sch. /Texaco Star Academic Challenge
H138-1532	D. Ennis	5/14/96	T	Pettinaro Construction Co./ /Revitalize Fox Point
H138-1533	Banning	5/15/96	T	Melvin Craig/Camel 8-Ball Classic Pool Tournament/First Place
H138-1534	Schroeder	4/30/96	T	Wendy Herbert/2nd Prize Poster Contest/People With Disabilities
H138-1535	Schroeder	4/30/96	T	Jennifer Reihm/1st Prize Poster Contest/People With Disabilities
H138-1536	Schroeder	3/29/96	T	Bryan Ruddy/Lewes Middle Sch./ State Geography Bee Runner-Up
H138-1537	DiLiberto	5/10/96	M	Nancy Smith Johnson
H138-1538	DiLiberto	5/15/96	T	Justice Joseph T. Walsh/Received St. Thomas More Society Award
H138-1539	B. Ennis	5/08/96	M	Cleveland Lee Moore
H138-1540	B. Ennis	6/01/96	T	Eleanor & Medford Davis/50th Wedding Anniversary
H138-1541	Fallon	5/21/96	T	Aileen Watkins/Grad./Uof D /Bachelor of Arts/Lib. Studies

HOUSE TRIBUTE ANNOUNCEMENT #106

DATE: May 16, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1542	Maier	5/15/96	T	Tommy Lupinski/RespectTeen Nat. Youth Forum/Washington, D.C.
H138-1543	Maier	5/14/96	M	Marcia M. Eutzy
H138-1544	Jonkiert	6/17/96	T	Anthony Tanzilli/88th Birthday
H138-1545	Jonkiert	6/20/96	T	Thomas Whalen/88th Birthday
H138-1546	Jonkiert	6/30/96	T	Lillian Lafashia/85th Birthday
H138-1547	Jonkiert	5/25/96	T	Mamie DiLorenzo/88th Birthday
H138-1548	Jonkiert	2/10/96	T	Jennie Angelini/85th Birthday
H138-1549	Jonkiert	4/15/96	T	Lena Anselme/85th Birthday
H138-1550	Jonkiert	6/08/96	T	James & Mary Apostolico/50th Wedding Anniversary
H138-1551	Jonkiert	4/21/96	T	Philip & Mary Immediato/64th Wedding Anniversary

H138-1552	Jonkiert	6/02/96	T	Joseph & Fannie Frabizzio/50th Wedding Anniversary
H138-1553	Jonkiert	2/13/96	T	Ercole & Lucy Faraone/50th Wedding Anniversary
H138-1554	Jonkiert	2/16/96	T	Mary & Andrew Aiello/50th Wedding Anniversary
H138-1555	Roy	5/23/96	T	Mary Ann Robertson/50th Birthday
H138-1556	Carey	5/19/96	T	Charles E. Moses/Retire/Superintendent/Milford School Dist.

T - Tribute

M - Memoriam

Representative Petrilli deferred to Representative D. Ennis.

Representative D. Ennis requested and was granted personal privilege of the floor for an announcement.

Representative Petrilli deferred to Representative Cloutier.

Representative Cloutier moved to lift HB 554 w/HA 1 from the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Cloutier brought HB 554, jointly sponsored by Representatives Oberle, Spence, Smith, Lofink, Roy & Maroney & Senators Connor & Amick & Representatives Petrilli, Quillen, Boulden, Buckworth, Carey, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Mack, Maier, Reynolds & Welch & Senators Bair, Hauge, Reed & Sorenson, before the House for consideration.

HB 554 - An Act to Amend Title 9 of the Delaware Code Relating to Rezonings and Subdivisions and to Create the New Castle County Land Development Task Force.

Representative Cloutier moved to lift HA 2 to HB 554 from the Speaker's table. The motion was seconded by Representative Davis and adopted by voice vote.

Representative Cloutier brought HA 2 to HB 554 before the House for consideration.

Representative Cloutier made a comment.

HA 2 was adopted by voice vote.

Representative Cloutier introduced and brought HA 3 to HB 554, jointly sponsored by Representatives Gilligan, Roy & Banning, before the House for consideration.

Representative Cloutier made comments.

HA 3 was adopted by voice vote.

The roll call on HB 554 w/HA 1, 2 & 3 was taken and revealed:

YES: 31.

NOT VOTING: Representatives Banning, B. Ennis, Jonkiert, West - 4.

ABSENT: Representatives Buckworth, Caulk, DiLiberto, Houghton, Mack, Reynolds - 6.

Therefore, having received a constitutional majority, HB 554 w/HA 1, 2 & 3 was sent to the Senate for concurrence.

Representative Petrilli introduced & brought SCR 64, jointly sponsored by Senators Bair & Representative Spence & Senators Cordrey, Sharp, Cook & Connor & Representatives Quillen, Gilligan & VanSant on Behalf of All Senators & All Representatives, before the House for consideration.

SCR 64 - Expressing Condolences to William S. Montgomery, Director of Research, Legislative Council, and His Family Upon Learning of the Death of His Mother, Mrs. Helen N. Montgomery, of Marshallton, Who Passed Away on Tuesday, May 14, 1996, at the Age of Seventy-Three.

SCR 64 was adopted by voice vote and returned to the Senate.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: The Honorable Terry R. Spence
Speaker of the House

FROM: Representative Gerald A. Buckworth

DATE: May 16, 1996

Please excuse me from session of the House of Representatives on Thursday, May 16, 1996 due to illness.

The Majority Leader moved to recess to the call of the Chair at 6:53 p.m.

32nd LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
May 28, 1996

Mr. Speaker Spence called the House to order at 2:06 p.m.

Mr. Speaker reassigned HB 493 to the Environmental Management Committee.

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

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 385, SB 381 w/SA 1, HCR 56, HCR 54, HCR 55, SCR 64 & SB 333 w/SA 3 & 4.

The Majority Leader moved to adjourn at 2:07 p.m., thereby ending the current legislative day. The House reconvened at 2:08 p.m.

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Gerald A. Buckworth, Thirty-Fourth Representative District.

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

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

The following out-of-session prefiled legislation was introduced:

HS 2 for HB 276 - CAPANO & SENATOR BLEVINS - ECON DEV, B & I: An Act to Amend Section 2708, Title 18 of the Delaware Code, Relating to Consent of Insured in Life, Health Insurance.

HB 591 - DIPINTO & CAULK, BUCKWORTH, CAPANO, LOFINK, MAIER, MARONEY, ULBRICH, WAGNER, WELCH; SENATORS COOK, BONINI - ENV. MAN: An Act to Amend Chapter 47 of Title 9 of the Delaware Code Relating to Garbage Collection Districts.

HB 592 - LEE & SPENCE & SENATOR VAUGHN; REPRESENTATIVES BUCKWORTH, WAGNER, BANNING, SCOTT; SENATOR AMICK - CORR: An Act to Amend Chapter 43, Title 11 of the Delaware Code Relating to Good Time Credit for Prisoners.

HB 593 - CAPANO; SENATOR VAUGHN; REPRESENTATIVES SPENCE, BOULDEN, DIPINTO, LEE, LOFINK, REYNOLDS, STONE, ULBRICH, BRADY, BANNING, BUNTING, B. ENNIS, SCOTT, VANSANT, WILLIAMS; SENATOR CONNOR - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to the Delaware Fraud Prevention Bureau of the Office of the Insurance Commissioner.

HB 594 - ULBRICH, JONKIERT, SPENCE, BOULDEN, CAPANO, CAULK, DIPINTO, D. ENNIS, EWING, LOFINK, MAIER, REYNOLDS, ROY, SMITH, WAGNER, WELCH, BANNING, BRADY, BUNTING, B. ENNIS, HOUGHTON, PLANT, SCHROEDER, SCOTT, VANSANT, WEST, WILLIAMS - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses and Prohibited Fighting or Baiting of Animals.

HB 595 - BANNING & B. ENNIS, CAULK, PLANT, WEST; SENATORS MARSHALL, VAUGHN - APPRO: An Act to Amend Title 29 of the Delaware Code Relating to the State Lottery Fund and Allocating Certain General Fund Revenues for Various Defined Purposes.

HB 596 - SCOTT, BANNING, BOULDEN, BRADY, BUNTING, CAPANO, CAREY, CAULK, CLOUTIER, B. ENNIS, EWING, GILLIGAN, HOUGHTON, JONKIERT, LEE, LOFINK, OBERLE, PLANT, SCHROEDER, SMITH, ULBRICH, VANSANT, WEST, WILLIAMS; SENATORS HENRY, MARSHALL, STILL, VOSHELL - SUBS ABUSE: An Act to Amend Chapter 47 of Title 16 of the Delaware Code Relating to Controlled Substances.

HB 597 - ULBRICH & PETRILLI, BOULDEN, BUNTING, CAPANO, DAVIS, DIPINTO, D. ENNIS, EWING, FALLON, MAIER, MARONEY, STONE, WAGNER - ED: An Act to Amend Title 14 of the Delaware Code Relating to Unit Funding for Grade 1.

HB 598 - BANNING & SENATOR VAUGHN - H/ADM: An Act to Reincorporate the Town of Townsend. (2/3 bill)

HA 1 to HB 462 - B. ENNIS - READY LIST: Placed with the bill.

HA 2 to HJR 22 - SMITH - READY LIST: Placed with the bill.

SB 333 w/SA 3 & 4 - VOSHELL; REPRESENTATIVE EWING; SENATORS SHARP, ADAMS, COOK, BLEVINS, HENRY, HAUGE, BAIR, BONINI, AMICK; REPRESENTATIVES SPENCE, D. ENNIS, SMITH, OBERLE, CAULK, ROY, PLANT, DILIBERTO, DAVIS, LEE, WAGNER, BANNING, WELCH - JUD: An Act to Amend Chapter 5, Title 11 of the Delaware Code Relating to Crimes Relating to Telecommunication Services. (2/3 bill)

SB 381 w/SA 1 - MCBRIDE, VOSHELL & BAIR; REPRESENTATIVE CAREY - NAT RES: An Act to Amend Titles 7 and 11 of the Delaware Code and Chapter 275, Volume 70 of the Laws of Delaware Relating to Hunting and Trapping Devices, Environmental Misdemeanors and Certain Technical Corrections. (2/3 bill)

SB 385 - MCBRIDE, VOSHELL, VENABLES & BAIR; REPRESENTATIVES MACK, SCHROEDER & CAREY - NAT RES: An Act to Amend Title 21 of the Delaware Code Relating to Special Animal Welfare License Plates.

HA 1 to SJR 21 - ROY - READY LIST: Placed with the bill.

Representatives West & Gilligan requested that they be marked present.

Mr. Speaker reassigned SB 333 to the Public Safety Committee.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #107

DATE: May 28, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1557	Boulden	5/16/96	T	Megan Aftosmis/'96 Teenager of Yr./Newark Lions Club
H138-1558	Boulden	5/16/96	T	Chetan Nandakumar/'96 Teenager of Yr./Newark Lions Club
H138-1559	Maier	5/22/96	T	Bonnie Gaus/Library Media Spec. of Yr./May B. Leasure Elem. Sch.
H138-1560	Maier	5/22/96	T	Anne Norman/Library Media Assoc./Grace Wheelless Scholarship
H138-1561	Ewing	5/19/96	T	Josie L. Hunsberger/Masters/Ed./Elem. & Sec. School Counselling
H138-1562	Quillen	5/24/96	T	Merle Roth/90th Birthday
H138-1563	Maier	5/22/96	T	Michelle Hansen/Membership/Sanford Chapter/Nat. Honor Society
H138-1564	Maier	5/22/96	T	Rebecca Malley/Indiv. All-Around Title/DE Gymnastic Championship
H138-1565	Maier	5/19/96	T	Robert K. Austin/MAP's Samuel McKay Award/Faith in Action
H138-1566	Bunting	5/10/96	T	Stephen J. Cropper/Retire/Ocean City Police Force/25 Years
H138-1567	Spence	5/23/96	T	Sherry McGinnes/Nursing School Graduate
H138-1568	Wagner	5/13/96	M	Ernest Voshell Keith
H138-1569	Maroney	5/21/96	T	Pamela Green-Claude/Jane Maroney Award/DelTech

T - Tribute

M - Memoriam

Representative Buckworth requested and was granted personal privilege of the floor for the introduction of Labor Training Directors from Hungary and Anthony Digenakis, Assistant Vice-President, Delaware Technical & Community College, who addressed the House.

Representative Ulbrich requested that she be marked present.

Representative Smith introduced **HB 599**, jointly sponsored by Senator Sharp.

HB 599 - An Act to Amend Titles 10 and 11 of the Delaware Code Relating to Certain Crimes

Committed by Juveniles.

Mr. Speaker assigned **HB 599** to the Judiciary Committee.

Representative Ewing brought **HB 518**, jointly sponsored by Senator Voshell, before the House for consideration.

HB 518 - An Act to Amend Title 10 of the Delaware Code Relating to Certain Motor Vehicle Offenses

Committed by Juveniles. (2/3 bill)

Representatives Ewing, Quillen & Lee made comments.

The roll call on **HB 518** was taken and revealed:

YES: 35.

ABSENT: Representatives Brady, Bunting, D. Ennis, Jonkiert, Mack, Reynolds - 6.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 518** was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Roy.

Representative Roy brought **HB 531**, jointly sponsored by Senator Sharp, before the House for consideration.

HB 531 - An Act to Amend Title 11 of the Delaware Code Relating to Sentencing for Certain Crimes.

Representatives Roy & Gilligan made comments.

The roll call on **HB 531** was taken and revealed:

YES: 34.

NOT VOTING: Representative Plant - 1.

ABSENT: Representatives Brady, Bunting, D. Ennis, Jonkiert, Mack, Reynolds - 6. Therefore, having received a constitutional majority, **HB 531** was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative DiPinto.

Representative DiPinto brought **SB 350**, jointly sponsored by Senator Cordrey & Representative D. Ennis & Senators Adams, Sokola, Sorenson & Still & Representatives Capano, Smith, Stone, Wagner, Brady & Jonkiert, before the House for consideration.

SB 350 - An Act to Amend Title 5 of the Delaware Code, Relating to Mortgage Loan Brokers and Licensed Lenders.

Representative DiPinto made comments.

The roll call on **SB 350** was taken and revealed:

YES: 35.

ABSENT: Representatives Brady, Bunting, D. Ennis, Jonkiert, Mack, Reynolds - 6.

Therefore, having received a constitutional majority, **SB 350** was returned to the Senate.

Representative Petrilli deferred to Representative Stone.

Representative Stone brought **SB 195 w/SA 2**, jointly sponsored by Senator Blevins, before the House for consideration.

SB 195 - An Act to Amend Title 18 of the Delaware Insurance Code Relating to Long-Term Care Insurance.

Representative Stone made comments.

The roll call on **SB 195 w/SA 2** was taken and revealed:

YES: 36.

ABSENT: Representatives Bunting, D. Ennis, Jonkiert, Mack, Reynolds - 5.

Therefore, having received a constitutional majority, **SB 195 w/SA 2** was returned to the Senate.

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

Representative Petrilli deferred to Representative DiPinto.

Representative DiPinto brought **SB 234 w/SA 2**, jointly sponsored by Senator Adams, before the House for consideration.

SB 234 - An Act to Amend Title 5 of the Delaware Code by Adding Thereto a New Section Granting a Self-Analysis Privilege to Depository Institutions and Their Affiliates.

Representatives DiPinto & DiLiberto made comments.

Representative DiPinto requested and was granted the privilege of the floor for David Swayze, representing Citibank, DE.

Representative DiLiberto made comments.

The roll call on **SB 234 w/SA 2** was taken and revealed:

YES: 38.

NO: Representative DiLiberto - 1.

ABSENT: Representatives Bunting, D. Ennis - 2.

Therefore, having received a constitutional majority, **SB 234 w/SA 2** was returned to the Senate.

Representatives Reynolds, Jonkiert & Mack requested that they be marked present during the roll call.

Representative Petrilli deferred to Representative Welch.

Representative Welch brought **HR 69** before the House for consideration.

HR 69 - Relating to Amending the Permanent Rules of the House of Representatives of the 138th General Assembly of the State of Delaware, Formerly Known as House Resolution No. 49.

Representative Welch made comments.

HR 69 was adopted by voice vote.

Representative Petrilli deferred to Representative Maier.

Representative Maier moved to lift **HB 431 w/HA 1 & 2** from the Speaker's table. The motion was seconded by Representative Davis and adopted by voice vote.

Representative Maier brought **HB 431**, jointly sponsored by Representatives Petrilli, Boulden, Capano, Cloutier, Davis, DiPinto, Maroney, Oberle, Smith, Ulbrich, Wagner, Bunting, DiLiberto, Gilligan, Schroeder & VanSant & Senators Venables, Voshell, Reed & Still, before the House for consideration.

HB 431 - An Act to Amend Chapter 10, Title 14, Delaware Code, Relating to Reorganization of School Districts. (F/N)

Representative Maier brought **HA 3** to **HB 431** before the House for consideration.

Representative Maier made comments.

HA 3 was adopted by voice vote.

Representatives Lee & Maier made comments.

The roll call on **HB 431 w/HA 1,2 & 3** was taken and revealed:

YES: 24.

NO: Representatives Banning, Carey, Caulk, B. Ennis, Fallon, Houghton, Lee, Mack, Reynolds, Scott, West - 11.

NOT VOTING: Representatives Brady, Buckworth, Plant, Schroeder, Williams - 5.

ABSENT: Representative Bunting - 1.

Therefore, having received a constitutional majority, **HB 431 w/HA 1,2 & 3** was sent to the Senate for concurrence.

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

Representative Petrilli deferred to Representative Reynolds.

Representative Reynolds requested and was granted personal privilege of the floor for the introduction of students & teachers from William Penn High School, who presented posters to the House members.

Representatives Spence, Mack, Reynolds & Gilligan made comments.

Representative Bunting requested that he be marked present.

Representatives Ewing, Spence & Reynolds made comments.

Representative Petrilli deferred to Representative West.

Representative West brought HB 508, jointly sponsored by Representatives Banning, Brady, Buckworth, Bunting, Carey, Caulk, Cloutier, DiLiberto, B. Ennis, Ewing, Houghton, Jonkiert, Lee, Plant, Scott, Welch & Williams, before the House for consideration.

HB 508 - An Act to Amend Subchapter II, Chapter 21, Title 21 of the Delaware Code Relating to Special Registration Plates.

The roll call on HB 508 was taken and revealed:

YES: 38.

NO: Representatives Davis, Maier - 2.

ABSENT: Representative Oberle - 1.

Therefore, having received a constitutional majority, HB 508 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative D. Ennis.

Representative D. Ennis brought HB 538, jointly sponsored by Senator Vaughn, before the House for consideration.

HB 538 - An Act to Amend Title 18, Delaware Code, Relating to Insurer Signature Requirements.

Representative D. Ennis made a comment.

The roll call on HB 538 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 538 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Ewing.

Representative Ewing brought HB 516, jointly sponsored by Representatives Banning, Boulden, Buckworth, Bunting, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, B. Ennis, D. Ennis, Fallon, Gilligan, Houghton, Lee, Mack, Reynolds, Smith, Spence, Stone, Ulbrich, VanSant, Wagner, West & Williams & Senators Adams, Cordrey & Voshell, before the House for consideration.

HB 516 - An Act Requiring Any State Agency Who Has The Authority to Promulgate Rules and Regulations that Once an Individual, Company, Corporation, Institution or Distinct Entity Has Fully Complied With the Existing Rules and Regulations, the Agency Having Such Authority Shall Not Reimpose New Rules and Regulations, Particular if the Project is Underway Because of New Technological Changes That May Have Occurred Since the Issuance of the Original Rules and Regulations.

Representative Ewing brought HA 1 to HB 516 before the House for consideration.

Representative Ewing made a comment.

HA 1 was adopted by voice vote.

Representatives Ewing, Oberle, DiPinto & Bunting made comments.

The roll call on HB 516 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 516 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative DiPinto.

Representative DiPinto brought HB 359 w/HA 1 & SA 1, jointly sponsored by Representatives Quillen, Oberle & VanSant & Senator Connor, before the House for concurrence on SA 1.

HB 359 - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors.

Representatives Petrilli, DiPinto & DiLiberto made comments.

The roll call on HB 359 w/HA 1 & SA 1 was taken and revealed:

YES: 40.

NO: Representative DiLiberto - 1.

Therefore, having received a constitutional majority, HB 359 w/HA 1 & SA 1 was sent to the Governor.

Representative Petrilli deferred to Representative B. Ennis.

Representative B. Ennis brought HB 467 w/HA 1 & SA 1, jointly sponsored by Senator Voshell & Representatives Banning, Brady, Houghton, VanSant, West, Spence & Welch & Senator Vaughn, before the House for concurrence on SA 1.

HB 467 - An Act to Amend Chapter 43, Title 21 of the Delaware Code Relating to Motor Vehicles.

Representatives Petrilli & B. Ennis made comments.

The roll call on HB 467 w/HA 1 & SA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 467 w/HA 1 & SA 1 was sent to the Governor.

Representative Petrilli deferred to Representative Ulbrich.

Representative Ulbrich moved to suspend the rules which interfere with action on HB 567.

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

SUNSET: HB 565 - 5M; HB 566 - 5M; HB 567 - 5M.

Representative Ulbrich brought HB 567, jointly sponsored by Senator Blevins & Representatives Capano, Maier, Houghton & Scott & Senators Sokola, Voshell, Bonini & Reed, before the House for consideration.

HB 567 - An Act to Amend Title 24 of the Delaware Code Relating to Dentistry and Dental Hygiene.

The motion was properly seconded and adopted by voice vote.

Representative Ulbrich made comments.

The roll call on HB 567 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 567 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Roy.

Representative Roy brought SB 354 w/SA 1, jointly sponsored by Senators Sharp & Sokola & Representative Buckworth & Senators Blevins, Cook, McBride, Vaughn, Bonini & Sorenson & Representatives Capano, Ewing, Lofink, Maier & Spence & cosponsored by Representative Ulbrich, before the House for consideration.

SB 354 - An Act to Amend Chapter 43 of Title 11 of the Delaware Code Relating to Sex Offenders.

(F/N)

Representative Roy brought HA 1 to SB 354 before the House for consideration.

Representative Roy made a comment.

HA 1 was adopted by voice vote.

Representative Spence introduced guests.

Representative Roy made comments.

Representative Roy introduced and brought HA 2 to SB 354 before the House for consideration.

Representatives Davis & Roy made comments.

HA 2 was adopted by voice vote.

Representative Roy made comments.

Representative Roy requested and was granted the privilege of the floor for Maureen Kanka, representing the Megan Nicole Kanka Foundation.

Representatives Roy, Plant, Buckworth, Davis, Roy, Capano, Roy, Plant, Maier, Scott, Oberle, Banning, Schroeder, Roy & Plant made comments.

The roll call on SB 354 w/SA 1 & HA 1 & 2 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 354 w/SA 1 & HA 1 & 2 was returned to the Senate for concurrence on HA 1 & 2.

Representative Roy brought SB 355 w/SA 1 & 4, jointly sponsored by Senators Sharp & Sokola & Representative Buckworth & Senators Blevins, Cook, McBride, Vaughn, Bonini & Sorenson & Representatives Capano, Ewing, Lofink, Maier & Spence & cosponsored by Representative Ulbrich, before the House for consideration.

SB 355 - An Act to Amend Section 4120 of Title 11 of the Delaware Code and Title 21 of the Delaware Code Relating to Sex Offenders.(F/N)

Representative Roy made a comment.

Representative Roy brought HA 1 to SB 355 before the House for consideration.

Representative Roy made comments.

HA 1 was adopted by voice vote.

Representative Roy introduced and brought HA 2 to SB 355 before the House for consideration.

Representative Roy made comments.

HA 2 was adopted by voice vote.

Representative Roy made comments.

The roll call on SB 355 w/SA 1 & 4 & HA 1 & 2 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 355 w/SA 1 & 4 & HA 1 & 2 was returned to the Senate for concurrence on HA 1 & 2.

Representative Roy made comments.

Representative Petrilli deferred to Representative DiPinto.

Representative Welch requested that HJR 25 be stricken.

Representative DiPinto introduced HB 600, jointly sponsored by Senator Cordrey & Representatives Boulden, Buckworth, Capano, Carey, Cloutier, Ewing, Fallon, Lee, Reynolds, Stone, Wagner, Banning, Brady, Houghton, Scott & Williams & Senators Adams, Blevins, Cook, Henry, McBride, Sokola, Venables, Voshell, Bair, Connor, Amick, Hauge & Sorenson.

HB 600 - An Act to Amend Title 18 of the Delaware Code Relating to Credit Insurance.

Mr. Speaker assigned HB 600 to the Economic Development, Banking & Insurance Committee.

Representative Petrilli deferred to Representative Roy.

Representative Roy brought HB 556, jointly sponsored by Senator Sokola, before the House for consideration.

HB 556 - An Act to Amend Title 28 of the Delaware Code Relating to the Delaware Bicycle Council.

Representatives Roy & Bunting made comments.

The roll call on HB 556 was taken and revealed:

YES: 40.

ABSENT: Representative Buckworth - 1.

Therefore, having received a constitutional majority, HB 556 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle brought HB 33, jointly sponsored by Senator Sharp, before the House for consideration.

HB 33 - An Act to Amend Chapter 3, Title 11 of the Delaware Code Relating to Proving and Disproving Criminal Guilt.

Representatives Oberle, D. Ennis, Smith, Oberle, Ulbrich, VanSant, Scott, Oberle & Plant made comments.

The roll call on HB 33 was taken and revealed:

YES: 38.

NO: Representative Jonkiert - 1.

NOT VOTING: Representatives Plant, Scott - 2.

Therefore, having received a constitutional majority, HB 33 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle brought HB 417, jointly sponsored by Senators Connor & Reed, before the House for consideration.

HB 417 - An Act to Amend Title 9 of the Delaware Code Relating to Limitations Upon Taxing Power.

Representative Oberle requested that HA 1 to HB 417 be stricken.

Representatives Oberle, Smith, Oberle, Bunting, Oberle, Roy, Bunting, Jonkiert, Oberle, Cloutier, Oberle, Gilligan, Roy, Davis, Gilligan & Oberle made comments.

Representative Oberle moved to place HB 417 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representatives Gilligan, Roy & D. Ennis made announcements.

The Majority Leader moved to recess to the call of the Chair at 4:43 p.m.

33rd LEGISLATIVE DAY
138th GENERAL ASSEMBLY

Second Session

May 29, 1996

Mr. Acting Speaker Oberle called the House to order at 2:03 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HB 487, SB 292, HB 478, SCR 63, HB 399, HB 540 & SCR 65.

Representative Davis introduced HB 604, jointly sponsored by Senator Sokola & Representative Reynolds & Senator Cook & Representative Schroeder & Senator Connor & Representatives Buckworth, Capano, Carey, Cloutier, DiPinto, Ewing, Mack, Maier, Ulbrich & Wagner & Senators Voshell, Blevins, Bair, Bonini, Hauge, Reed, Sorenson & Still.

HB 604 - An Act to Amend Title 14 of the Delaware Code Relating to Shared Decision-Making and School Improvement.

Mr. Acting Speaker assigned HB 604 to the Education Committee.

Representative Davis made a comment.

The Majority Leader moved to adjourn at 2:05 p.m., thereby ending the current legislative day. The House reconvened at 2:06 p.m.

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative George H. Bunting, Jr., Thirty-Eighth Representative District.

The Acting Speaker led those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

HB 601 - BUCKWORTH & SENATORS VAUGHN, HAUGE; REPRESENTATIVES SPENCE, LOFINK, ROY, SMITH, B. ENNIS, HOUGHTON, PLANT, BRADY, SCOTT, VANSANT - R & F: An Act to Amend Title 29 of the Delaware Code Relating to Lotteries.

HB 602 - WELCH & QUILLEN & SENATOR COOK - LABOR: An Act to Amend Title 29 of the Delaware Code Relating to the Agencies or Organizations Subject to the State Employees' Pension Plan.

HB 603 - WELCH, LOFINK; SENATOR VOSHELL - TRANS & INFRA: An Act to Amend Chapter 5 of Title 17 of the Delaware Code Relating to the Completion and Dedication of New Roads and Streets.

HA 1 to HB 502 - BUCKWORTH - JUD: Placed with the bill.

HA 1 to HB 507 - WELCH - READY LIST: Placed with the bill.

HA 1 to HB 568 - BANNING - READY LIST: Placed with the bill

SB 292 - MARSHALL & REPRESENTATIVE OBERLE - LABOR: An Act to Amend Title 19 of the Delaware Code Relating to Employment Practices and to Amend Title 16 of the Delaware Code Relating to the Clean Indoor Air Act.

The Reading Clerk read the following communication into the record:

TO: Speaker Terry Spence

DATE: May 29, 1996

FROM: Rep. Roger Roy

Due to personal circumstances I will not be able to attend session on Thursday, May 30, 1996.

Representative Plant requested and was granted personal privilege of the floor to introduce former Representative Herman Holloway, Jr.

Representative Plant made comments.

Representatives Roy & Quillen requested and were granted personal privilege of the floor for the introduction of guests.

Representatives D. Ennis & DiLiberto requested that they be marked present.

Representative Ewing introduced **HB 605**.

HB 605 - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road, the Ignition Interlock Device and Program, and Driving Under the Influence. (2/3 bill)

Mr. Acting Speaker assigned **HB 605** to the Public Safety Committee.

Representative Welch requested that he be marked present.

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

The House reconvened at 4:48 p.m. with Representative Quillen as Acting Speaker.

Representative Roy requested that **HB 304** & **HB 408** be stricken.

Representative Maroney requested that she be marked present.

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

JUD: **HB 502** - 1F,5M; **HB 579** - 7M; **HB 580** - 7M; **HB 585** - 7M; **HB 588** - 7M; **HB 589** - 7M; **HB 590** - 7M; **HB 599** - 7M; **SB 308** - 7M.

P/S: **HB 571** - 7M; **SB 326** - 7M; **SB 338 w/SA 2** - 6M; **SS 1 for SB 347** - 7M.

CORR: **SB 376 w/SA 1** - 7M; **SB 377 w/SA 1** - 7M.

R & F: **HB 562** - 6F,3M; **HB 572** - 4F,5M.

APPRO: **HB 449** - 4M; **HB 546** - 4F.

ED: **HB 392** - 7M,1U; **HB 483** - 7M; **HB 486** - 6M; **HB 582** - 8M; **HB 604** - 8M.

ECON DEV, B & I: **HB 584** - 8M; **HB 593** - 8M.

HEALTH & HUM DEV: **SB 317 w/SA 1** - 6M; **SB 366 w/SA 1** - 6M.

Representatives Jonkiert, Brady, Reynolds & Spence requested that they be marked present.

Representative Lofink introduced **HB 606**, jointly sponsored by Representatives Cloutier, Boulden, Carey, Davis, Ewing, Lee, Ulbrich, Banning, Brady, B. Ennis & Schroeder.

HB 606 - An Act to Amend Chapter 84, Title 29 of the Delaware Code Relating to the Department of Transportation and Transportation Priority Planning.

Mr. Acting Speaker assigned **HB 606** to the Transportation & Infrastructure Committee.

Representative Wagner introduced **HJR 28**, jointly sponsored by Senator Blevins & Representatives Banning, Brady, Capano, Cloutier, DiLiberto, D. Ennis, Gilligan, Houghton, Jonkiert, Lofink, Maier, Schroeder, Stone, Ulbrich & VanSant & Senators Amick, Bair, Bonini, Connor, Cook, Hauge, Reed, Sorenson & Still.

HJR 28 - Requesting Various Public Agencies and Officers Including the Attorney General, the Public Defender, Chief Judge of the Family Court, Superintendent of the Department of Public Instruction, Chair of the Chiefs of Police Council and the Delaware State Police to Assist in Facilitating the Prompt and Fair Disposition of Complaints Relating to Student Offenses Occurring in Public Schools.

Mr. Acting Speaker assigned **HJR 28** to the Education Committee.

Representative Mack requested that he be marked present.

The following prefiled Consent Calendar #23 was introduced:

SCR 63 - STILL & REPRESENTATIVE WAGNER; SENATORS VAUGHN, COOK, BONINI; REPRESENTATIVES B. ENNIS, WELCH, QUILLEN, STONE, CAULK, BUCKWORTH - Expressing
SCR 65 - SOKOLA; REPRESENTATIVE REYNOLDS - Congratulating Dr. Orlando J. George, Jr.,
Upon His Inauguration as the Fourth President of Delaware Technical and Community College.

Consent Calendar #23 was adopted by voice vote and SCR 63 & SCR 65 were returned to the Senate.

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

ENV MAN: HB 591 - 4M.

NAT RES: HS 1 to HB 437 - 4M; SB 385 - 3M.

Representative Lofink made an announcement.

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

LABOR: HB 570 - 4M; HB 574 - 4M.

Representative Ulbrich introduced guests.

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

ECON DEV, B & I: HS 2/HB 276 - 9M; HB 600 - 9M.

The Majority Leader moved to recess to the call of the Chair at 5:01 p.m.

34th LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
May 30, 1996

Mr. Acting Speaker Quillen called the House to order at 2:09 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HB 252 w/HA 1 & 2 & SA 1 & 2, HB 528, HB 529, HB 530, HB 550 w/HA 1 & SB 275 w/SA 1.

May 29, 1996

LEGISLATIVE ADVISORY #54

Governor Thomas R. Carper signed the following legislation on the dates indicated: 5/16/96 - HB 577, HB 5/17/96 - SB 359, SB 361 aab SA 1, HB 356 aab SA 1, SB 261 aab SA 1. 5/23/96 - HB 436 aab HA 1, HB 435 aab HA 1 & 2 & SA 2, HB 406 aab HA 1 & 2 & SA 1 & 2, HB 434, SB 294, SB 295, SB 296 aab SA 1, SB 313 & SB 363. 5/24/96 - SB 311.

Mr. Acting Speaker Quillen assigned HB 483 & HB 569 to the Appropriations Committee.

The Majority Leader moved to adjourn at 2:11 p.m., thereby ending the current legislative day. The House reconvened at 2:11 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Roy - 1.

A prayer was offered by Representative Richard A. DiLiberto, Jr., Fourteenth Representative District.

The Acting Speaker led those present in a pledge of allegiance to the American Flag.

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

TRANS & INFRA: HB 544 - 1F,4M; HB 561 - 1F,4M.

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

The following prefiled legislation was introduced:

HB 607 - OBERLE & SENATOR HAUGE; REPRESENTATIVES SPENCE, PETRILLI, BOULDEN, LOFINK, ROY, SMITH, ULBRICH, BRADY, VANSANT; SENATORS SHARP, BLEVINS, SOKOLA, BAIR - ED: An Act to Amend Title 14 of the Delaware Code Relating to Education, the Enrollment Choice Program, Charter Schools, and Transportation.

HB 608 - OBERLE & SENATOR MARSHALL - LABOR: An Act to Amend Chapter 85 of Title 29 of the Delaware Code.

HB 609 - CAREY, SPENCE, PETRILLI, QUILLEN, BUCKWORTH, CAPANO, DAVIS, D. ENNIS, LOFINK, MARONEY, WAGNER & SENATORS BAIR, AMICK - NAT RES: An Act to Amend Title 7, Delaware Code, Creating the Oil Consumer Protection Fund Act. (3/5 bill)

HB 610 - MARONEY; SENATORS BLEVINS & STILL - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to the Insurance Code, Health Insurance and Managed Care Organizations.

HB 611 - MARONEY; SENATORS BLEVINS & STILL - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to the Insurance Code, Health Insurance and Managed Care Organizations.

HB 612 - OBERLE & DAVIS & SENATORS MCBRIDE & CONNOR - HOUSING & COM AFF:

An Act to Amend Title 25 of the Delaware Code Relating to Mobile Home Leases.

HA 2 to HB 417 - OBERLE, ROY, GILLIGAN & SENATOR SHARP - L.O.T.: Placed with the bill.

HA 1 to HB 428 - WAGNER - READY LIST: Placed with the bill.

HA 1 to HB 491 - HOUGHTON - AGENDA: Placed with the bill.

HA 2 to HB 496 - MARONEY - AGENDA: Placed with the bill.

HA 2 to HB 524 - FALLON - AGENDA II: Placed with the bill.

HA 1 to HB 534 - MARONEY - READY LIST: Placed with the bill.

HA 1 to HB 565 - ULBRICH - READY LIST: Placed with the bill.

HCR 57 - WAGNER - LABOR: Requesting Employers in the State of Delaware to Allow Their Employees Reasonable Opportunity to Attend School Conferences Scheduled to Discuss Student Disciplinary Problems.

SB 275 w/SA 1 - SOKOLA & REPRESENTATIVE REYNOLDS & SENATOR COOK & REPRESENTATIVE DAVIS & SENATOR CONNOR & REPRESENTATIVES SCHROEDER & MAIER; SENATORS SHARP, BLEVINS, HENRY, VOSHELL, BAIR, BONINI, HAUGE, REED, SORENSON, STILL; REPRESENTATIVES CLOUTIER, LEE, WAGNER, DIPINTO, ULBRICH, CAPANO, EWING, BUCKWORTH, CAREY, MACK - ED: An Act to Amend Title 14 of the Delaware Code Relating to the Reporting of Information About Public Education. (F/N)

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #108

DATE: May 30, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1570	B. Ennis	6/08/96	T	Jim Sipple/Retire/46 Yrs./A & P & Superfresh
H138-1571	B. Ennis	5/22/96	T	Smyrna High/Eagles Baseball Team/Henlopen Conf. Title
H138-1572	Wagner	3/19/96	T	John Citrolo & Sandi Grungo/ Marriage
H138-1573	Wagner	5/16/96	T	William G. Neaton/Central DE Cham. of Com./'96 Bus. Person Yr.
H138-1574	Wagner	5/22/96	T	Raymond Best/Retire/38 Yrs./ St. Andrews Evang. Lutheran
H138-1575	Boulden	5/28/96	T	Frank Mayer, III/Eagle Scout
H138-1576	Wagner	5/15/96	T	Peg Hood/'96 Republican of Year
H138-1577	cosponsors: All House Republicans Boulden	5/28/96	T	Paul Lesniak/First St. Project Ind., Inc. Dist. Service Award
H138-1578	Quillen	6/15/96	T	Cindy & Harold Brode/25th Wedding Anniversary
H138-1579	cosponsor: B. Ennis Maier	8/21/96	T	Harry & Linda Pace/50th Wedding Anniversary
H138-1580	Oberle	6/03/96	T	Michael Zebley/Grad./Margaret S. Sterck School
H138-1581	Oberle	6/03/96	T	Shane Hoover/Grad./Margaret S. Sterck School

HOUSE TRIBUTE ANNOUNCEMENT #109

DATE: May 30, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1582	Oberle	6/03/96	T	Mitzy Malabet/Grad./Margaret S. Sterck School
H138-1583	Oberle	6/03/96	T	Troy Towers/Grad./Margaret S. Sterck School
H138-1584	Oberle	6/03/96	T	David Wasielewski/Grad./Margaret S. Sterck School
H138-1585	Oberle	6/03/96	T	Bryant Gilliam/Grad./Margaret S. Sterck School

H138-1586	Oberle	6/03/96	T	Jesse Hughart/Grad./Margaret S. Sterck School
H138-1587	Oberle	6/03/96	T	Anthony Hughes/Grad./Margaret S. Sterck School
H138-1588	Jonkiert	4/07/96	T	Clifford & Margaret Hearn/67th Wedding Anniversary
H138-1589	Bunting	5/28/96	T	Maxine Bennett/DEMSAC BLS Provider of the Year
H138-1590	Scott	5/30/96	T	Mattie Flynn/Outstanding Com. Service
H138-1591	Scott	5/30/96	T	Jimmy DeShields/Outstanding Com. Service
H138-1592	DiLiberto	6/02/96	T	Matthew Hetzler/Grad./U. of D.
H138-1593	Smith	6/13/96	T	Matthew Lichtenstein/Eagle Scout
H138-1594	Smith	5/31/96	T	Ann Rumford/Retire/30 Yrs./ Chester Bethel Pre-School

T - Tribute

Representatives Oberle & Houghton requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:18 p.m.

The House reconvened at 4:03 p.m.

The Reading Clerk read the following communication into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Oak M. Banning, do hereby request that my name be removed as Co-Sponsor of HB 500.

Date: 5/30/96.

Signed: Oak M. Banning.

Representatives Banning, Jonkiert, DiPinto & Bunting requested that they be marked present.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #110

DATE: May 30, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1595	Welch	5/23/96	M	Mamie Warren
	cosponsors: B. Ennis, Stone, Buckworth, Wagner, Caulk, Quillen			
H138-1596	Fallon	6/01/96	T	Leon & Ethel Williams/29 Yrs. Ded. Serv./Refuge Temple
H138-1597	Fallon	5/19/96	T	Debbie O'Donnell/Bachelor's Degree/Bus. Man./Wilm. College
H138-1598	Cloutier	5/25/96	T	Hilda Buckmaster/90th Birthday
H138-1599	Cloutier	5/25/96	T	Diane DeSisto/6 Yrs. Ded. Serv./Exec. Dir./Sellers Senior Ctr.
H138-1600	Maier	4/25/96	T	Mr. & Mrs. Vernon Smith/50th Wedding Anniversary
H138-1601	Maier	5/16/96	M	Ethel Starr
H138-1602	Ulbrich	6/02/96	T	Glasgow Girls Track Team/'96 State Championship
H138-1603	Wagner	5/22/96	T	Allison Popen/Tennis St. Champ.
H138-1604	Wagner	6/15/96	T	Ronald Hironimus/Cap. Sch. Dist. /Teacher of Year
H138-1605	Wagner	5/14/96	T	Joseph DeFelice/Ed.D./Nova Southeastern University
H138-1606	Wagner	6/01/96	T	Stacy Wintjen & Blake Steffen/Marriage
H138-1607	Oberle	6/01/96	T	50th Anniv./Phillippine Independence
H138-1608	Oberle	6/01/96	T	Filipino Heritage & Arts Museum/Grand Opening

T - Tribute

M - Memoriam

Representatives Schroeder & Buckworth requested that they be marked present.

Representative Petrilli deferred to Representative Welch.

Representative Welch brought HB 500, jointly sponsored by Senator Venables & Representatives Spence, Buckworth, Caulk, Davis, Lee & B. Ennis & Senator Bonini, before the House for consideration.

HB 500 - An Act to Amend Section 1782 of Title 24 of the Delaware Code Relating to the Parental Notification of Abortion Act.

Representative Welch made comments.

The roll call on HB 500 was taken and revealed:

YES: 27.

NO: Representatives Banning, Boulden, DiPinto, Houghton, Reynolds, Schroeder, Scott, Williams, Mr. Acting Speaker Quillen - 9.

ABSENT: Representatives Cloutier, B. Ennis, Maroney, Roy, Spence - 5.

Therefore, having received a constitutional majority, HB 500 was sent to the Senate for concurrence.

Representatives Caulk, Mack, Reynolds & D. Ennis requested that they be marked present during the roll call.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle brought SB 201 w/SA 1, jointly sponsored by Senator Vaughn, before the House for consideration.

SB 201 - An Act to Amend Chapter 23, Title 18, Delaware Code, Relating to Unfair Insurance Practices.

Representative Oberle moved to place SB 201 w/SA 1 on the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Petrilli deferred to Representative Ulbrich.

Mr. Speaker Spence resumed the Chair.

Representative Ulbrich requested that action on HB 355 be Deferred to a Day Certain, Tuesday, June, 4,

1996

Representative Ulbrich brought HCR 48, jointly sponsored by Senator Amick, before the House for consideration.

HCR 48 - Requesting the Secretary of the Delaware Department of Transportation to Undertake a Study to Preserve a Corridor for a Connector Between Route 1 and the Proposed Route 301 South of the Chesapeake and Delaware Canal.

Representatives Ulbrich & Banning made comments.

Representative Maroney requested that she be marked present.

HCR 48 was adopted by voice vote and sent to the Senate for concurrence.

Representative Petrilli brought SB 247 w/SA 1 & 2, sponsored by Representative Quillen & Senator Vaughn, before the House for consideration.

SB 247 - An Act to Amend Title 29 Delaware Code Relating to the Delaware Commission of Veterans Affairs.

Representative Petrilli deferred to Representative Quillen.

Representative Quillen made comments.

The roll call on SB 247 w/SA 1 & 2 was taken and revealed:

YES: 40.

ABSENT: Representative Roy - 1.

Therefore, having received a constitutional majority, SB 247 w/SA 1 & 2 was returned to the Senate.

Representative Petrilli deferred to Representative Ewing.

Representative Ewing brought HB 515, jointly sponsored by Representatives Oberle & Welch, before the House for consideration.

HB 515 - An Act to Amend Title 11 of the Delaware Code Relating to Arrest and Commitment and the Powers of the Capitol Police.

Representative Ewing made comments.

The roll call on HB 515 was taken and revealed:

YES: 40.

ABSENT: Representative Roy - 1.

Therefore, having received a constitutional majority, HB 515 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle requested that action on HB 574 be Deferred to a Day Certain, Thursday, June 6,

1996.

Representative Reynolds brought SJR 19, jointly sponsored by Senators McBride & Sharp & Representative Spence & Senators Bair, Blevins, Connor, Cordrey, Hauge, Henry, Marshall, McDowell, Reed, Sokola, Sorenson, Still, Vaughn & Voshell & Representatives Boulden, Brady, Buckworth, Bunting, Capano,

Carey, Davis, DiLiberto, Fallon, Gilligan, Mack, Maier, Maroney, Oberle, Roy, Schroeder, Scott, Spence, Stone, Quillen, Wagner, West, Petrilli, Welch & Jonkiert, before the House for consideration.

SJR 19 - Requiring the Department of Public Instruction and the Department of Health and Social Services to Prepare a Plan and an Estimate of Associated Costs to Help the Population Better Understand Their Health Risks Associated With Cancer Through Comprehensive School Health Education Programs, School-Based Health Centers, and Public Education Programs.

Representatives Reynolds & Maroney made comments.

The roll call on SJR 19 was taken and revealed:

YES: 40.

ABSENT: Representative Roy - 1.

Therefore, having received a constitutional majority, SJR 19 was returned to the Senate.

Representative Petrilli deferred to Representative Lee.

Representative Lee brought SJR 21, jointly sponsored by Senators Vaughn, Adams, Sharp, Cook & Still & Representatives Ewing, Buckworth & Davis, before the House for consideration.

SJR 21 - Relating to the Establishment of the Corrections Facilities Construction Task Force.

Representative Lee moved to suspend the rules which interfere with action on HA 1 to SJR 21. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Lee brought HA 1 to SJR 21, sponsored by Representative Roy, before the House for consideration.

Representatives Lee & Davis made comments.

HA 1 was adopted by voice vote.

Representatives Lee & Bunting made comments.

The roll call on SJR 21 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives DiPinto, Roy - 2.

Therefore, having received a constitutional majority, SJR 21 w/HA 1 was returned to the Senate for concurrence on HA 1.

Representative Petrilli deferred to Representative Schroeder.

Representative Schroeder brought HB 491, jointly sponsored by Representatives Bunting & Carey & Senator Cordrey, before the House for consideration.

HB 491 - An Act to Amend Title 16 of the Delaware Code Relating to Public Swimming and Bathing Places.

Representative Schroeder deferred to Representative Houghton.

Representative Houghton brought HA 1 to HB 491 before the House for consideration.

Representative Houghton made comments.

HA 1 was adopted by voice vote.

Representatives Schroeder, DiLiberto, Schroeder, Jonkiert, Schroeder & Ewing made comments.

The roll call on HB 491 w/HA 1 was taken and revealed:

YES: 32.

NO: Representatives DiLiberto, Jonkiert, Mack, Plant, Ulbrich, VanSant, Williams - 7.

ABSENT: Representatives DiPinto, Roy - 2.

Therefore, having received a constitutional majority, HB 491 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Cloutier.

Mr. Speaker assigned HB 599 & HB 502 to the Appropriations Committee.

Mr. Speaker Spence introduced guests.

Representative Cloutier introduced HB 613, jointly sponsored by Representatives Gilligan, Petrilli & Spence.

HB 613 - An Act to Amend Title 14 Relating to the Qualifications of Certain School Personnel.

Mr. Speaker assigned HB 613 to the Education Committee.

Representative Petrilli deferred to Representative Welch.

Representative Welch brought HB 507, jointly sponsored by Representatives Spence, Boulden, Capano, Caulk, Ewing, Lee, Mack, Oberle, Smith, Stone, Wagner, Banning, Brady, B. Ennis, Gilligan, Jonkiert & West & Senators Vaughn & Sharp, before the House for consideration.

HB 507 - An Act to Amend Title 11 of the Delaware Code Relating to Habitual Criminals and Defining Violent Felonies. (F/N)

Representative Welch made a comment.

Representative Welch brought HA 1 to HB 507 before the House for consideration.

Representative Welch made a comment.

HA 1 was adopted by voice vote.

Representatives Welch, Davis & B. Ennis made comments.

The roll call on HB 507 w/HA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives DiPinto, Jonkiert, Roy - 3.

Therefore, having received a constitutional majority, HB 507 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Reynolds.

Representative Reynolds brought SB 276 w/SA 1, jointly sponsored by Senator Sokola & Senator Cook & Representative Davis & Senator Connor & Representatives Schroeder & Maier & Senators Blevins, Voshell, Bair, Bonini, Hauge, Reed, Sorenson & Still & Representatives Cloutier, Mack, Ewing, Buckworth, Carey, Lee, Wagner, DiPinto, Ulbrich & Capano, before the House for consideration.

SB 276 - An Act to Amend Title 14 of the Delaware Code Relating to School Calendars.

Representative Reynolds made comments.

The roll call on SB 276 w/SA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives DiPinto, Roy - 2.

Therefore, having received a constitutional majority, SB 276 w/SA 1 was returned to the Senate.

Representative Petrilli deferred to Representative Reynolds.

Representative Reynolds deferred to Representative Davis.

Representative Davis brought SB 277 w/SA 1, jointly sponsored by Senators Sokola & Connor & Representatives Reynolds & Maier & Senators Bair, Bonini, Hauge, Reed, & Still & Representatives Cloutier, Mack, Ewing, Buckworth, Carey, Wagner, DiPinto, Ulbrich & Capano, before the House for consideration.

SB 277 - An Act to Amend Title 14 of the Delaware Code Relating to Satellite Schools.

Representatives Davis & Wagner made comments.

The roll call on SB 277 w/SA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives DiPinto, Roy, Willilams - 3.

Therefore, having received a constitutional majority, SB 277 w/SA 1 was returned to the Senate.

Representative Quillen requested that HB 287 be stricken.

Representative Smith requested and was granted personal privilege of the floor for comments.

Representative Davis requested that HB 390 be stricken.

Representative Reynolds requested that HB 135 be stricken.

The Majority Leader moved to recess to the call of the Chair at 5:06 p.m.

35th LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
June 4, 1996

Mr. Acting Speaker Quillen called the House to order at 2:05 p.m.

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

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 372 w/SA 1, SCR 62 & SCR 66.

United States Senate
Office of the Secretary
May 29, 1996

The Honorable JoAnn M. Hedrick
Chief Clerk

House of Representatives
State of Delaware
Legislative Hall, Room 107
Dover, Delaware 19903

Dear Ms. Hedrick:

Thank you for your letter transmitting State of Delaware House Concurrent Resolution No. 38, urging the Congress of the United States to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to facilitate the development and approval of new drugs and biologics.

This resolution will be presented to the United States Senate and appropriately referred.

Sincerely,
Kelly D. Johnson

Mr. Speaker Spence resumed the Chair.

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

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative David H. Ennis, Sixth Representative District.

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

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

The following prefiled legislation was introduced:

HS 1 for HB 523 - ROY & PETRILLI & SENATOR SHARP - H/ADM: An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors.

HB 614 - OBERLE & SENATOR MARSHALL - LABOR: An Act to Amend Title 19, Delaware Code, Chapter 13 Creating a Statute of Limitations for the Filing of Unfair Labor Practice Charges Under the Public Employment Relations Act.

HB 615 - OBERLE & SENATOR MARSHALL - LABOR: An Act to Amend Title 19, Delaware Code, Chapter 16 Creating a Statute of Limitations for the Filing of Unfair Labor Practice Charges Under the Police Officers' and Firefighters' Employment Relations Act.

HB 616 - OBERLE & SENATOR MARSHALL - LABOR: An Act to Amend Title 14, Delaware Code, Chapter 40 Creating a Statute of Limitations for the Filing of Unfair Labor Practice Charges Under the Public School Employment Relations Act.

HB 617 - DAVIS & SENATOR COOK; REPRESENTATIVES DIPINTO, BUCKWORTH, MARONEY, BUNTING, JONKIERT; SENATORS HENRY, MCBRIDE, VAUGHN, SORENSON, STILL - JUD: An Act to Amend Chapter 101 of Title 3 of the Delaware Code to Require the Thoroughbred Racing Commission to Fingerprint All License Applicants.

HB 618 - CLOUTIER, LOFINK & SENATOR VOSHELL; REPRESENTATIVES BOULDEN, CAREY, DAVIS, LEE, ULBRICH, BANNING, BRADY, B. ENNIS, SCHROEDER - TRANS & INFRA: An Act to Amend Chapter 1 of Title 17 of the Delaware Code Relating to Corridor Capacity Preservation.

HB 619 - WELCH & CAULK & SENATOR BONINI - AG & FP & A: An Act to Amend Chapter 60, Title 7 of the Delaware Code Relating to Environmental Control.

HB 620 - BUNTING, BANNING, BOULDEN, BRADY, CAPANO, CAREY, CAULK, D. ENNIS, HOUGHTON, PLANT, REYNOLDS, SCOTT, VANSANT, WEST, WILLIAMS; SENATORS CONNOR, HENRY, SOKOLA, STILL, VAUGHN, VOSHELL - P/S: An Act to Amend Title 21 of the Delaware Code Relating to the Registration of Motor Vehicles.

HB 621 - SCHROEDER, BUNTING; SENATORS AMICK, CORDREY, VOSHELL - NAT RES: An Act to Amend Title 7 of the Delaware Code Relating to Shellfish and the Regulatory Authority of the Department of Natural Resources and Environmental Control.

HA 9 to HB 116 - WELCH - L.O.T.: Placed with the bill

HA 2 to HB 355 - DAVIS - AGENDA: Placed with the bill.

HA 2 to HB 392 - CLOUTIER - READY LIST: Placed with the bill.

HA 1 to HB 557 - WELCH - AGENDA II: Placed with the bill.

HR 79 - MAIER - CORR: Extending the Due Date of the House Probation and Parole Task Force Recommendations to the Speaker of the House of Representatives From February 15, 1996, to June 15, 1996.

HCR 58 - STONE; SENATOR COOK; REPRESENTATIVES BUCKWORTH, CAULK, DAVIS, DIPINTO, LEE, LOFINK, MAIER, OBERLE, ULBRICH, WAGNER, WELCH, BRADY, BUNTING, DILIBERTO, GILLIGAN, JONKIERT, SCHROEDER, WEST; SENATORS CORDREY, ADAMS, BLEVINS, HENRY MARSHALL, MCBRIDE, SHARP, SOKOLA, VAUGHN, VENABLES, VOSHELL, AMICK, BAIR, BONINI, CONNOR, REED, SORENSON, STILL - R & F: Urging Delaware's Congressional Delegation to Support the Retaining of the Mortgage Interest Deduction.

HA 2 to HR 60 - WAGNER - READY LIST: Placed with the bill.

SB 372 w/SA 1 - BLEVINS & REPRESENTATIVE OBERLE; SENATORS HENRY, MCBRIDE, MARSHALL, SOKOLA, VAUGHN, VOSHELL, BAIR; REPRESENTATIVES SPENCE, CAPANO, LEE, MAIER - LABOR: An Act to Amend Title 6 of the Delaware Code Relating to Motor Vehicle Repairs.

HA 1 to SB 323 - WELCH - READY LIST: Placed with the bill.

HA 1 to SB 340 - ROY - JUD: Placed with the bill.

Representatives Maroney, Stone, Maier, Scott, Davis & Williams requested that they be marked present.

Representative Plant introduced **HB 622**.

HB 622 - An Act to Amend Chapter 65, Title 11 of the Delaware Code by Creating a Prison Overcrowding Emergency Powers Act.

Mr. Speaker assigned **HB 622** to the Corrections Committee.

Representative Plant made a comment.

Representative Smith requested that he be marked present.

Representative Petrilli made an announcement.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #111

DATE: June 4, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H138-1609	Gilligan	5/31/96	T	Chris Devlin/'96 All State Swimming Team
H138-1610	Maier	5/30/96	T	Mr. Samuel Lewis/Principal /Heritage Elem./Retire/39 Yrs.
H138-1611	Maier	5/30/96	T	Karen Yarnall, Janet Facciolo-Riter & Gauger-Cobbs Students/Ceramic Mural
H138-1612	Wagner	6/18/96	T	Ralph Hinzman/Retire/Dover High/Capital School Dist./34 Years
H138-1613	Wagner	6/18/96	T	Angelo Fasano/Retire/Capital Sch. District/27 Years
H138-1614	Carey	6/04/96	T	Marion DiRubbio/'95 Staff Employee of Year
H138-1615	Carey	6/04/96	T	Shirley Sivels/'95 Employee of Fourth Quarter
H138-1616	Carey	6/04/96	T	Catherine Hazzard/'95 Employee of Second Quarter
H138-1617	Carey	6/04/96	T	Timothy Fester/'95 Employee of First Quarter
H138-1618	Carey	6/04/96	T	Dawn McCurdy/'95 Employee of Third Quarter/'95 Employee of Yr.
H138-1619	Ewing	6/02/96	T	Mr. & Mrs. LeRoy Tull/50th Wedding Anniversary
H138-1620	Carey	6/04/96	T	Aretha Tunnell/'95 Staff Employee of Year

HOUSE TRIBUTE ANNOUNCEMENT #112

DATE: June 4, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H138-1621	Schroeder	6/02/96	T	Sunil Hosmane/Eagle Scout
H138-1622	Maroney	6/01/96	T	Rev. George W. Eggleston/35 Yrs. /Presbyterian Church of Our Savior
H138-1623	Wagner	5/25/96	T	Christopher Patterson & Kerri Frabizzio/Marriage
H138-1624	Fallon	6/04/96	T	Melissa Cooper/Seaford Teacher of Year
H138-1625	Fallon	5/23/96	T	Dr. Marie Wolfgang/Athena Award
H138-1626	Fallon	5/23/96	T	Ron MacArthur/John Moore Jr. Community Service Award
H138-1627	Fallon	5/26/96	M	Mary Musgrave Richardson
H138-1628	Ulbrich	6/04/96	T	Larraine & Roger Rolfe Family/'96 Youth Baseball Family of Year
H138-1629	Ulbrich	6/04/96	T	Susan Cochran/Francis Hutchins Award in Art/Berea College
H138-1630	Banning	6/02/96	T	Deena Banning Immediato/Grad./St. Mark's High School
H138-1631	Banning	6/04/96	T	Sean McDermott Mulrine/Grad./A.I. DuPont High School
H138-1632	Banning	6/04/96	T	Kelly Jeanne Mulrine/Grad./A.I. DuPont High School
H138-1633	Banning	6/04/96	T	Andrew Aloysius Mulrine, IV/Grad./A.I. DuPont High School

T - Tribute

M - Memoriam

Representative Wagner requested that she be marked present.

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

The House reconvened at 3:56 p.m. with Representative Quillen as Acting Speaker.

The Reading Clerk read the following communications into the record:

June 4, 1996

LEGISLATIVE ADVISORY #55

Governor Thomas R. Carper signed the following legislation on the date indicated: 5/30/96 - SB 315
aab SA 1.

MEMORANDUM

TO: The Honorable Terry R. Spence

Speaker of the House

FROM: Representative Richard A. DiLiberto, Jr.

DATE: June 4, 1996

Please excuse my absence on Wednesday, June 5, 1996. I will be on business attending the annual Bench and Bar Conference, sponsored by the Delaware Supreme Court and the Delaware State Bar Association, in Wilmington, Delaware.

Thank you.

Representatives Cloutier, B. Ennis, Jonkiert, West, Brady & Oberle requested that they be marked present.

Representative Petrilli deferred to Representative Carey.

Representative Carey introduced & brought HR 80 before the House for consideration.

HR 80 - Honoring the Observance of the Golden Anniversary of the National School Lunch Program.

Representative Carey made comments.

HR 80 was adopted by voice vote.

Representatives Mack & Boulden requested that they be marked present.

Representative Petrilli brought HB 252 w/HA 1 & 2 & SA 1 & 2, sponsored by Representatives Oberle, Jonkiert, VanSant & DiLiberto, before the House for concurrence on SA 1 & 2.

HB 252 - An Act to Amend Title 21 of the Delaware Code Regarding Driving Vehicles While License is Suspended or Revoked.

Representative Petrilli made comments.

The roll call on HB 252 w/HA 1 & 2 & SA 1 & 2 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 252 w/HA 1 & 2 & SA 1 & 2 was sent to the Governor.

Representatives Reynolds & Schroeder requested that they be marked present during the roll call.

Representative Petrilli deferred to Representative Smith.

Representative Smith brought SS 1 to SB 281, jointly sponsored by Senator Marshall, before the House for consideration.

SB 281 - An Act to Amend Title 30 of the Delaware Code Relating to Withholding Taxes.

Representative Smith made comments.

The roll call on SS 1 to SB 281 was taken and revealed:

YES: 40.

ABSENT: Representative Oberle - 1.

Therefore, having received a constitutional majority, SS 1 to SB 281 was returned to the Senate.

Representative Smith brought HB 539, jointly sponsored by Representative Davis & Senators Vaughn & Connor, before the House for consideration.

HB 539 - An Act to Amend Chapter 75, Title 29, Delaware Code, Relating to Guaranteed Energy Cost Savings Contracts.

Mr. Speaker Spence resumed the Chair.

Representative Smith made comments.

The roll call on HB 539 was taken and revealed:

YES: 40.

ABSENT: Representative Oberle - 1.

Representative Welch moved to suspend the rules which interfere with rescinding the roll call on HB 539. The motion was seconded by Representative Petrilli and adopted by voice vote.

The roll call on HB 539 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 539 was sent to the Senate for concurrence.

Representative Oberle requested and was granted personal privilege of the floor for a comment.

Representative Petrilli deferred to Representative Wagner.

Representative Wagner brought HB 447, jointly sponsored by Senator Voshell & Representatives Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Quillen, Reynolds, Roy, Smith, Spence, Stone, Ulbrich, Welch, Banning, DiLiberto, B. Ennis, Jonkiert, Plant, Scott, VanSant, West & Williams, before the House for consideration.

HB 447 - An Act to Amend Chapter 16, Title 14 of the Delaware Code Relating to Alternative Education.

Representative Wagner brought HA 1 to HB 447 before the House for consideration.

Representative Wagner made a comment.

HA 1 was adopted by voice vote.

Representatives Davis, Wagner & Brady made comments.

The roll call on HB 447 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 447 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Fallon.

Representative Fallon brought HB 524, jointly sponsored by Senator Adams, before the House for consideration.

HB 524 - An Act to Amend Title 30, Delaware Code, Relating to Tax Credits to Employers Who Create Summer Positions as Part of the Summer Employment Experiences Program. (F/N)

Representative Fallon requested that HA 1 to HB 524 be stricken.

Representative Fallon brought HA 2 to HB 524 before the House for consideration.

Representative Fallon made a comment.

HA 2 was adopted by voice vote.

Representative Fallon made comments.

Representative VanSant requested and was granted the privilege of the floor for William M. Remington, Director, Division of Revenue.

Representatives VanSant, D. Ennis, Wagner, Smith, Fallon, D. Ennis, Maier & Fallon made comments.

The roll call on HB 524 w/HA 2 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 524 w/HA 2 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Mack.

Representative Mack brought HB 466 before the House for consideration.

HB 466 - An Act to Amend Title 14 of the Delaware Code Relating to School District Enrollment Choice Program.

Representative Mack brought HA 1 to HB 466 before the House for consideration.

Representatives Mack & Ulbrich made comments.

HA 1 to HB 466 was adopted by voice vote.

The roll call on HB 466 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 466 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Mack.

Representative Mack brought HB 494, jointly sponsored by Senator McBride & Representatives Carey & Schroeder & Senators Venables, Voshell, Bair & Amick, before the House for consideration.

HB 494 - An Act to Amend Title 7, Delaware Code Relating to the Delaware Pollution Prevention Program.

Representatives Mack & Smith made comments.

Representative Mack requested and was granted the privilege of the floor for Philip J. Cherry, Director, Business & Permitting Assistance, Department of Natural Resources & Environmental Control.

Representative Smith made a comment.

The roll call on HB 494 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 494 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Maroney.

Representative Maroney introduced HB 623, jointly sponsored by Senators Blevins & Marshall & Representatives Quillen, Boulden, Buckworth, Carey, Cloutier, Davis, DiPinto, Ewing, Mack, Maier, Smith, Stone, Ulbrich, Wagner, Houghton, Schroeder & Williams & Senators Sokola, Reed & Sorenson.

HB 623 - An Act to Amend Title 13 of the Delaware Code Relating to the Duty to Support.

Mr. Speaker assigned HB 623 to the Health & Human Development Committee.

Representative Maroney made a comment.

Representative Petrilli deferred to Representative Ewing.

Representative Ewing brought HB 557, jointly sponsored by Senator Voshell, before the House for consideration.

HB 557 - An Act to Amend Chapter 26, Title 21, Delaware Code to Establish Out-of-Service Penalties for Commercial Drivers. (2/3 bill)

Representative Welch brought HA 1 to HB 557 before the House for consideration.

Representative Welch made a comment.

HA 1 was adopted by voice vote.

Representative Ewing requested and was granted the privilege of the floor for Jerome Emerson, State CDL Program Coordinator, Division of Motor Vehicles.

Representatives Ewing & Oberle made comments.

The roll call on HB 557 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 557 w/HA 1 was sent to the Senate for concurrence.

Representative Maroney brought HJR 22, jointly sponsored by Senator Blevins & Representatives Spence, Buckworth, Capano, Cloutier, DiPinto, Davis, Fallon, Lee, Maier, Roy, Smith, Wagner, Welch, Banning, Brady, DiLiberto, B. Ennis, Houghton, Jonkiert, Plant, VanSant, West & Williams & Senators Adams, Henry, Marshall, Sokola, Amick, Bonini, Sorenson & Still & cosponsored by Representative Ulbrich, before the House for consideration.

HJR 22 - Requesting and Urging the Voluntary Adoption of Guidelines Regarding Post-Partum Hospital Stays by All Delaware Health Care Providers, Insurers, Health Maintenance Organizations, and Health Benefit Plans.

Representative Maroney brought HA 1 to HJR 22 before the House for consideration.

Representative Maroney made a comment.

HA 1 was adopted by voice vote.

Representative Smith brought HA 2 to HJR 22 before the House for consideration.

Representatives Smith, Maroney, Smith, Davis, Oberle, Maroney & Oberle made comments.

Representative Oberle requested and was granted the privilege of the floor for Dave Boswell, House Attorney.

Representatives Oberle, DiPinto, Oberle & Maroney made comments.

Representative Smith moved to place HA 2 on the Speaker's table. The motion was seconded by Representative Davis and adopted by voice vote.

Representative Maroney moved to place HJR 22 w/HA 1 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representatives Petrilli & Smith made comments.

Representative Maroney brought HB 496, jointly sponsored by Representative Quillen & Senator Blevins & Representatives Capano, Davis & DiLiberto & Senators Adams, Bair & Sorenson & cosponsored by Representative Ulbrich, before the House for consideration.

HB 496 - An Act to Amend Titles 13, 29, 21, 18 and 30 of the Delaware Code, Relating to Child Support Obligations. (F/N)

Representative Maroney brought HA 1 to HB 496 before the House for consideration.

Representative Maroney made comments.

HA 1 was adopted by voice vote.

Representative Maroney brought HA 2 to HB 496 before the House for consideration.

Representative Maroney made comments.

HA 2 was adopted by voice vote.

Representative Maroney made comments.

The roll call on HB 496 w/HA 1 & 2 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 496 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Smith.

Representative Smith brought HB 564, jointly sponsored by Senator Venables & Representatives Spence, Petrilli, Quillen, D. Ennis, Gilligan & VanSant & Senators Cordrey, Sharp, Bair & Connor, before the House for consideration.

HB 564 - An Act to Amend Title 6, Delaware Code, Relating to the Delaware Workers Cooperative Act. (3/5 bill)

Representative Smith brought HA 1 to HB 564 before the House for consideration.

Representative Smith made a comment.

HA 1 was adopted by voice vote.

Representative Smith made comments.

The roll call on HB 564 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 564 w/HA 1 was sent to the Senate for concurrence.

Representative D. Ennis requested and was granted personal privilege of the floor for an announcement.

Representative Quillen requested that HB 272 & HB 457 be stricken.

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

AG & FP & A: HR 77 - 1F,4M; SB 364 - 1F,4M.

The Majority Leader moved to recess to the call of the Chair at 5:33 p.m.

36th LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
June 5, 1996

Mr. Speaker Spence called the House to order at 2:04 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 408 w/SA 7, SB 287, HB 216 w/HA 1, SB 390 w/SA 1, HB 293 w/HA 1, HB 445, SB 389, SB 355 w/SA 1 & 4 & HA 1 & 2 & SA 5 & SCR 67.

The Majority Leader moved to adjourn at 2:05 p.m., thereby ending the current legislative day. The House reconvened at 2:06 p.m.

The Chief Clerk called the roll.

Members Present: 37.

Members Absent: Representatives Brady, DiLiberto, Lofink, Smith - 4.

A prayer was offered by Representative Tina Fallon, Thirty-Ninth Representative District.

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

Representative Oberle introduced John Ferguson, Former Speaker of the House.

Representative Oberle made a comment.

Representatives Jonkiert, B. Ennis, Banning & Davis requested that they be marked present.

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

The following prefilled legislation was introduced:

HB 624 - DAVIS & SENATOR COOK; REPRESENTATIVES DIPINTO, BUCKWORTH, MARONEY, BUNTING, JONKIERT; SENATORS HENRY, MCBRIDE, VAUGHN, SORENSON, STILL - APPRO: An Act to Amend Title 3 of the Delaware Code and the Laws of Delaware Relating to the Licensing of Participants, Officials, and Others in Harness Racing Meets. (3/5 bill)

HB 625 - MAIER & DAVIS, BUNTING, CAPANO, PLANT, QUILLEN, SCOTT, SPENCE, ULBRICH; SENATORS BLEVINS, HAUGE, REED, SHARP, SORENSON, VOSHELL - P/S: An Act to Amend Title 21 of the Delaware Code Relating to the Registration of Motor Vehicles. (3/5 bill)

HB 626 - MAIER, DAVIS, SMITH, SPENCE, QUILLEN, LEE, ULBRICH, BANNING, BRADY, B. ENNIS, PLANT; SENATORS ADAMS, MCDOWELL, VAUGHN, SORENSON - HEALTH & HUM DEV: An Act to Amend Title 16 of the Delaware Code Relating to HIV Testing.

HB 627 - WELCH & SENATOR BONINI; REPRESENTATIVES SPENCE, BOULDEN, CAULK, DAVIS, D. ENNIS, EWING, LEE, LOFINK, PETRILLI, SMITH, STONE, WAGNER, BANNING, BUNTING, B. ENNIS, JONKIERT, SCHROEDER; SENATORS AMICK, REED, STILL - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Family Court Protection From Abuse Proceedings.

HA 1 to HB 429 - ULBRICH - READY LIST: Placed with the bill.

HA 1 to HB 483 - BOULDEN & SCHROEDER - APPRO: Placed with the bill.

HA 1 to HB 555 - ROY - TRANS & INFRA: Placed with the bill.

HA 1 to HB 566 - ULBRICH - READY LIST: Placed with the bill.

HA 1 to HB 582 - SCOTT - READY LIST: Placed with the bill.

HA 1 to HB 589 - BUCKWORTH - AGENDA: Placed with the bill.

HA 2 to HB 589 - BUCKWORTH - AGENDA: Placed with the bill

SB 287 - VOSHELL & REPRESENTATIVE ROY; SENATOR AMICK - P/S: An Act to Amend Title 21 of the Delaware Code Relating to Terminal Rental Adjustment Clause Leases.

SB 389 - VAUGHN, SHARP; REPRESENTATIVES ROY & LEE - CORR: An Act to Amend Title 11 of the Delaware Code Relating to Certain Crimes Committed by Persons in Custody. (2/3 bill)

SB 390 w/SA 1 - VAUGHN & SHARP; REPRESENTATIVES ROY & LEE - CORR: An Act to Amend Chapter 19, Title 11 of the Delaware Code Relating to Arrest Without Warrant.

SB 408 w/SA 7 - SHARP, BAIR, BLEVINS, VOSHELL, AMICK & SORENSON;
 REPRESENTATIVES MARONEY, BRADY, CLOUTIER - HEALTH & HUM DEV: An Act to Amend Title
 16 of the Delaware Code Relating to Health Care Decisions.

HA 1 to SB 385 - WELCH - READY LIST: Placed with the bill.

The Reading Clerk read the following communications into the record:

The Honorable Speaker of the House Terry R. Spence

Dear Speaker Spence:

Please excuse my absence from session on Wednesday, June 5, 1996. A prior commitment will cause me to miss this committee day of the 138th General Assembly. I shall return to session on Thursday, June 6, 1996.

Sincerely,

Rep. Wayne A. Smith

TO: Speaker Terry R. Spence

DATE: June 5, 1996

FROM: Rep. Vincent A. Lofink

Due to personal business I will not be able to attend session today.

The Majority Leader moved to recess for committee meetings at 2:12 p.m.

The House reconvened at 4:49 p.m. with Representative Quillen as Acting Speaker.

Representative Mack requested that he be marked present.

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

LABOR: **SB 372 w/SA 1** - 4M.

H/ADM: **HB 573** - 5M; **HB 598** - 5M; **HIR 27** - 5M.

JUD: **HS 1 for HB 313** - 6M; **HB 472** - 6M; **HB 533** - 1F,5M; **HB 578** - 5M,2U; **HB 617** - 6M; **HIR 26** - 6M; **SB 324** - 6M; **SB 325 w/SA 1** - 6M; **SB 339 w/SA 1** - 6M; **SB 340 w/SA 1 & 2** - 5M; **SB 346 w/SA 1** - 6M.

P/S: **HS 1 for HB 159** - 2F,5M; **HB 605** - 4M,2U; **SB 333 w/SA 3 & 4** - 6M.

CORR: **HB 592** - 7M; **HR 79** - 7M.

NAT RES: **HS 1 for HB 514** - 3M; **HB 609** - 1F,2M; **SB 381 w/SA 1** - 1F,2M.

ED: **HB 559** - 5M; **HB 597** - 1F,5M; **HB 583** - 7M; **HB 380** - 1F,4M,2U; **HB 607** - 6M; **HB 613** - 6M; **HIR 28** - 5M; **SB 275 w/SA 1** - 6M.

Representatives Reynolds & Welch requested that they be marked present.

The following prefiled Consent Calendar #24 was introduced:

HCR 59 - HOUGHTON, MACK; SENATOR VAUGHN - Honoring Mr. Daniel Tjaden for His Many Years of Dedicated Public Service as a Member of the New Castle County Police Department.

SCR 62 - CONNOR & ADAMS & VAUGHN & REPRESENTATIVES EWING & VANSANT; ALL SENATORS; ALL REPRESENTATIVES - Proclaiming Sunday, June 23, 1996 as a Day for Delawareans to Celebrate the "70th Anniversary of Shriners Hospitals for Crippled Children, Philadelphia Unit".

SCR 66 - SOKOLA & REPRESENTATIVE REYNOLDS ON BEHALF OF ALL SENATORS & REPRESENTATIVES - Congratulating the Delaware School Boards Association on the Occasion of Its 50th Anniversary.

SCR 67 - SENATOR HENRY ON BEHALF OF THE SENATE; REPRESENTATIVE WILLIAMS ON BEHALF OF THE HOUSE OF REPRESENTATIVES - Extending a Warm Welcome to the Delegation of Japanese Educators Who Are Visiting the First State Under the Auspices of the Japanese Ministry of Education.

Representative Welch introduced **HR 81**, jointly sponsored by Representatives Caulk, Cloutier, DiPinto, Quillen, Reynolds, Smith, Stone & B. Ennis.

HR 81 - Creating a Kent County Land Use Task Force to Study Placement of Large Commercial Chicken Houses and Large Scale Hog Production Plants in Kent County and to Make Recommendations Thereon to the General Assembly.

HR 81 was placed on Consent Calendar #24.

Representative Reynolds made a comment.

Consent Calendar #24 was adopted by voice vote and **HCR 59** was sent to the Senate for concurrence & **SCR 62**, **SCR 66** & **SCR 67** were returned to the Senate.

Representative West made comments regarding **HR 81**.

Representative Davis introduced **HB 628**, jointly sponsored by Senator Cook & Representatives DiPinto, Buckworth, Maroney, Bunting & Jonkiert & Senators Henry, McBride, Vaughn, Sorenson & Still.

HB 628 - An Act to Amend Title 3 of the Delaware Code and the Laws of Delaware Relating to the Licensing of Participants in Thoroughbred Racing Meets. (3/5 bill)

Mr. Acting Speaker assigned **HB 628** to the Appropriations Committee.

The Majority Leader moved to recess to the call of the Chair at 5:03 p.m.

37th LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
June 6, 1996

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:15 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 393 & SB 312 w/SA 1.

Representatives Brady & Lofink requested that they be marked present for the current Legislative Day.

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

ECON DEV, B & I: HB 339 - 9M; HB 344 - 5M,3U; HS 1/HB 412 - 5M,2U.

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

The Majority Leader moved to adjourn at 2:17 p.m., thereby ending the current legislative day. The House reconvened at 2:18 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Carey - 1.

Representative Lee made comments.

A prayer was offered by Reverend Kevin English, Centenary United Methodist Church, Laurel, DE.

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

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

The following prefiled legislation was introduced:

HB 629 - ROY & SENATOR COOK - HOUSING & COM AFF: An Act to Amend Section 114, Chapter 1 of Title 26 of the Delaware Code Relating to the Fees to be Charged by the Public Service Commission and to Set a New, Increased Schedule for Such Fees and Charges. (3/5 bill)

HA 1 to HB 118 - OBERLE & SENATOR MARSHALL - READY LIST: Placed with the bill.

HA 1 to HB 339 - OBERLE - READY LIST: Placed with the bill.

HA 3 to HB 589 - ROY - AGENDA: Placed with the bill.

HA 1 to HB 622 - PLANT - CORR: Placed with the bill.

SB 312 w/SA 1 - BLEVINS & REPRESENTATIVE CAPANO; SENATOR SORENSON; REPRESENTATIVES ROY & SMITH - SUBS ABUSE: An Act to Amend Title 4 of the Delaware Code Relating to Licenses for Brewery-Pubs.

SB 393 - HENRY, MCBRIDE, ADAMS, BLEVINS, COOK, MARSHALL, MCDOWELL, SOKOLA, VENABLES, VOSHELL, BONINI, CONNOR & SORENSON; REPRESENTATIVES BANNING, BRADY, BUNTING, B. ENNIS, JONKIERT, SCHROEDER, SCOTT, WILLIAMS, BOULDEN, CAPANO, CLOUTIER, DIPINTO, EWING, LEE, MAIER, MARONEY, PLANT, REYNOLDS, ULBRICH, WAGNER & WEST - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Female Genital Mutilation.

Representatives Boulden & B. Ennis requested that they be marked present.

Representative B. Ennis requested and was granted personal privilege of the floor for a comment.

Representatives Williams, Roy, Maier, Jonkiert & Davis requested that they be marked present.

The Reading Clerk read the following communication into the record:

MEMORANDUM

To: The Honorable Terry R. Spence
Speaker of the House
FROM: Representative V. George Carey
DATE: June 6, 1996

Please excuse me from session of the House of Representatives on June 6, 1996. I must be away because of a death in the family.

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

HEALTH & HUM DEV: HB 623 - 6M; SB 408 w/SA 7 - 6M.

Mr. Speaker assigned HS 1 for HB 313, HB 380, HB 573, HB 597 & SB 275 to the Appropriations Committee.

Representatives D. Ennis & Ulbrich requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:25 p.m.

The House reconvened at 4:13 p.m. with Representative Quillen as Acting Speaker.

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

R & F: SB 238 w/SA 1 - 7M.

The Reading Clerk read the following communication into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Senator Patricia Blevins, do hereby request that my name be removed as Co-Sponsor of HB 511.

Date: June 6, 1996.

Signed: Patricia M. Blevins.

Representatives Lofink & Mack requested that they be marked present.

Representative DiPinto brought HB 572, jointly sponsored by Representative VanSant & Senator Cordrey, before the House for consideration.

HB 572 - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors, Cider, and Taxes. (3/5 bill)

Representative DiPinto introduced and brought HA 1 to HB 572 before the House for consideration.

Representatives DiPinto & Banning made comments.

HA 1 was adopted by voice vote.

Representatives DiPinto & Houghton made comments.

Mr. Speaker Spence resumed the Chair.

Representatives Houghton, DiPinto, West, DiPinto & Jonkiert made comments.

The roll call on HB 572 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Carey, Caulk - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 572 w/HA 1 was sent to the Senate for concurrence.

Representatives Plant, Reynolds, Schroeder, Smith & Stone requested that they be marked present during the roll call.

Representative Spence made an announcement.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle requested and was granted personal privilege of the floor for an announcement.

Representative Gilligan made a comment.

Representative Boulden requested and was granted personal privilege of the floor for a comment.

Representatives Reynolds & Lofink made comments.

Representative Oberle brought HB 574, jointly sponsored by Senator McBride & Representatives Spence, DiPinto, Roy, Welch & Banning, before the House for consideration.

HB 574 - An Act to Amend Title 11 of the Delaware Code Relating to the Law-Enforcement Officers' Bill of Rights.

Representative Oberle introduced and brought HA 1 to HB 574 before the House for consideration.

Representative Oberle made a comment.

HA 1 was adopted by voice vote.

Representatives Oberle & Plant made comments.

The roll call on HB 574 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Carey - 1.

Therefore, having received a constitutional majority, HB 574 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle brought SB 372 w/SA 1, jointly sponsored by Senators Blevins, Henry, McBride, Marshall, Sokola, Vaughn, Voshell & Bair & Representatives Spence, Capano, Lee & Maier & cosponsored by Representatives Plant & Scott, before the House for consideration.

SB 372 - An Act to Amend Title 6 of the Delaware Code Relating to Motor Vehicle Repairs.

Representative Oberle made comments.

Representative Oberle deferred to Representative Ewing.

Representative Ewing introduced and brought HA 1 to SB 372 before the House for consideration.

Representative Ewing requested and was granted the privilege of the floor for John W. Whitby, Jr., representing the Delaware Auto & Truck Dealers Association.

Representatives Ewing, Oberle & Cloutier made comments.

The roll call on HA 1 to SB 372 was taken and revealed:

YES: 20.

NO: Representatives Banning, Brady, Bunting, Cloutier, B. Ennis, Gilligan, Houghton, Jonkiert, Lofink, Mack, Oberle, Plant, Reynolds, Roy, Schroeder, Scott, VanSant, West, Williams, Mr. Speaker Spence - 20.

ABSENT: Representative Carey - 1.

Therefore, not having received a constitutional majority, HA 1 to SB 372 was declared defeated.

Representative Oberle made a comment.

Representative Oberle deferred to Representative VanSant.

Representative VanSant introduced and brought HA 2 to SB 372 before the House for consideration.

Representatives VanSant, Oberle & Ewing made comments.

HA 2 was defeated by voice vote.

The roll call on SB 372 w/SA 1 was taken and revealed:

YES: 33.

NO: Representatives Buckworth, Caulk, Ewing, Fallon, Lee, Quillen - 6.

NOT VOTING: Representative D. Ennis - 1.

ABSENT: Representative Carey - 1.

Therefore, having received a constitutional majority, SB 372 w/SA 1 was returned to the Senate.

Representative Petrilli deferred to Representative Ulbrich.

Representative Ulbrich brought HB 355, jointly sponsored by Representatives Schroeder, Spence, Petrilli, Capano, Cloutier, Davis, DiPinto, D. Ennis, Fallon, Lofink, Maier, Maroney, Reynolds, Stone, Wagner, Welch, Bunting, Gilligan, Houghton & Plant & Senators Blevins, Amick, Hauge, Henry & Reed, before the House for consideration.

HB 355 - An Act to Amend Subchapter III of Chapter 43 of Title 21 of the Delaware Code Relating to School Buses. (F/N)

Representative Ulbrich brought HA 1 to HB 355 before the House for consideration.

Representative Ulbrich made a comment.

HA 1 was adopted by voice vote.

Representative Davis brought HA 2 to HB 355 before the House for consideration. Representative Davis moved to place HA 2 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Ulbrich introduced and brought HA 3 to HB 355 before the House for consideration.

Representatives Ulbrich, Gilligan, Davis, Gilligan, Brady, Ulbrich, Davis, Brady, Cloutier, VanSant, Ulbrich & Davis made comments.

Representative Ulbrich moved to place HA 3 to HB 355 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Ulbrich moved to place HB 355 w/HA 1 on the Speaker's table. The motion was seconded by Representative Davis and adopted by voice vote.

Mr. Speaker Spence appointed Representative Quillen as Acting Speaker.

Representative Petrilli deferred to Representative Maroney.

Representative Maroney introduced HB 630, jointly sponsored by Senator Blevins & Representatives Maier, Stone, B. Ennis & Plant & Senators Henry, Marshall, Sokola, Amick & Reed.

HB 630 - An Act to Amend Titles 16, 24, and 29 of the Delaware Code Relating to Occupations and Professions and Transferring Responsibility for the Licensure of Plumbers From the Division of Public Health to the Division of Professional Regulation. (3/5 bill)

Mr. Acting Speaker assigned HB 630 to the Sunset Committee.

Representative Petrilli deferred to Representative Ewing.

Representative Ewing introduced HB 631, jointly sponsored by Representatives Caulk, Cloutier & Lee & Senator Venables.

HB 631 - An Act to Amend Title 30 of the Delaware Code Relating to Public Utility Taxes.

Mr. Acting Speaker assigned HB 631 to the Revenue & Finance Committee.

Representative Petrilli deferred to Representative Spence.

Representative Lofink requested and was granted personal privilege of the floor for an announcement.

Representative Boulden made comments.

Representative Spence introduced HB 632, jointly sponsored by Representative Oberle & Senators Sharp & McBride & Representatives Petrilli, Quillen, Boulden, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Mack, Maier, Maroney, Reynolds, Roy, Smith, Stone, Ulbrich, Wagner, Welch, Banning, Brady, B. Ennis, Gilligan, Houghton, Jonkiert, Plant, VanSant & West & Senators Adams, Bonini & Connor.

HB 632 - An Act to Amend Title 11 and Title 16 of the Delaware Code Relating to the State Bureau of Identification and Background Checks for Employees of Sanatoria, Rest Homes, Nursing Homes, Boarding Homes, and Related Institutions.

Mr. Acting Speaker assigned HB 632 to the Judiciary Committee.

Representative Spence brought HB 590, jointly sponsored by Senators McBride & Marshall & Representatives Buckworth, Capano, Carey, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Oberle, Smith, Ulbrich, Wagner, Welch, Banning, B. Ennis, Gilligan, Houghton, Jonkiert, Schroeder, Scott, VanSant, West & Williams & Senators Adams, Henry, McDowell, Vaughn, Sokola, Bair & Connor & cosponsored by Representative Stone, before the House for consideration.

HB 590 - An Act to Amend Chapter 7, Title 18, Delaware Code Relating to the Distribution of Insurance Premium Taxes and Fees.

Representatives Spence & Gilligan made comments.

Representative Spence requested and was granted the privilege of the floor for David Craig, Deputy Pension Administrator for the State.

Representatives Gilligan, Davis, Spence, Jonkiert, B. Ennis, Spence, Scott, Bunting, Petrilli, Davis, Spence & Davis made comments.

Representative Plant rose on a point of order. Mr. Acting Speaker concurred.

Representatives Plant, Spence, Petrilli, Plant, Williams, DiPinto, Scott & Spence made comments.

The roll call on HB 590 was taken and revealed:

YES: 39.

ABSENT: Representatives Carey, Caulk - 2.

Therefore, having received a constitutional majority, HB 590 was sent to the Senate for concurrence.

Representative Spence introduced guests.

Representative Petrilli deferred to Representative Roy.

Representative Roy brought HB 579, jointly sponsored by Senator Sharp, before the House for consideration.

HB 579 - An Act to Amend Section 1405, Title 11 of the Delaware Code, Relating to the Exceptions to the Offense of Possessing a Gambling Device.

Representative Roy made a comment.

Representative Roy introduced and brought HA 1 to HB 579 before the House for consideration.

Representatives Roy & Davis made comments.

Representative Roy requested and was granted the privilege of the floor for David Swayze, representing Autotote, Inc.

Representatives Davis & Roy made comments.

HA 1 to HB 579 was adopted by voice vote.

The roll call on HB 579 w/HA 1 was taken and revealed:

YES: 38.

ABSENT: Representatives Carey, Caulk, Spence - 3.

Therefore, having received a constitutional majority, HB 579 w/HA 1 was sent to the Senate for concurrence.

Representative Roy brought HB 589, jointly sponsored by Representatives Spence & Gilligan & Senator Sharp & Representatives DiLiberto & VanSant, before the House for consideration.

HB 589 - An Act to Amend Title 8, 9 and 29 of the Delaware Code Relating to Eliminating the Requirement for the Recordation of, and Enhancing Public Access to, Corporation Documents in the Offices of the Recorders of Deeds. (2/3 bill)

Representative Roy deferred to Representative Buckworth.

Representative Buckworth requested that HA 1 & HA 2 to HB 589 be stricken.

Representative Roy brought HA 3 to HB 589 before the House for consideration.

Representative Roy made a comment.

HA 3 was adopted by voice vote.

Representative Roy deferred to Representative Buckworth.

Representative Buckworth introduced and brought HA 4 to HB 589 before the House for consideration.

Representatives Buckworth, Ewing & Roy made comments.

HA 4 to HB 589 was adopted by voice vote.

The roll call on HB 589 w/HA 3 & 4 was taken and revealed:

YES: 39.

ABSENT: Representatives Carey, Williams - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 589 w/HA 3 & 4 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Ulbrich.

Representative Ulbrich moved to lift HB 355 w/HA 1 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Ulbrich brought HB 355, jointly sponsored by Representatives Schroeder, Spence, Petrilli, Capano, Cloutier, Davis, DiPinto, D. Ennis, Fallon, Lofink, Maier, Maroney, Reynolds, Stone, Wagner, Welch, Bunting, Gilligan, Houghton & Plant & Senators Blevins, Amick, Hauge, Henry & Reed, before the House for consideration.

HB 355 - An Act to Amend Subchapter III of Chapter 43 of Title 21 of the Delaware Code Relating to School Buses. (F/N)

Representative Ulbrich introduced and brought HA 4 to HB 355 before the House for consideration.

Representatives Ulbrich & VanSant made comments.

HA 4 was adopted by voice vote.

Representatives Bunting, Ulbrich & Brady made comments.

The roll call on HB 355 w/HA 1 & 4 was taken and revealed:

YES: 40.

ABSENT: Representative Carey - 1.

Therefore, having received a constitutional majority, HB 355 w/HA 1 & 4 was sent to the Senate for concurrence.

Representative Ulbrich made comments.

Representative Ewing requested and was granted the privilege of the floor for the introduction of guests.

Representative Buckworth introduced and brought HCR 60, jointly sponsored by Senator Bonini & Representatives Carey, Quillen, Lee, D. Ennis, Welch, Spence, Ewing, Petrilli, Reynolds, Oberle, Fallon, DiPinto, Wagner, Bunting, Schroeder, Brady, Houghton, Gilligan, VanSant & West & All Senators & cosponsored by Representatives Maroney, Maier, Fallon, Roy, Mack, B. Ennis, Davis & Jonkiert, before the House for consideration.

HCR 60 - Extending Many, Many Thanks to Raymond S. Pusey, Director of Highway Operations, Who Retired on March 1, 1996, After a Forty (40) Year Career With the Department of Transportation.

Representative Buckworth made comments.

HCR 60 was adopted by voice vote and sent to the Senate for concurrence.

Representatives Cloutier, Wagner & Bunting made comments.

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

ECON DEV, B & I: HB 321 - 8M.

The Majority Leader moved to recess to the call of the Chair at 6:30 p.m.

38th LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
June 11, 1996

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:11 p.m.

The Reading Clerk read the following communications into the record:

June 6, 1996

LEGISLATIVE ADVISORY #56

Governor Thomas R. Carper signed the following legislation on the date indicated: 6/05/96: SB 195 aab SA 2, HB 399, HB 359 aab HA 1 & SA 1 & HB 487.

Representative Ewing made a comment.

The Majority Whip moved to adjourn at 2:12 p.m., thereby ending the current legislative day. The House reconvened at 2:13 p.m.

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by J. Benjamin Ewing, Jr., Thirty-Fifth Representative District.

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

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

The following prefiled legislation was introduced:

HS 2 to HB 433 - B. ENNIS; SENATORS BLEVINS & MCBRIDE; REPRESENTATIVES BANNING, BRADY, BUNTING, GILLIGAN, HOUGHTON, JONKIERT, PLANT, SCHROEDER, VANSANT, WEST, SPENCE, FALLON, MAIER - HEALTH & HUM DEV: An Act to Amend Chapter 97, Title 16, Delaware Code Relating to a Statewide Trauma Care System.

HB 633 - MARONEY, BUCKWORTH, CAPANO, CLOUTIER, DIPINTO, EWING, MACK, MAIER, BANNING, BRADY, HOUGHTON, SCOTT; SENATORS MCDOWELL, SORENSON - HEALTH & HUM DEV: An Act to Amend Title 31 of the Delaware Code Relating to the Children's Trust Fund Board of Directors.

HB 634 - SMITH - R & F: An Act to Amend Title 29 of the Delaware Code Relating to the Sale of Instant Lottery Tickets.

HB 635 - WELCH & SENATOR COOK; REPRESENTATIVES SPENCE, PETRILLI, BOULDEN, CAULK, CAPANO, DAVIS, D. ENNIS, EWING, LEE, LOFINK, MAIER, OBERLE, SMITH, ULBRICH, WAGNER, BANNING, BUNTING, B. ENNIS, JONKIERT, SCHROEDER; SENATORS VENABLES, BONINI, REED, STILL - JUD: An Act to Amend Chapter 81 of Title 10 of the Delaware Code Relating to Personal Actions.

HB 636 - JONKIERT & SENATOR SHARP; ALL HOUSE MEMBERS; SENATORS ADAMS, AMICK, BAIR, BLEVINS, BONINI, CONNOR, COOK, HAUGE, HENRY, MARSHALL, MCBRIDE,

MCDOWELL, REED, SOKOLA, SORENSON, STILL, VAUGHN, VENABLES, VOSHELL - LABOR: An Act to Amend Title 29, Chapter 58 of the Delaware Code Relating to the Requirements Imposed Upon State Employees.

HB 637 - WEST, B. ENNIS, HOUGHTON, BANNING, PLANT, BRADY, SCOTT, DILIBERTO, WILLIAMS, CAULK, EWING, QUILLEN, LEE, CAREY; SENATORS ADAMS, CORDREY - NAT RES: An Act to Amend Subchapter VI, Chapter 7, Title 7, Delaware Code Relating to the Baiting and Hunting of Deer.

HB 638 - BRADY, BANNING, BOULDEN, BUCKWORTH, BUNTING, CAPANO, CAREY, CAULK, B. ENNIS, D. ENNIS, EWING, FALLON, HOUGHTON, JONKIERT, LEE, LOFINK, MACK, OBERLE, PETRILLI, PLANT, REYNOLDS, SCOTT, SMITH, VANSANT, WAGNER, WEST, WILLIAMS - ED: An Act to Amend Chapter 2 of Title 14 of the Delaware Code Relating to Attendance Within School Districts.

HA 2 to HB 449 - WAGNER: APPRO: Placed with the bill.

HA 2 to HB 534 - QUILLEN - READY LIST: Placed with the bill.

HA 1 to HB 584 - D. ENNIS - AGENDA: Placed with the bill.

HA 1 to HB 603 - WELCH - TRANS & INFRA: Placed with the bill.

HA 1 to HB 605 - EWING - AGENDA II: Placed with the bill.

HA 1 to HB 623 - MARONEY - READY LIST: Placed with the bill.

HR 82 - OBERLE - LABOR: Requesting That the City of Newark Cease and Desist From the Practice of Purchasing Foreign-Made Vehicles.

HCR 61 - MARONEY & SENATOR BLEVINS; REPRESENTATIVES SPENCE, BUCKWORTH, CAPANO, CLOUTIER, DIPINTO, DAVIS, FALLON, LEE, MAIER, ROY, SMITH, WAGNER, WELCH, BANNING, BRADY, DILIBERTO, B. ENNIS, HOUGHTON, JONKIERT, PLANT, VANSANT, WEST, WILLIAMS; SENATORS ADAMS, HENRY, MARSHALL, SOKOLA, AMICK, BONINI, SORENSON, STILL - ECON DEV, B & I: Requesting and Urging the Voluntary Adoption of Guidelines Regarding Post-Partum Hospital Stays by All Delaware Health Care Providers, Insurers, Health Maintenance Organizations, and Health Benefit Plans; Requesting the Delaware Health Care Commission to Monitor Certain Readmissions.

HA 1 to SB 243 - ROY - READY LIST: Placed with the bill.

HA 2 to SB 323 - WELCH - READY LIST: Placed with the bill.

HA 1 to SB 346 - WELCH - READY LIST: Placed with the bill.

Representatives B. Ennis, Davis, West & Williams requested that they be marked present.

Representative Jonkiert requested and was granted personal privilege of the floor for comments.

Representatives DiLiberto, Wagner, Maroney, Bunting & Boulden requested that they be marked present.

Mr. Speaker assigned **HB 49, HB 321 & HS 1 to HB 412** to the Appropriations Committee.

Mr. Speaker reassigned **HB 555** to the Labor Committee.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #113

DATE: June 11, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1634	Fallon	6/05/96	T	Irving Greene/Turnabout Counselling Services
H138-1635	Fallon	6/06/96	T	Carol Schreffler/Contributions Vocational Ed.
H138-1636	Fallon	6/04/96	T	Amanda Weister/"Resolution Mama" Poster
H138-1637	Oberle	6/23/96	T	Fr. Oscar Frundt/40th Anniv. /Ordination
H138-1638	Cosponsors: All House Members Carey	6/04/96	T	Floyd Toomey/Chief's Achievement Medal
H138-1639	Jonkiert	4/06/96	T	Clifford Hearn/87th Birthday
H138-1640	Wagner	5/11/96	T	Soloman Knopf & Lori Schoenwolf/Marriage
H138-1641	Wagner	5/29/96	T	Shaun Jones/DSSAA Golf Champ.
H138-1642	Banning	6/01/96	T	Ashley Banning/Complete 1st Grade
H138-1643	Banning	6/01/96	T	Scott Martin/AAU/U.S. Junior Olympic Baseball Team

H138-1644	Banning	6/01/96	T	Alfred & Charlotte Atkinson/50th Wedding Anniversary
H138-1645	Brady	6/05/96	T	Mary Beth Youse/6 Yrs. Ded./Lancashire Elementary School
H138-1646	Brady	6/11/96	T	Howard Simpkins/Retire/Mt. Pleasant High School

HOUSE TRIBUTE ANNOUNCEMENT #114

DATE: June 11, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H138-1647	Brady	6/11/96	T	Charles McMahon/Retire/Mt. Pleasant High School
H138-1648	Brady	6/11/96	T	James Brown/Retire/Mt. Pleasant High School
H138-1649	Brady	6/17/96	T	Michael Modica/Retire/Brandywine School Board
H138-1650	Quillen	7/24/96	T	Mary Ivins/90th Birthday
H138-1651	Wagner	8/17/96	T	Gregory Patterson & Sarah Wyatt/Marriage
H138-1652	DiLiberto	6/01/96	T	Brandon Farmer/Nat. Hon. Soc.
H138-1653	B. Ennis	5/28/96	T	Victor Keeler/Outstanding Masonry Student/Hodgson Vo-Tech
H138-1654	Oberle	9/01/96	T	William Archer/73rd Birthday
H138-1655	VanSant	5/18/96	T	Frances & William Bowman/50th Wedding Anniversary
H138-1656	VanSant	5/25/96	T	Clare & Leonard Cussack/50th Wedding Anniversary
H138-1657	Fallon	6/21/96	T	WBOC & Tom Draper & Bill Kenton/Boys' Club & Girls' Club
H138-1658	West	5/05/96	T	Faye & Preston Johnson/50th Wedding Anniversary
H138-1659	West	6/01/96	T	Mike Hall/DE Sports Hall of Fame

HOUSE TRIBUTE ANNOUNCEMENT #115

DATE: June 11, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H138-1660	West	6/01/96	T	Sussex Central High Sch. Softball Team/'96 Hen. Conf. Champions
H138-1661	DiLiberto	12/23/96	T	Mr. & Mrs. William Lafferty/Marriage
H138-1662	DiLiberto	6/01/96	T	Megan Broomall/Grad./St. Mark's
H138-1663	Maroney	7/05/96	T	Marie McClure/75th Birthday
H138-1664	Maroney	6/07/96	T	First State School/10th Anniv.
H138-1665	Boulden	7/09/96	T	James Wood, Jr./Pres./Aetna Hose Hook, Ladder Co./90th Birthday
H138-1666	Boulden	6/05/96	T	Anna White/Harry Truman Scholarship/Public Service
H138-1667	Fallon	6/21/96	T	Comcast/Brian Lynch/Tom Worley/Boys' & Girls' Club/Contributions
H138-1668	Fallon	6/06/96	T	Joel Fallon/"Outstanding Non-News Videographer"/Emmy Award
H138-1669	Buckworth	6/09/96	T	Doris Wilt/Retire/Torrene Point Elem. Sch./21 Yrs. Ded. Serv./Sch. Nurse
H138-1670	Brady	6/11/96	T	George Bynum/Retire/Mt. Pleasant High/29 Yrs.
H138-1671	Carey	6/08/96	T	William Jester/Com. Amer. Legion Post #3
H138-1672	Smith	6/11/96	T	Erin Edwards/1st Place/'96 State History Day Competition

T - Tribute

M - Memoriam

The House observed a moment of silence in memory of the Millman Family from Representative Carey's district.

Representative Banning requested that he be marked present.

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

The House reconvened at 3:40 p.m. with Representative Quillen as Acting Speaker.

Representative Petrilli requested that he be marked present.

Representative Petrilli deferred to Representative DiLiberto.

Representative DiLiberto requested and was granted personal privilege of the floor to introduce Redding Fellows who announced their names for the record and were presented with House Tributes.

Representatives Cloutier, Brady, Lofink & Schroeder requested that they be marked present.

Representative Petrilli deferred to Representative DiPinto.

Representative DiPinto made a comment.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle moved to lift SB 201 w/SA 1 from the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Oberle brought SB 201 w/SA 1, jointly sponsored by Senator Vaughn, before the House for consideration.

SB 201 - An Act to Amend Chapter 23, Title 18, Delaware Code, Relating to Unfair Insurance Practices.

Representative Bunting announced that he will not voting on SB 201 w/SA 1 because of a possible conflict of interest.

Representative Oberle brought HA 1 to SB 201 before the House for consideration.

Representative Oberle made a comment.

HA 1 was adopted by voice vote.

Representative Oberle deferred to Representative Jonkiert.

Representative Jonkiert introduced and brought HA 2 to SB 201 before the House for consideration.

Representatives Jonkiert & Oberle made comments.

Mr. Speaker Spence resumed the Chair.

HA 2 to SB 201 was adopted by voice vote.

Representatives Oberle, Smith & Oberle made comments.

Representative Oberle deferred to Representative Stone.

Representative Stone made comments.

Representative Plant requested and was granted the privilege of the floor for Frank Pileggi, House Attorney.

Representatives Plant, Smith, Banning, West, Ulbrich, Smith, Wagner, Oberle & Plant made comments.

The roll call on SB 201 w/SA 1 & HA 1 & 2 was taken and revealed:

YES: 23.

NO: Representatives Boulden, Buckworth, Capano, Carey, DiPinto, Ewing, Fallon, Maier, Maroney, Petrilli, Quillen, Smith, Ulbrich - 13.

NOT VOTING: Representatives Bunting, Davis, D. Ennis, Roy, Wagner - 5.

Therefore, having received a constitutional majority, SB 201 w/SA 1 & HA 1 & 2 was returned to the Senate for concurrence on HA 1 & 2.

Representative Petrilli deferred to Representative DiPinto.

Representatives D. Ennis, Reynolds & Mack requested that they be marked present during the roll call.

Representative DiPinto brought HB 522, jointly sponsored by Representatives Spence, Quillen, Carey, Davis, Mack, Maroney, Smith, Banning, Brady, B. Ennis & Gilligan & Senator Bair, before the House for consideration.

HB 522 - An Act to Amend Title 10 and Title 25 of the Delaware Code Relating to Landlord-Tenant Relationships; and Providing for a Residential Landlord-Tenant Code.

Representative DiPinto introduced and brought HA 1 to HB 522 before the House for consideration.

Representative DiPinto made comments.

HA 1 was adopted by voice vote.

Representative DiPinto deferred to Representative Bunting.

Representative Bunting introduced and brought HA 2 to HB 522, jointly sponsored by Representative Schroeder, before the House for consideration.

Representatives Bunting & DiPinto made comments.

HA 2 was adopted by voice vote.

Representative DiPinto deferred to Representative Schroeder.

Representative Schroeder introduced and brought HA 3 to HB 522, jointly sponsored by Representative Bunting, before the House for consideration.

Representatives Schroeder, DiPinto, Ewing, Schroeder, Bunting, Davis, DiPinto, VanSant, DiPinto, Bunting & Schroeder made comments.

The roll call on HA 3 to HB 522 was taken and revealed:

YES: 21.

NO: Representatives Boulden, Capano, Carey, DiPinto, Lee, Maier, Maroney, Petrilli, Quillen, Roy, Smith, Stone, Ulbrich, Wagner, Welch, Mr. Speaker Spence - 16.

NOT VOTING: Representatives Buckworth, D. Ennis, Ewing, Fallon - 4.

Therefore, having received a constitutional majority, HA 3 to HB 522 was adopted.

Representative DiPinto made comments.

The roll call on HB 522 w/HA 1,2 & 3 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority HB 522 w/HA 1,2 & 3 was sent to the Senate for concurrence.

Representative Roy brought HB 262, jointly sponsored by Representative Lofink & Senator Sokola, before the House for consideration.

HB 262 - An Act to Amend Title 6 of the Delaware Code Relating to Residential Heating Systems.

Representative Roy moved to place HB 262 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Roy brought HB 455, jointly sponsored by Senator Sharp, before the House for consideration.

HB 455 - An Act to Amend Chapter 28, Title 21 of the Delaware Code Relating to Habitual Motor Vehicle Offenders.

Representative Roy made comments.

The roll call on HB 455 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 455 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative B. Ennis.

Representative B. Ennis brought HS 1 to HB 437, jointly sponsored by Senator Vaughn & Representatives Houghton, West, Banning, Brady, Gilligan, Jonkiert, Plant, VanSant, Caulk, Carey, Mack, Wagner, Buckworth, Welch & D. Ennis & Senator Voshell, before the House for consideration.

HB 437 - An Act to Amend Chapter 9, Title 7, Delaware Code, Relating to Commercial Food Fishing License. (2/3 bill)

Representatives B. Ennis, Davis, Schroeder, Carey & West made comments.

The roll call on HS 1 to HB 437 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HS 1 to HB 437 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Lee.

Representative Lee brought SB 376 w/SA 1, jointly sponsored by Senators Vaughn & Sharp & Representatives B. Ennis, Ewing & Capano, before the House for consideration.

SB 376 - An Act to Amend Title 11 of the Delaware Code Relating to Requirements for Inmates to Pay for Certain Medical Services and Medications.

Representatives Lee, Plant & Scott made comments.

Representative Scott requested and was granted the privilege of the floor for Stanley Taylor, Commissioner of Corrections.

Representatives Scott, West & Williams made comments.

Representative Plant requested and was granted the privilege of the floor for Stanley Taylor, Commissioner of Corrections.

Representative Plant made comments.

The roll call on SB 376 w/SA 1 was taken and revealed:

YES: 39.

NOT VOTING: Representative Scott - 1.

ABSENT: Representative Jonkiert - 1.

Therefore, having received a constitutional majority, SB 376 w/SA 1 was returned to the Senate.

Representative Petrilli deferred to Representative Lee.

Representative Lee brought SB 377 w/SA 1, jointly sponsored by Senators Vaughn, Sharp & Blevins & Representatives Ewing, B. Ennis & Capano, before the House for consideration.

SB 377 - An Act to Amend Title 10, Title 29 and Title 11 Relating to Court Costs, Filing Fees and Creating a Mechanism for Sanctioning Frivolous Prisoner Litigation.

Representative Lee made comments.

The roll call on SB 377 w/SA 1 was taken:

Representative Welch moved to suspend the rules which interfere with suspension and rescission of the roll call on SB 377 w/SA 1. The motion was seconded by Representative Quillen adopted by voice vote.

Representative Stone made comments.

Representative Lee requested and was granted the privilege of the floor for Carl Danberg, Deputy Attorney General.

Representatives Stone & Oberle made comments.

Mr. Speaker Spence declared a recess for the purpose of changing the recording tape at 5:25 p.m.

The House reconvened at 5:28 p.m with Representative Quillen as Acting Speaker.

Representatives Lee & Plant made comments.

The roll call on SB 377 w/SA 1 was taken and revealed:

YES: 38.

NO: Representative Cloutier - 1.

NOT VOTING: Representatives Plant, Scott - 2.

Therefore, having received a constitutional majority, SB 377 w/SA 1 was returned to the Senate.

Representative Petrilli deferred to Representative Capano.

Representative Capano brought HS 2 for HB 276, jointly sponsored by Senator Blevins, before the House for consideration.

HB 276 - An Act to Amend Section 2708, Title 18 of the Delaware Code, Relating to Consent of Insured in Life, Health Insurance.

Representatives Capano & D. Ennis made comments.

The roll call on HS 2 for HB 276 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HS 2 for HB 276 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Maroney.

Mr. Speaker Spence resumed the Chair.

Representative Capano brought SB 337, jointly sponsored by Senators Blevins, Sorenson, Vaughn, Sokola, Bair & Henry & Representatives Wagner, Maier, Banning, Jonkiert, Spence & Schroeder & cosponsored by Senator Marshall, before the House for consideration.

SB 337 - An Act to Amend Title 13 of the Delaware Code Relating to the Powers and Duties of the Domestic Violence Coordinating Council.

Representative Capano made comments.

The roll call on SB 337 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 337 was returned to the Senate.

Representative Maroney brought SB 353 w/SA 1, jointly sponsored by Senators McDowell, Blevins, Henry & Sorenson & Representatives DiLiberto, Reynolds & Schroeder, before the House for consideration.

SB 353 - An Act to Amend Title 31 of the Delaware Code Relating to Dependent or Neglected Children as Wards of the State, and Title 31 of the Delaware Code Relating to Delinquent Youths.

Representative Maroney made a comment.

The roll call on SB 353 w/SA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 353 w/SA 1 was returned to the Senate.

Representative Petrilli brought Consent Agenda A before the House for consideration.

HB 571 - EWING - An Act to Amend Chapter 21, Title 21 of the Delaware Code Relating to the Number of Plates for Manufacturers and Dealers.

SS 1/SB 347 - HENRY, SOKOLA, HAUGE; REPRESENTATIVE WILLIAMS; SENATOR VOSHELL; REPRESENTATIVE EWING - An Act to Amend Title 21 of the Delaware Code Relating to Sale of Motor Vehicles.

SB 326 - VOSHELL; REPRESENTATIVE EWING - An Act to Amend Title 4 of the Delaware Code Relating to Transportation of Spirits, Wines or Beer.

SB 339 w/SA 1 - SHARP, VAUGHN; REPRESENTATIVES OBERLE, SPENCE - An Act to Amend Title 11 of the Delaware Code Relating to Wearing Disguises During the Commission of a Felony.

SB 324 - SHARP, VAUGHN; REPRESENTATIVE SPENCE; SENATOR VAUGHN; REPRESENTATIVE OBERLE - An Act to Amend Title 11 of the Delaware Code Relating to Falsely Reporting an Incident.

HB 430 - ULBRICH; SENATOR BLEVINS; REPRESENTATIVES MAIER, SCOTT; SENATORS VOSHELL, REED; REPRESENTATIVES CAPANO, HOUGHTON; SENATORS SOKOLA, BONINI - An

Act to Amend Chapter 11, Title 24 of the Delaware Code Relating to Dentistry and Dental Hygiene.

HB 474 - ULBRICH; SENATOR BLEVINS; REPRESENTATIVE MAIER; SENATORS BONINI, SOKOLA; REPRESENTATIVES CAPANO, SCOTT; SENATORS REED, VOSHELL - An Act to Amend Chapter 53, Title 24 of the Delaware Code Relating to the Massage/Bodywork Practitioner Act.

The roll call on Consent Agenda A was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 571, HB 430 & HB 474** were sent to the Senate for concurrence and **SS 1 to SB 347, SB 326, SB 339 w/SA 1 & SB 324** were returned to the Senate. Representative Petrilli deferred to Representative Oberle.

Representative Oberle brought **HB 339**, jointly sponsored by Representative Spence & Senators McBride & Sharp, before the House for consideration.

HB 339 - An Act to Amend Title 18 of the Delaware Code Relating to Expert Witnesses.

Representative Oberle requested that **HA 1 to HB 339** be stricken.

Representative Oberle introduced and brought **HA 2 to HB 339** before the House for consideration.

Representative Oberle made a comment.

HA 2 was adopted by voice vote.

Representatives Oberle, DiLiberto, DiPinto & Oberle made comments.

The roll call on **HB 339 w/HA 2** was taken and revealed:

YES: 35.

NO: Representative Cloutier - 1.

NOT VOTING: Representatives Bunting, Capano, DiPinto, Stone, Wagner - 5.

Therefore, having received a constitutional majority, **HB 339 w/HA 2**, was sent to the Senate for concurrence.

Representative VanSant requested and was granted personal privilege of the floor for the introduction of a guest.

Representative Davis requested and was granted personal privilege of the floor for an announcement.

The Majority Leader moved to recess to the call of the Chair at 6:00 P.M.

39th LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
June 12, 1996

Mr. Speaker Spence called the House to order at 2:18 p.m.

Mr. Speaker Spence made an announcement.

Representative Roy introduced **HB 650**.

HB 650 - An Act to Amend Chapter 11, Title 9 of the Delaware Code Relating to the Number and Term of Office of New Castle County Council Members; and Vote Requirements for Certain Ordinances.

Mr. Speaker assigned **HB 650** to the Transportation & Infrastructure Committee.

Representative Caulk requested that **HB 322** be stricken.

The Majority Leader moved to adjourn at 2:20 p.m., thereby ending the current legislative day. The House reconvened at 2:21 p.m.

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Jonkiert - 1.

A prayer was offered by Pamela S. Maier, Twenty-First Representative District.

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

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

The following prefiled legislation was introduced:

HB 639 - ROY & SENATOR SHARP; REPRESENTATIVE DILIBERTO; SENATOR AMICK -

JUD: An Act Proposing an Amendment to Article IV, Section 26 of the Delaware Constitution of 1897, as Amended, Relating to the Powers and Duties of the Prothonotary and the Entry of Testatum Fieri Facias. (2/3 bill)

HB 640 - MARONEY & SENATOR BLEVINS; REPRESENTATIVES CAPANO, MAIER, ULBRICH, HOUGHTON, SCOTT; SENATORS BLEVINS, MCDOWELL, SOKOLA, VOSHELL, AMICK, BONINI, BAIR, REED, SORENSON - HEALTH & HUM DEV: An Act to Amend Chapter 93, Title 16, Delaware Code, Relating to Health Planning and Resources Management.

HB 641 - DIPINTO, CAPANO - HEALTH & HUM DEV: An Act to Amend Title 13, Delaware Code Relating to Marriage Licenses.

HB 642 - CAPANO & SENATOR BLEVINS; REPRESENTATIVES BOULDEN, BUCKWORTH, CLOUTIER, DIPINTO, D. ENNIS, EWING, LEE, MAIER, MARONEY, REYNOLDS, SMITH, STONE, ULBRICH, WAGNER, BANNING, BRADY, HOUGHTON, PLANT, SCHROEDER, SCOTT, WILLIAMS;

SENATORS HENRY, MARSHALL, MCBRIDE, SOKOLA, VOSHELL, BAIR, CONNOR, BONINI, HAUGE, SORENSON - P/S: An Act to Amend Title 21, Section 305 of the Delaware Code Relating to Registration, License and Driver's Performance Records. (2/3 bill)

HB 643 - CAPANO & SENATOR BLEVINS; REPRESENTATIVES SPENCE, QUILLEN, BUCKWORTH, DIPINTO, MAIER, MARONEY, REYNOLDS, SMITH, STONE, GILLIGAN, VANSANT, BANNING; SENATORS HENRY, MARSHALL, MCBRIDE, SOKOLA, VOSHELL, BAIR, BONINI, CONNOR, HAUGE, SORENSON - H/ADM: An Act to Amend Title 15 of the Delaware Code Relating to Voter Registration.

HB 644 - WELCH, MARONEY, SCHROEDER & SENATOR BLEVINS; REPRESENTATIVE CAPANO & SENATORS VENABLES & SORENSON - JUD: An Act to Amend Title 10 of the Delaware Code Relating to Protection From Abuse Proceedings.

HB 645 - JONKIERT & SENATOR MARSHALL - LABOR: An Act to Amend Chapter 23, Title 19, of the Delaware Code, Relating to Payment of Expenses and Loss of Wages of Employees Due to Medical Examinations by Insurance Company or Employer-Selected Physicians.

HB 646 - WEST, B. ENNIS, BUNTING, SCHROEDER, HOUGHTON, QUILLEN, LEE, FALLON, CAREY, EWING; SENATORS CORDREY, ADAMS - JUD: An Act to Amend Chapter 21, Title 10, Delaware Code, Relating to Compensation of the Sheriff of Sussex County.

HB 647 - B. ENNIS & BANNING; SENATORS VAUGHN & VOSHELL - P/S: An Act to Amend Chapter 70, Title 21 of the Delaware Code Relating to Fire Lanes.

HB 648 - B. ENNIS & DIPINTO & D. ENNIS & SENATOR VOSHELL; REPRESENTATIVES BANNING, BRADY, BUCKWORTH, BUNTING, CAREY, CLOUTIER, DILIBERTO, GILLIGAN, HOUGHTON, LEE, LOFINK, OBERLE, PLANT, QUILLEN, REYNOLDS, SCOTT, SPENCE, ULBRICH, VANSANT, WELCH, WEST, WILLIAMS; SENATOR VAUGHN - HEALTH & HUM DEV: An Act to Amend Chapter 63, Title 16, Delaware Code Relating to Emergency Planning and Community Right-to-Know.

HB 649 - SCHROEDER & SENATOR CORDREY (BY REQUEST) - JUD: An Act to Amend Section 5303, Title 11 of the Delaware Code Relating to the Court of Common Pleas. (2/3 bill)

HA 1 to HB 340 - MARONEY - ECON DEV, B & I: Placed with the bill.

HA 2 to HB 502 - BUCKWORTH - APPRO: Placed with the bill.

HA 1 to HS 1 for HB 514 - BUCKWORTH - READY LIST: Placed with the bill.

HA 1 to HB 570 - OBERLE - AGENDA II: Placed with the bill.

HA 1 to HB 578 - DAVIS - AGENDA II: Placed with the bill.

HA 2 to HB 578 - DAVIS - AGENDA II: Placed with the bill.

HJR 29 - B. ENNIS, BANNING, BOULDEN, BRADY, BUCKWORTH, BUNTING, CAPANO, CAREY, CAULK, CLOUTIER, DAVIS, DILIBERTO, DIPINTO, D. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, JONKIERT, LEE, LOFINK, MACK, MAIER, MARONEY, OBERLE, PETRILLI, PLANT, QUILLEN, REYNOLDS, ROY, SCHROEDER, SCOTT, SMITH, SPENCE, STONE, ULBRICH, VANSANT, WAGNER, WELCH, WEST, WILLIAMS; SENATORS COOK, VAUGHN, VOSHELL, ADAMS, BLEVINS, VENABLES, STILL - P/S: Authorizing and Directing the Delaware Fire Prevention Commission to Name the Fire Service Training Center (Only) Located at 1461 Chestnut Grove Road as the "Louis J. Amabili Fire Service Training Center" for His Long Tenure and Dedicated Fire Service in the State of Delaware and the Recognition He Has Brought to Our State.

HA 1 to SJR 17 - LEE - READY LIST: Placed with the bill.

The Reading Clerk read the following communications into the record:

Office of the Clerk

United States House of Representatives

June 4, 1996

The Honorable JoAnn M. Hedrick

Chief Clerk of the House

House of Representatives

State of Delaware

Legislative Hall

Dover, Delaware 19903

Dear Ms. Hedrick:

This will acknowledge receipt of House Resolution No. 38 memorializing the concurrent resolution urging the Congress of the United States to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to facilitate the development and approval of new drugs and biologics.

Your resolution is being referred to the Speaker of the House for appropriate action.

Sincerely yours,

Robin H. Carle

Clerk of the House

RHC/lah

June 10, 1996

LEGISLATIVE ADVISORY #57

Governor Thomas R. Carper signed the following legislation on the date indicated: 6/07/96: HB 550
aab HA 1 & SB 350.

June 11, 1996

LEGISLATIVE ADVISORY #58

Governor Thomas R. Carper vetoed the following legislation on the date indicated: 5/16/96: HB 560.

State of Delaware
 Office of the Governor
 May 16, 1996

To the Honorable Members of the House of Representatives 138th General Assembly:

I am returning House Bill Number 560 to you without my signature today. I feel the need to explain to you my veto decision so as to provide you with guidance as to my future actions with respect to such legislation.

H.B. 560 attempted to override the decision of a local school board about where to establish polling places for an election held on May 14, 1996, a mere week from when the bill was first introduced in the General Assembly. The bill was not introduced at the request of the local board which conducted the election.

By law, the elected boards of education are charged with running school elections within their respective districts. Therefore, I believe it is unwise and unfair for the State to engage in the process of selectively telling elected boards where they must put polling places. Such a practice will open the door to the politicization of the administration of school elections by contending factions in such elections.

Moreover, the inclusion of information in the "Whereas" clauses of H.B. 560 which was not true may have led members of the General Assembly to support its passage. For example, H.B. 560 seeks to require the Red Clay School Board to open a polling place within the City of Wilmington a mere five blocks from a polling place the Board itself established. Yet, H.B. 560 does not acknowledge this. To the contrary, it, regrettably, states that the Red Clay Board failed to establish a polling place anywhere in the City of Wilmington for the election, when in fact the Board established four such polling places.

The Red Clay Board and I share a profound respect for the outstanding organization whose building H.B. 560 mandates a polling place and the community that organization serves. The Red Clay Board's respect for that community is such that it was willing to establish an unnecessary polling place within a short walk of another polling place the Board established for the May 14, 1996 election. Therefore, with that Board's approval, I signed S.B. 387 which gave the Board the authority to open another polling place for the May 14, 1996 election if it so chose and which was devoid of the factual errors that exist in H.B. 560.

I believe it is inadvisable to usurp the authority of local boards to conduct their own elections. I do not intend to sign legislation such as H.B. 560 in the future unless the legislation is introduced with the prior support of the relevant local board.

Sincerely,
 Thomas R. Carper

Representatives Cloutier, Stone, DiLiberto, Capano & Brady requested that they be marked present.

The Majority Leader moved to recess for committee meetings at 2:28 p.m.

The House reconvened at 4:27 p.m. with Representative Quillen as Acting Speaker.

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

H/ADM: HB 643 - 4M.

NAT RES: HB 576 - 4M; HB 621 - 4M; HB 637 - 4M.

P/S: HB 625 - 3M,2U; SB 287 - 7M.

SUBS ABUSE: HB 596 - 5M; SB 312 w/SA 1 - 6M.

ED: HB 378 - 6M; HB 638 - 5M.

HEALTH & HUM DEV: HS 2 for HB 433 - 6M; HB 633 - 7M; HB 640 - 5M; HB 641 - 6M.

LABOR: HB 636 - 4M; HB 423 - 4M; HB 602 - 4M; HB 614 - 4M; SB 292 - 4M.

CORR: SB 389 - 7M; SB 390 w/SA 1 - 8M.

JUD: HB 627 - 8M; HB 635 - 7M; SB 393 - 8M.

Representative Schroeder requested that he be marked present.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #116

DATE: June 12, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1673	Smith	6/11/96	T	Tara Ritchie/'96 State History Day Competition

H138-1674	Smith	6/11/96	T	Andy Savage/1st Place/'96 State History Day Competition
H138-1675	Jonkiert	6/23/96	T	Dorothy & Walter Kula/50th Wedding Anniversary
H138-1676	Jonkiert	4/12/96	T	Constance Kowalski/86th Birthday
H138-1677	Jonkiert	8/10/96	T	Hope & Richard Nelle/56th Wedding Anniversary
H138-1678	Jonkiert	7/29/96	T	Harold & Marie Graff/52nd Wedding Anniversary
H138-1679	Quillen	6/10/96	T	Brandon Smith/DE State Sporting Clays Champion
H138-1680	Quillen	6/10/96	T	Dr. Robert Smith/Retirement/48 Yrs./Dentist
H138-1681	Quillen	5/22/96	T	Catherine & Lester Killen/50th Anniversary/Marriage
H138-1682	DiLiberto	6/11/96	T	Danielle Carroll/Widener Univ./'96 Redding Fellow
H138-1683	DiLiberto	6/11/96	T	Roseann Cho/New York Univ./'96 Redding Fellow
H138-1684	DiLiberto	6/11/96	T	Elizabeth Felton/Howard Univ./'96 Redding Fellow
H138-1685	DiLiberto	6/11/96	T	Regina Gray/Howard Univ./'96 Redding Fellow

HOUSE TRIBUTE ANNOUNCEMENT #117

DATE: June 12, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H138-1686	DiLiberto	6/11/96	T	Frances Han/Univ. Of Penn/'96 Redding Fellow
H138-1687	DiLiberto	6/11/96	T	Deesha Hill/Fordham Univ./'96 Redding Fellow
H138-1688	DiLiberto	6/11/96	T	Katrina Jewett/Emory Univ./'96 Redding Fellow
H138-1689	DiLiberto	6/11/96	T	Juliet Ofori-Mankata/Cornell Univ./'96 Redding Fellow
H138-1690	DiLiberto	6/11/96	T	Valene Sibley/Boston College/'96 Redding Fellow
H138-1691	DiLiberto	6/11/96	T	Barbara Simmons/Temple Univ./'96 Redding Fellow
H138-1692	DiLiberto	6/11/96	T	Edith Wun/Boston Univ./'96 Redding Fellow
H138-1693	DiLiberto	6/11/96	T	Derrick Diggs/Univ. Of Penn/'96 Redding Fellow
H138-1694	DiLiberto	6/11/96	T	George Gossett, Jr./Temple Univ./'96 Redding Fellow
H138-1695	DiLiberto	6/11/96	T	Bernard Howard/ Univ. Of Iowa/'96 Redding Fellow
H138-1696	DiLiberto	6/11/96	T	Felix James/Rutgers Univ./'96 Redding Fellow
H138-1697	DiLiberto	6/11/96	T	Corey Jennings/Univ. Of Virginia/'96 Redding Fellow

T - Tribute

Representative West requested that he be marked present.

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

TRANS & INFRA: HB 603 - 4M.

Representative Petrilli made an announcement.

The Majority Leader moved to recess to the call of the Chair at 4:35 p.m.

40th LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
June 13, 1996

Mr. Acting Speaker Quillen called the House to order at 2:04 p.m.

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

ECON DEV, B & I: HB 346 - 9M; HB 610 - 9M; HB 611 - 6M, 1U.

R & F: HCR 58 - 6M.

APPRO: HS 1/HB 313 - 1F, 3M; HB 502 - 5M; HB 573 - 4M; HB 597 - 4M; HB 599 - 4M; HB 624 - 4M; HB 628 - 1F, 3M; SB 275 w/SA 1 - 1F, 3M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has defeated: HB 512 & HS 1 to HB 37 w/HA 1 & 2

The Senate wishes to inform the House that it has passed: SB 391, SB 382 w/SA 3, HB 468 w/HA 1, SB 399 w/SA 1, SS 1 to SB 358, HB 535, HB 509 w/HA 1, HB 477, HB 501 w/HA 1 & 3, HB 481, HB 491 w/HA 1 & SA 1, HJR 23, HJR 9 w/HA 1 & SA 1 & HB 371 w/HA 1, SB 193 w/SA 2 & 3, SB 405, SB 397, SB 289 w/SA 1, SB 192 w/SA 1, HB 538.

June 11, 1996

LEGISLATIVE ADVISORY #59

Governor Thomas R. Carper signed the following legislation on the date indicated: 6/10/96 - HB 467 aab HA 1 & SA 1, SB 247 aab SA 1 & 2, SB 234 aab SA 2, HB 528, HB 529, HB 530, HB 540, HB 478 & SJR 19.

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

Mr. Acting Speaker Quillen assigned HB 346 & HS 2 to HB 433 to Appropriations Committee.

The following prefiled Consent Calendar #25 was introduced:

HR 83 - CAPANO, MARONEY - Honoring Gretchen Spruance Upon Her Induction to the Delaware Tennis Hall of Fame.

HCR 62 - HOUGHTON, MACK; SENATOR VAUGHN - Honoring Mr. Daniel Tjaden for His Many Years of Dedicated Public Service as a Member of the New Castle County Police Department.

HCR 63 - DILIBERTO & SENATOR SHARP; REPRESENTATIVES BOULDEN, DAVIS, MAIER, PETRILLI, SPENCE, ULBRICH; SENATORS AMICK, REED - Commending Newark High School's Basketball Team on Their State Championship Season.

HCR 64 - DILIBERTO & SENATOR SHARP; REPRESENTATIVES BOULDEN, DAVIS, MAIER, PETRILLI, SPENCE, ULBRICH; SENATORS AMICK, REED - Commending Newark High School's Boys' Tennis Team on Their State Championship Season.

HCR 65 - MARONEY, FALLON, CAPANO, MAIER, ULBRICH, WAGNER & STONE ON BEHALF OF ALL REPRESENTATIVES; SENATORS BAIR, COOK, BLEVINS, SORENSON, HENRY & REED ON BEHALF OF ALL SENATORS - Recognizing Sunday, June 16, 1996 as Father's Day in Delaware.

HCR 66 - MAIER, SPENCE, PETRILLI, QUILLEN, CAPANO, FALLON, MARONEY, STONE, ULBRICH, WAGNER, GILLIGAN, VANSANT; SENATORS CORDREY, MARSHALL, BLEVINS, COOK, HENRY, BAIR, CONNOR, REED, SORENSON - Commemorating June 18th as Women's Day, Celebrating the Many Contributions Women Have Made in Politics.

HCR 67 - SPENCE & SENATOR SHARP; ON BEHALF OF ALL REPRESENTATIVES & ALL SENATORS - Joining in Recognition of Earlene Gillan-Smith; Outgoing President of the Delaware State Education Association, for Her Significant Role in Advancing the Status of Public School Employees and the Quality of Public Education in Our State.

Consent Calendar #25 was adopted by voice vote and HCR 62, HCR 63, HCR 64, HCR 65, HCR 66 & HCR 67 were sent to the Senate for concurrence.

The Majority Leader moved to adjourn at 2:10 p.m., thereby ending the current legislative day. The House reconvened at 2:11 p.m.

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Charles W. Welch, Twenty-Ninth Representative District.

The Acting Speaker led those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

HB 651 - SPENCE & OBERLE & SENATOR SHARP - ED: An Act to Amend § 4112 of Title 14 of the Delaware Code Relating to Student Criminal Violations.

HB 652 - ROY & SENATOR COOK - TRANS & INFRA: An Act to Amend Title 26 of the Delaware Code to Grant the Public Service Commission Jurisdiction and Authority to Conduct Proceedings as Prescribed

by the Federal Telecommunications Act of 1996 Without Strict Adherence to the Procedural Requirements Set Forth in the Public Utilities Act and the State Administrative Procedures Act.

HB 653 - BUNTING & SENATOR CORDREY - H/ADM: An Act to Amend Chapter 295, Volume 65, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Bethany Beach" Relating to the Qualifications for Non-Resident Property Owners to Hold Public Office. (2/3 bill)

HB 654 - SCHROEDER & SENATOR ADAMS; REPRESENTATIVES BUNTING, CAREY, EWING, FALLON, LEE, WEST; SENATOR VOSHELL - HOUSING & COM AFF: An Act to Amend Chapter 21, Title 25, of the Delaware Code Relating to the Satisfaction of Mortgages.

HB 655 - DAVIS, CAREY, DIPINTO & OBERLE; SENATORS MCBRIDE, SOKOLA - ENV. MAN: An Act to Amend Title 7, Delaware Code to Promote Voluntary Compliance With Environmental Laws and to Protect the Confidentiality of Environmental Audits.

HJR 30 - BOULDEN, BUCKWORTH, CAPANO, CLOUTIER, DAVIS, DIPINTO, EWING, LEE, MAIER, REYNOLDS, STONE, ULBRICH, WAGNER, BANNING, BRADY, DILIBERTO, B. ENNIS, HOUGHTON, JONKIERT, PLANT, SCOTT, WEST, WILLIAMS - P/S: Calling for a Collaborative Effort on the Part of Division of Motor Vehicles (DMV) Management and Employees, the American Federation of State, County and Municipal Employees (AFSCME) and Others as Designated by the Governor and the Secretary of Public Safety to Undertake a Study to Determine the Operating Hours of DMV That Will Optimize Productivity, Cost-Effectiveness and the Timely Delivery of Quality Customer Service.

HCR 68 - ROY & SENATOR SOKOLA; REPRESENTATIVE MARONEY - R & F: Requesting and Urging the Delaware Cash Management Board to Forthwith Discontinue Any and All Investments in Stocks, Bonds or Other Issues of Tobacco Companies.

HCR 69 - MARONEY, DIPINTO, CLOUTIER, REYNOLDS - HEALTH & HUM DEV: Creating a Clean Indoor Air Task Force and Requesting the Assistance of Delaware School Districts and Private Employers to Assess and Address Clean Indoor Air Efficiently.

SB 192 w/SA 1 - BLEVINS & STILL; REPRESENTATIVE STONE - SUNSET: An Act to Amend Chapter 178, Volume 69, Laws of Delaware and Title 24 of the Delaware Code Relating to the Board of Cosmetology and Barbering.

SB 289 w/SA 1 - MARSHALL & REPRESENTATIVE OBERLE - LABOR: An Act to Amend Chapter 23, Title 19 of the Delaware Code Relating to Worker's Compensation.

SS 1 to SB 358 - VOSHELL, VAUGHN, COOK & STILL; REPRESENTATIVES B. ENNIS, WAGNER & STONE - NAT RES: An Act to Amend Title 7 of the Delaware Code Relating to Fishing Equipment.

SB 382 w/SA 3 - VOSHELL, ADAMS; REPRESENTATIVES EWING, WELCH, B. ENNIS, QUILLEN - ED: An Act to Amend Title 14, Delaware Code Relating to Tax Rates in School Districts Whose Jurisdiction Traverses County Boundary Lines.

SB 391 - VAUGHN & REPRESENTATIVE D. ENNIS; SENATORS SHARP, MARSHALL, MCDOWELL, BLEVINS & STILL; REPRESENTATIVES SPENCE, PETRILLI, STONE, BRADY, WAGNER, JONKIERT, HOUGHTON & OBERLE - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to Fraternal Benefit Societies.

SB 397 - VAUGHN & REPRESENTATIVE D. ENNIS; SENATORS BONINI, MCDOWELL; REPRESENTATIVES VANSANT, WAGNER, LOFINK, WELCH, STONE, B. ENNIS, SPENCE, DIPINTO, BUCKWORTH, ROY, CLOUTIER - ECON DEV, B & I: An Act to Amend Chapter 13 of Title 18 of the Delaware Code Relating to Domestic Insurance Companies.

SB 399 w/SA 1 - VOSHELL & REPRESENTATIVE SCHROEDER - H/ADM: 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 an Electric Light Plant, Water Works and a Sewer System for Said Town; Prescribing the Powers and Duties of Said Board and Providing for the Election of Their Successors" to Change the Date for Filing Notice of Candidacy for Office of Member of Board of Public Works and to Require United States and Delaware Citizenship to Vote. (2/3 bill)

SB 405 - SORENSON & MARSHALL & REPRESENTATIVE MARONEY; SENATORS SHARP, BONINI, BLEVINS, AMICK, REED, VOSHELL, HENRY, MCBRIDE, BAIR; REPRESENTATIVES DAVIS, FALLON, WAGNER, CAULK, BOULDEN, SCHROEDER, CAPANO, WILLIAMS - HEALTH & HUM DEV: An Act to Amend Title 30 of the Delaware Code Relating to Breast Cancer.

Representative Wagner requested and was granted the privilege of the floor for the introduction of guests.

Representative Lee requested that he be marked present.

Representative Maier requested and was granted personal privilege of the floor for the introduction of a guest.

Representative Petrilli deferred to Representative Maroney.

Representative Maroney brought SB 408 w/SA 7, jointly sponsored by Senators Sharp, Bair, Blevins, Voshell, Amick & Sorenson & cosponsored by Representatives Brady & Cloutier, before the House for consideration.

SB 408 - An Act to Amend Title 16 of the Delaware Code Relating to Health Care Decisions.

Representatives Maroney & Davis made comments.

Representatives Cloutier, Ulbrich, Capano & Oberle requested that they be marked present.

Representative Davis introduced and brought HA 1 to SB 408 before the House for consideration.

Representatives Davis & Maroney made comments.

Representative Maroney requested and was granted the privilege of the floor for Brenda Pierce,

Corporate Counsel, Medical Center of Delaware.

Representatives Ewing, Boulden & Maroney made comments.

HA 1 to SB 408 was defeated by voice vote.

The roll call on SB 408 w/SA 7 was taken and revealed:

YES: 21.

NO: Representatives Buckworth, Bunting, Caulk, Davis, Ewing, Gilligan, Jonkiert, Lofink, Maier, Oberle, Petrilli, Roy, Spence, Ulbrich, VanSant, Welch, West, Williams - 18.

NOT VOTING: Representative Plant - 1.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, SB 408 w/SA 7 was returned to the Senate.

Representatives Smith, Stone, Reynolds & Spence requested that they be marked present during the roll call.

Representative Petrilli deferred to Representative VanSant.

Representative VanSant brought HB 546, jointly sponsored by Senator Vaughn & Representatives Banning, Brady, Bunting, Capano, Caulk, Davis, DiLiberto, B. Ennis, Ewing, Gilligan, Houghton, Jonkiert, Lee, Plant, Schroeder, Scott, Stone, Spence, Ulbrich, Wagner, Welch, West & Williams, before the House for consideration.

HB 546 - An Act to Amend Chapter 5 of Title 11 of the Delaware Code Relating to the Crime of Robbery. (F/N)

Representative VanSant introduced and brought HA 1 to HB 546 before the House for consideration.

Representative VanSant made a comment.

HA 1 was adopted by voice vote.

Representative VanSant made a comment.

The roll call on HB 546 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 546 w/HA 1 was sent to the Senate for concurrence.

Representative D. Ennis brought HB 584 before the House for consideration.

HB 584 - An Act to Amend Title 18 Relating to the Delaware Life and Health Insurance Guaranty Association.

Representative D. Ennis brought HA 1 to HB 584 before the House for consideration.

Representative D. Ennis made a comment.

HA 1 was adopted by voice vote.

Representative D. Ennis made a comment.

Mr. Speaker Spence resumed the Chair.

The roll call on HB 584 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 584 w/HA 1 was sent to the Senate for concurrence.

Representative Banning brought HB 561, jointly sponsored by Representative B. Ennis & Senators Vaughn & Voshell, before the House for consideration.

HB 561 - An Act to Amend Chapter 4, Title 17, Delaware Code Relating to the Power of the Department of Transportation or Its Agents to Impose Tolls.

Representative Banning brought HA 1 to HB 561 before the House for consideration.

Representative Banning made a comment.

HA 1 was adopted by voice vote.

The roll call on HB 561 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 561 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Ewing.

Representative Ewing brought SB 338 w/SA 2, jointly sponsored by Senator Voshell, before the House for consideration.

SB 338 - An Act to Amend Title 20 of the Delaware Code by Creating a New Chapter 34 Establishing the Emergency Management Assistance Compact. (3/4 bill)

Representative Ewing made a comment.

The roll call on SB 338 w/SA 2 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, SB 338 w/SA 2 was returned to the Senate.

Representative Wagner brought SB 327 w/SA 1, sponsored by Senator Voshell & Representative Ewing, before the House for consideration.

SB 327 - An Act to Amend Title 4 of the Delaware Code Relating to Supplier and Sales Representative License Fees. (3/5 bill)

Representative Wagner made a comment.

The roll call on SB 327 w/SA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, SB 327 w/SA 1 was returned to the Senate.

Representative Petrilli brought SB 355 w/SA 1 & 4 & HA 1 & 2 & SA 5, sponsored by Senators Sharp & Sokola & Representatives Buckworth & Roy & Senators Blevins, Cook, McBride, Vaughn, Bonini & Sorenson & Representatives Capano, Ewing, Lofink, Maier & Spence, before the House for concurrence on SA 5.

SB 355 - An Act to Amend Section 4120 of Title 11 of the Delaware Code and Title 21 of the Delaware Code Relating to Sex Offenders. (F/N)

Representative Petrilli made a comment.

The roll call on SB 355 w/SA 1 & 4 & HA 1 & 2 & SA 5 was taken and revealed:

YES: 39.

ABSENT: Representatives Mack, West - 2.

Therefore, having received a constitutional majority, SB 355 w/SA 1 & 4 & HA 1 & 2 & SA 5 was returned to the Senate.

Representative Spence made an announcement.

Representative B. Ennis brought HS 1 for HB 159, jointly sponsored by Senator Voshell & Representatives Wagner, Brady, Houghton, VanSant, DiLiberto, Bunting, Schroeder, West, Scott, Gilligan, Quillen, D. Ennis, Lee, Ewing, Capano, Spence, Welch & Boulden & Senators Vaughn & McBride, before the House for consideration.

HB 159 - An Act to Amend Chapter 43, Title 21, Delaware Code, Relating to Equipment and Construction of Vehicles.

Representative B. Ennis brought HA 1 to HS 1 for HB 159 before the House for consideration.

Representative B. Ennis made a comment.

HA 1 was adopted by voice vote.

Representatives B. Ennis, Jonkiert, Davis & B. Ennis made comments.

The roll call on HS 1 for HB 159 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Mack, West - 2.

Therefore, having received a constitutional majority HS 1 for HB 159 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Roy.

Representative Roy brought SB 243, sponsored by Senators McBride, Venables & Amick & Representatives DiLiberto, B. Ennis, Jonkiert, Banning, Bunting, Lee, Welch, Cloutier & Buckworth, before the House for consideration.

SB 243 - An Act to Amend Chapter 5, Title 11 of the Delaware Code Relating to Criminal Offenses; and Making the Possession of or Dealing in Certain Devices Designed, Fashioned or Otherwise Adapted for Theft or Burglary a Criminal Offense. (2/3 bill)

Representative Roy brought HA 1 to SB 243 before the House for consideration.

Representative Roy made a comment.

HA 1 was adopted by voice vote.

Representative Roy made a comment.

The roll call on SB 243 w/HA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Mack, West - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 243 w/HA 1 was returned to the Senate for concurrence on HA 1.

Representative Petrilli deferred to Representative Smith.

Representative Smith brought HB 599, jointly sponsored by Senator Sharp, before the House for consideration.

HB 599 - An Act to Amend Titles 10 and 11 of the Delaware Code Relating to Certain Crimes Committed by Juveniles. (F/N)

Representative Smith made comments.

The roll call on HB 599 was taken and revealed:

YES: 40.

ABSENT: Representative Mack - 1.

Therefore, having received a constitutional majority, HB 599 was sent to the Senate for concurrence.

Representative Petrilli brought Consent Agenda B, which requires a two-thirds vote, before the House for consideration.

SB 269 - CORDREY - An Act to Amend Title 11 of the Delaware Code Relating to Homicides of Children Which Occur Through Abuse or Neglect.

HB 598 - BANNING; SENATOR VAUGHN - An Act to Reincorporate the Town of Townsend. (2/3 bill)

SB 356 - VENABLES; REPRESENTATIVE LEE - An Act to Amend an Act Being Chapter 288, Volume 64, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Laurel," to Allow the Motion Method to be Used as an Alternate Method to Collect Delinquent Taxes. (2/3 bill)

The roll call on Consent Agenda B was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 269 & SB 356 were returned to the Senate and HB 598 was sent to the Senate for concurrence.

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

The Majority Leader moved to recess for caucus at 3:20 p.m.

The House reconvened at 4:09 p.m. with Representative Oberle as Acting Speaker.

Representative Petrilli deferred to Representative Buckworth.

Representative Buckworth brought HB 503, jointly sponsored by Representative Davis & Senator Adams & Representatives Spence, Quillen, Carey, Caulk, Cloutier, DiPinto, D. Ennis, Ewing, Mack, Maier, Reynolds, Smith, Brady, Bunting, B. Ennis, Gilligan, & Jonkiert & Senators Bonini, Hauge & Reed, before the House for consideration.

HB 503 - An Act to Amend Title 13, Delaware Code, Relating to Marriage.

Representative Buckworth made comments.

Representative Williams requested and was granted the privilege of the floor for Jane Monahan, representing Eleanor's Voice & Delaware Coalition for Human Rights.

Representative DiPinto made comments.

Mr. Acting Speaker Oberle appointed Representative Quillen as Acting Speaker.

Representative Oberle made comments.

The roll call on HB 503 was taken and revealed:

YES: 39.

NOT VOTING: Representatives DiPinto, Plant - 2.

Therefore, having received a constitutional majority, HB 503 was sent to the Senate for concurrence.

Representative Cloutier brought HB 578 before the House for consideration.

HB 578 - An Act to Amend Title 13, Delaware Code, Relating to Domestic Partnerships. (3/5 bill)

Representative Cloutier deferred to Representative Davis.

Representative Davis brought HA 1 to HB 578 before the House for consideration.

Representatives Davis & Cloutier made comments.

HA 1 was adopted by voice vote.

Representative Davis requested that HA 2 to HB 578 be stricken.

Representative Cloutier introduced and brought HA 3 to HB 578 before the House for consideration.

Representative Cloutier made comments.

HA 3 was adopted by voice vote.

Representative Cloutier introduced and brought HA 4 to HB 578 before the House for consideration.

Representative Cloutier made comments.

HA 4 was adopted by voice vote.

Representative Cloutier moved to place HB 578 w/HA 1,3 & 4 on the Speaker's table. The motion was seconded by Representative Carey and adopted by voice vote.

Representative Cloutier made comments.

Representative Capano brought HB 593, jointly sponsored by Senator Vaughn & Representatives Spence, Boulden, DiPinto, Lee, Lofink, Reynolds, Stone, Ulbrich, Brady, Banning, Bunting, B. Ennis, Scott, VanSant & Williams & Senator Connor, before the House for consideration.

HB 593 - An Act to Amend Title 18 of the Delaware Code Relating to the Delaware Fraud Prevention Bureau of the Office of the Insurance Commissioner.

Mr. Acting Speaker Quillen appointed Representative Oberle as Acting Speaker.

Representative Capano made comments.

Representative Capano requested and was granted the privilege of the floor for Gregory Sacco, Director, Insurance Fraud Bureau, DE Insurance Department.

Representatives Jonkiert, VanSant, Plant, Capano, Scott & Jonkiert made comments.

Representative Plant requested and was granted the privilege of the floor for Frank Pileggi, House Attorney.

Representatives Capano, Plant, Jonkiert & VanSant made comments.

The roll call on HB 593 was taken and revealed:

YES: 37.

NO: Representatives Jonkiert, Plant, West - 3.

ABSENT: Representative Stone - 1.

Therefore, having received a constitutional majority, HB 593 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Gilligan.

Representative Gilligan brought HB 544, jointly sponsored by Representatives Roy & Lofink & Senators Sharp, McBride & Connor & Representatives Banning, Boulden, Brady, Buckworth, Capano, Carey, Caulk, Cloutier, Davis, DiLiberto, DiPinto, D. Ennis, Ewing, Houghton, Jonkiert, Lee, Lofink, Mack, Maier, Maroney, Oberle, Petrilli, Plant, Quillen, Reynolds, Scott, Smith, Stone, Ulbrich, VanSant, Wagner, Welch, West, Williams & Spence & Senators Amick, Bair, Blevins, Marshall, Sokola, Sorenson & Vaughn, & cosponsored by Senator Reed, before the House for consideration.

HB 544 - An Act to Amend Title 17 of the Delaware Code Relating to the Removal of Snow on Public Roads and Highways. (F/N)

Representative Gilligan brought HA 1 to HB 544 before the House for consideration. Representative Gilligan introduced and brought HA 1 to HA 1 before the House for consideration.

Representative Gilligan made comments.

HA 1 to HA 1 was adopted by voice vote.

Representatives Gilligan & DiPinto made comments.

HA 1 w/HA 1 was adopted by voice vote.

Representatives Davis & Gilligan made comments.

Representative Gilligan requested and was granted the privilege of the floor for Anne Canby, Secretary, Department of Transportation.

Representatives Davis, Maier, Roy, Maier, Welch, Schroeder, Gilligan, Plant, Davis, Gilligan & Roy made comments.

The roll call on HB 544 w/HA 1 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 544 w/HA 1 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Ewing.

Representative Ewing brought HB 605 before the House for consideration.

HB 605 - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road, the Ignition Interlock Device and Program, and Driving Under the Influence. (2/3 bill)

Representative Ewing brought HA 1 to HB 605 before the House for consideration.

Representative Ewing requested that HA 1 to HB 605 be stricken.

Representative Ewing introduced and brought HA 2 to HB 605 before the House for consideration.

Representative Ewing made comments.

HA 2 was adopted by voice vote.

Representative Ewing made comments.

Representative Ewing requested and was granted the privilege of the floor for Kathy English, DUI Coordinator, Office of Highway Safety.

Representative Davis made comments.

The roll call on HB 605 w/HA 2 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 605 w/HA 2 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Roy.

Representative Roy brought SB 303, jointly sponsored by Senators Venables & Sharp, before the House for consideration.

SB 303 - An Act to Amend Title 13 of the Delaware Code Relating to Premarital Agreements; and Providing for a Uniform Premarital Agreement Act.

Mr. Speaker Spence resumed the Chair.

Representative Roy made a comment.

Representative Roy introduced and brought HA 1 to SB 303 before the House for consideration.

Representative Roy made a comment.

HA 1 was adopted by voice vote.

The roll call on SB 303 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 303 w/HA 1 was returned to the Senate for concurrence on HA 1.

Representative Petrilli deferred to Representative Smith.

Representative Smith introduced HB 656.

HB 656 - An Act to Transfer Certain Funds From the General Fund of the State Treasury to the Department of Finance.

Representative Smith made a comment.

Mr. Speaker assigned HB 656 to the Revenue & Finance Committee.

Representative Petrilli deferred to Representative B. Ennis.

Representative B. Ennis brought HB 462, jointly sponsored by Senator Vaughn & Representatives Banning, Brady, Houghton, VanSant & D. Ennis, before the House for consideration.

HB 462 - An Act to Amend Title 6 of the Delaware Code Relating to Commerce; and Providing Guidelines for Warranty Agreements Between Certain Motor Vehicle Manufacturers, Distributors and Dealers.

Representative B. Ennis brought HA 1 to HB 462 before the House for consideration.

Representative B. Ennis made a comment.

HA 1 was adopted by voice vote.

Representative B. Ennis made comments.

The roll call on HB 462 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 462 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle brought HB 570, jointly sponsored by Senators Marshall, McDowell & McBride & Representatives Davis, Lofink, B. Ennis, Houghton, Scott & VanSant & Senators Blevins, Henry, Vaughn & Connor, before the House for consideration.

HB 570 - An Act to Amend Title 19 of the Delaware Code Relating to Fair Share Fees and the Public Employment Relations Act.

Representative Oberle brought HA 1 to HB 570 before the House for consideration.

Representative Oberle made a comment.

HA 1 was adopted by voice vote.

Representatives Oberle, Smith, Oberle, Davis & Caulk made comments.

The roll call on HB 570 w/HA 1 was taken and revealed:

YES: 28.

NO: Representatives Boulden, Buckworth, Bunting, Capano, Cloutier, DiPinto, Ewing, Maier, Petrilli, Quillen, Smith, Stone, Ulbrich - 13.

Therefore, having received a constitutional majority, HB 570 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Banning.

Representative Banning brought HB 568, before the House for consideration.

HB 568 - An Act to Amend Chapter 35, Title 6 of the Delaware Code Relating to Building Construction Payments.

Representative Banning brought HA 1 to HB 568 before the House for consideration.

Representative Banning made comments.

HA 1 was adopted by voice vote.

Representatives Smith, Petrilli & Banning made comments.

Representative Banning moved to place HB 568 w/HA 1 on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Maroney requested that HB 181 & HB 217 be stricken.

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

HOUSING & COM AFF: HB 426 - 6M.

NAT RES: HB 413 - 3M,1U.

ECON DEV, B & I: HCR 61 - 10M.

Mr. Speaker assigned HB 378 to the Appropriations Committee.

Representative Roy made a comment.

The Majority Leader moved to recess to the call of the Chair at 5:58 p.m.

41st LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
June 18, 1996

Mr. Speaker Spence called the House to order at 2:12 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: HB 453 w/HA 1, HB 567, SB 432 w/SA 1, SB 398 w/SA 1, SB 415, SB 425, SB 428, HCR 60, HCR 62, HCR 63, HCR 64, HCR 67, HCR 66 & HCR 65 & SS 2/SB 223 w/SA 1 & 4.

The Majority Leader moved to adjourn at 2:13 p.m., thereby ending the current legislative day. The House reconvened at 2:14 p.m.

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Al O. Plant, Sr., Second Representative District.

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

Representatives Reynolds, Plant & Lee requested and were granted personal privilege of the floor for a comment.

Representatives Scott, Ulbrich, Gilligan, Capano & Jonkiert requested that they be marked present.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 411 w/SA 1 & SCR 68.

WITHDRAWAL OF SPONSORSHIP

I, Representative Banning, do hereby request that my name be removed as Co-Sponsor of HB 625.

Date: 6/18/96

Signed: O. M. Banning

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

The following prefiled legislation was introduced:

HS 1 for HB 581 - BRADY - TRANS & INFRA: An Act to Amend Title 2 of the Delaware Code Relating to the Liability of the Delaware Transportation Authority.

HB 657 - SPENCE & SENATOR SHARP; REPRESENTATIVES PETRILLI, BOULDEN, BUCKWORTH, CAPANO, CAULK, CLOUTIER, DAVIS, DIPINTO, D. ENNIS, EWING, FALLON, HAUGE, LEE, LOFINK, MACK, MAIER, MARONEY, OBERLE, REYNOLDS, SMITH, STONE, ULBRICH, BANNING, BRADY, BUNTING, DILIBERTO, B. ENNIS, GILLIGAN, HOUGHTON, JONKIERT, VANSANT, WEST, WILLIAMS; SENATORS BAIR, AMICK, BONINI, CONNOR, HAUGE, REED, SORENSON, STILL - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Criminal Background Checks for Child Care Providers.

HB 658 - ROY; SENATOR SHARP; REPRESENTATIVES SPENCE, CLOUTIER, DAVIS, LOFINK, MAIER, OBERLE, SMITH, GILLIGAN; SENATORS BLEVINS, SOKOLA, AMICK, HAUGE - TRANS & INFRA: An Act to Amend Title 9 of the Delaware Code Relating to Rezoning, Subdivisions, Use Variances and Deed Restrictions in New Castle County.

HB 659 - MARONEY & SENATOR BLEVINS - SUBS ABUSE: An Act to Amend Title 29, Chapter 88 of the Delaware Code Relating to the Division of Professional Regulation.

HB 660 - CAULK & ROY, BOULDEN, BUCKWORTH, CAREY, CLOUTIER, DAVIS, EWING, LEE, LOFINK, MACK, ULBRICH, WAGNER, BANNING, BRADY, B. ENNIS, GILLIGAN, SCHROEDER; SENATOR VOSHELL - TRANS & INFRA: An Act to Amend Titles 2, 9 and 30 of the Delaware Code Relating to Aeronautics and County Building Codes. (2/3 bill)

HB 661 - ULBRICH & SENATOR BAIR; REPRESENTATIVES SPENCE, QUILLEN, BOULDEN, BUCKWORTH, CAREY, CAULK, CLOUTIER, DAVIS, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MACK, MAIER, MARONEY, OBERLE, REYNOLDS, ROY, SMITH, STONE, WAGNER, WELCH, GILLIGAN, BRADY, BUNTING, PLANT, VANSANT, WILLIAMS; SENATORS SHARP, SOKOLA, CONNOR, AMICK, HAUGE, REED, SORENSON, STILL - ED: An Act to Amend Title 14 of the Delaware Code Relating to Education and the Loss or Destruction of Books and Other School Property.

HB 662 - WEST, B. ENNIS, HOUGHTON, BANNING, PLANT, BRADY, SCOTT, DILIBERTO, WILLIAMS, CAULK, EWING, QUILLEN, LEE, CAREY; SENATORS ADAMS, CORDREY - NAT RES: An Act to Amend Subchapter I, Chapter 7, Title 7, Delaware Code, Relating to the Baiting and Hunting of Deer.

HB 663 - SCHROEDER & SENATOR CORDREY - HOUSING & COM AFF: An Act to Amend Title 4 of the Delaware Code Relating to Taprooms and Taverns.

HB 664 - VANSANT, BANNING, BOULDEN, BRADY, BUCKWORTH, BUNTING, CAPANO, CAREY, CAULK, CLOUTIER, DAVIS, DILIBERTO, B. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, JONKIERT, LOFINK, MAIER, SCOTT, ULBRICH, WILLIAMS; SENATORS ADAMS, AMICK, BLEVINS, COOK, HAUGE, SOKOLA, SORENSON, STILL, VAUGHN, VOSHELL - JUD: An Act to Amend Title 24 of the Delaware Code Relating to Deadly Weapons Dealers.

HB 665 - VANSANT, BANNING, BOULDEN, BRADY, BUCKWORTH, BUNTING, CAPANO, CAREY, CAULK, CLOUTIER, DAVIS, DILIBERTO, B. ENNIS, EWING, FALLON, GILLIGAN, HOUGHTON, JONKIERT, LOFINK, MAIER, SCOTT, ULBRICH, WELCH, WILLIAMS; SENATORS ADAMS, AMICK, BLEVINS, BONINI, COOK, HAUGE, SOKOLA, SORENSON, STILL, VAUGHN, VOSHELL - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Licenses to Carry Concealed Deadly Weapons.

HA 2 to HB 262 - DAVIS - L.O.T.: Placed with the bill.

HA 1 to HS 1 for HB 313 - ROY - READY LIST: Placed with the bill.

HA 1 to HB 421 - OBERLE - CONSENT AGENDA E: Placed with the bill.

HA 1 to HB 422 - OBERLE - CONSENT AGENDA E: Placed with the bill.

HA 3 to HB 476 - CLOUTIER - AGENDA: Placed with the bill.

HA 1 to HB 510 - SPENCE - R & F: Placed with the bill.

HA 2 to HB 568 - SMITH - AGENDA: Placed with the bill.

HA 1 to HB 638 - READY LIST: Placed with the bill.

HA 1 to HB 643 - CAPANO - AGENDA II: Placed with the bill.

HR 31 - STONE & WAGNER, BUCKWORTH, DAVIS, DIPINTO, MARONEY, WELCH, JONKIERT; SENATORS COOK, MCDOWELL, VAUGHN, SORENSON, STILL - ECON DEV, B & I: Creating a Group Long-Term Disability Benefits Study Commission for State Employees.

HR 84 - DAVIS - ECON DEV, B & I: A Resolution to Memorialize the Congress of the United States to Enact Legislation to Provide for Medical Care Savings Accounts.

HCR 70 - BANNING & B. ENNIS, WEST, BUNTING, SCOTT, CAREY, QUILLEN, CAULK; SENATORS VAUGHN, VOSHELL, ADAMS, MCDOWELL - NAT RES: Directing Christopher A. Tulou, Secretary of the Department of Natural Resources and Environmental Control to Review With Earnest Intent the Possibility of Imposing a Moratorium on Commercial Crabbers From Taking Female Crabs in the Delaware Bay and River to Include a Moratorium on Dredging Until Such Time as the Crab Population Has Been Sufficiently Restored Based on Scientifically Reliable Studies to Warrant the Lifting of the Moratorium.

SB 193w/SA 2 & 3 - STILL - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to Casualty Insurance Contracts.

SS 2 to SB 223 w/SA 1 & 4 - VOSHELL; REPRESENTATIVE DAVIS; SENATORS AMICK, SOKOLA, BLEVINS, HENRY; REPRESENTATIVES SCHROEDER, EWING, LOFINK, BANNING - JUD: An Act to Amend Title 29 of the Delaware Code Relating to Public Procurement of Goods, Materials and Services and the Department of Administrative Services.

SB 398 w/SA 1 - CORDREY & REPRESENTATIVE WAGNER - SM BUS: An Act to Repeal the Bulk Transfer Provisions of the Uniform Commercial Code of the Delaware Code.

SB 411 w/SA 1 - VOSHELL, SHARP, HAUGE; REPRESENTATIVES LOFINK, ROY, FALLON, CLOUTIER, OBERLE & BUNTING - TRANS & INFRA: An Act to Amend Title 17 of the Delaware Code Relating to Corridor Capacity Preservation.

SB 425 - CORDREY & ADAMS; REPRESENTATIVES SPENCE & CAREY - NAT RES: An Act Amending the Beach Preservation Act, Title 7 of the Delaware Code.

SB 428 - CORDREY, BLEVINS - SUNSET: An Act to Amend Title 24 of the Delaware Code Relating to Licensure Requirements for Professional Counselors.

SB 432 w/SA 1 - CORDREY & REPRESENTATIVE WEST - H/ADM: An Act to Amend the Charter of the Town of Millsboro, Chapter 457, Volume 60, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Millsboro", to Change From Town Clerk to Town Manager, Change the Hours of Municipal Elections, Provide for Absentee Balloting, Authorize the Mayor to Act in Certain Emergencies, Expand the Powers of the Municipality in the Collection of Taxes, Increase the Maximum Fine Which May be Imposed, and Authorize Contribution to an Ambulance/Emergency Treatment Service. (2/3 bill)

HA 2 to SB 385 - WELCH - READY LIST: Placed with the bill.

SCR 68 - SHARP; REPRESENTATIVES ROY, OBERLE - Requesting New Castle County and the City of Wilmington to Defer Any Action Concerning Privatization of the Wilmington Sewage Treatment System until January, 1997.

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

SUNSET: SB 192 w/SA 1 - 3M.

Mr. Speaker introduced a guest.

Representatives Plant & Spence made comments.

Representative B. Ennis requested that he be marked present.

Representative Fallon requested and was granted personal privilege of the floor for the introduction of guests.

Representative Petrilli made an announcement.

Representative Petrilli deferred to Representative Smith.

Representative Smith moved to lift HB 476 w/HA 1 & 2 from the Speaker's table. The motion was seconded by Representative Petrilli.

Representative Smith brought HB 476 w/HA 1 & 2, jointly sponsored by Representative Oberle & Senator Sharp & Representatives Brady & Senators Vaughn, Bair & Reed, before the House for consideration.

HB 476 - An Act to Amend Title 14, Delaware Code, Relating to the State Board of Education; a State Superintendent of Public Instruction; Appointment; Confirmation; Term; Qualifications; Removal and Suspension.

Representative Smith deferred to Representative Cloutier.

Representative Cloutier requested that he be marked.

Representative Cloutier requested that HA 3 to HB 476 be stricken.

The motion to lift HB 476 w/HA 1 & 2 was adopted by voice vote.

Representative Smith made comments.

Mr. Speaker Spence appointed Representative Quillen as Acting Speaker.

Representatives Gilligan, Smith, Davis, Smith, Plant, Ewing, Smith, Davis, Wagner, D. Ennis, Plant & Gilligan made comments.

The roll call on HB 476 w/HA 1 & 2 was taken and revealed:

YES: 23.

NO: Representatives Ewing, Gilligan, Houghton, Jonkiert, Mack, Reynolds, Roy, Schroeder, Scott, VanSant, Williams - 11.

NOT VOTING: Representatives Buckworth, Bunting, Davis, DiLiberto, Fallon, Maroney, Plant - 7.

Therefore, having received a constitutional majority, HB 476 w/HA 1 & 2 was sent to the Senate for concurrence.

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

Representative Petrilli deferred to Representative Banning.

Representative Banning moved to lift HB 568 w/HA 1 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Banning brought HB 568 w/HA 1 before the House for consideration.

HB 568 - An Act to Amend Chapter 35, Title 6 of the Delaware Code Relating to Building Construction Payments.

Representative Banning deferred to Representative Smith.

Representative Smith made comments.

Representative Smith brought HA 2 to HB 568 before the House for consideration.

Representative Smith made a comment.

HA 2 was adopted by voice vote.

Representative Banning made a comment.

The roll call on HB 568 w/HA 1 & 2 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 568 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Spence brought HJR 9 w/HA 1 & SA 1, jointly sponsored by Representative Petrilli & Senators Sorenson & McBride, before the House for concurrence on SA 1.

HJR 9 - Urging the Establishment of a State Athletic Commission, and Providing for an Athletic Commission Study Committee.

Representative Spence made comments.

The roll call on HJR 9 w/HA 1 & SA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HJR 9 w/HA 1 & SA 1 was sent to the Governor.

Representative Petrilli deferred to Representative Schroeder.

Representative Schroeder brought HB 491 w/HA 1 & SA 1, jointly sponsored by Representatives Bunting & Carey & Senator Cordrey, before the House for concurrence on SA 1.

HB 491 - An Act to Amend Title 16 of the Delaware Code Relating to Public Swimming and Bathing Places.

Representative Schroeder made a comment.

The roll call on HB 491 w/HA 1 & SA 1 was taken and revealed:

YES: 36.

NO: Representatives DiLiberto, Mack, Ulbrich, VanSant, Williams - 5.

Therefore, having received a constitutional majority, HB 491 w/HA 1 & SA 1 was sent to the Governor.

Representative Petrilli deferred to Representative Davis.

Representative Davis brought HB 604, jointly sponsored by Senator Sokola & Representative Reynolds & Senator Cook & Representative Schroeder & Senator Connor & Representatives Buckworth, Capano, Carey, Cloutier, DiPinto, Ewing, Mack, Maier, Ulbrich & Wagner & Senators Voshell, Blevins, Bair, Bonini, Hauge, Reed, Sorenson & Still, before the House for consideration.

HB 604 - An Act to Amend Title 14 of the Delaware Code Relating to Shared Decision-Making and School Improvement.

Representative Davis made comments.

The roll call on HB 604 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 604 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Carey.

Representative Carey brought SB 373, sponsored by Senator Cordrey, before the House for consideration.

SB 373 - An Act to Amend Chapter 68 of Title 7 of the Delaware Code Relating to the Building Line in Rehoboth Beach and Bethany Beach.

Representative Bunting announced that he will not voting on SB 373 because of a possible conflict of interest.

Representatives Carey & DiPinto made comments.

Representative Carey requested and was granted the privilege of the floor for Jerry Homer, Attorney.

Representatives DiPinto & Oberle made comments.

The roll call on SB 373 was taken and revealed:

YES: 39.

NOT VOTING: Representative Bunting.

ABSENT: Representative Jonkiert - 1.

Therefore, having received a constitutional majority, SB 373 was returned to the Senate.

Representative Petrilli deferred to Representative Reynolds.

Representative Reynolds brought HB 392, jointly sponsored by Senator Sokola & Representative Davis & Senator Cook & Representative Schroeder & Senator Connor & Representatives Buckworth, Capano, Carey, DiPinto, Ewing, Mack, Maier, Lee, Ulbrich & Wagner & Senators Blevins, Voshell, Bair, Bonini, Hauge, Reed, Sorenson & Still, before the House for consideration.

HB 392 - An Act to Amend Title 14 of the Delaware Code Relating to Education Regulations and Legislation.

Representative Reynolds brought HA 1 to HB 392, jointly sponsored by Representatives Capano, Caulk, Cloutier, Davis, DiPinto, Lee, Maier, Smith, Ulbrich, Welch & Jonkiert, before the House for consideration.

Representative Reynolds made comments.

HA 1 was adopted by voice vote.

Representative Reynolds brought HA 2 to HB 392, sponsored by Representative Cloutier, before the House for consideration.

Representative Reynolds deferred to Representative Cloutier.

Representatives Cloutier, Reynolds, Oberle, Cloutier, Maier, Ulbrich, Cloutier, DiLiberto & Reynolds made comments.

HA 2 to HB 392 was defeated by voice vote.

Representative Reynolds made comments.

The roll call on HB 392 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 392 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Wagner.

Representative Wagner brought HB 449, jointly sponsored by Senator Voshell & Representatives Boulden, Capano, Caulk, Cloutier, Davis, D. Ennis, Ewing, Lee, Maier, Smith, Ulbrich, Welch, Jonkiert, West & Senator Still, before the House for consideration.

HB 442 - An Act to Amend Title 14 and Title 21 of the Delaware Code Relating to Public Schools; and Providing for the Suspension of, Non-Renewal of, or Refusal to Issue a Driver's License to a Person Who Has Been Expelled From School. (F/N)

Representative Wagner made a comment.

Representative Wagner brought **HA 1 to HB 442** before the House for consideration.

Representative Wagner made comments.

HA 1 was adopted by voice vote.

Representative Wagner brought **HA 2 to HB 442** before the House for consideration.

Representative Wagner made a comment.

HA 2 was adopted by voice vote.

Representatives Plant, Wagner, Maier, Scott & Wagner made comments.

Representative Scott requested and was granted the privilege of the floor for Frank Pileggi, House Attorney.

Representatives Scott, VanSant, Wagner, West, Plant, Scott, Jonkiert, Wagner, DiLiberto, Wagner, Gilligan, Brady, Ulbrich, DiLiberto, Wagner, Petrilli, Plant & VanSant made comments.

Representative Wagner moved to place **HB 442 w/HA 1 & 2** on the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Scott brought **HB 582**, jointly sponsored by Representatives Banning, Brady, Buckworth, Carey, B. Ennis, Houghton, Jonkiert, Plant, Smith, Stone, Welch, West & Williams & Senators Bonini, Cook, Hauge, Henry, Reed, Still & Vaughn, before the House for consideration.

HB 582 - An Act to Amend Section 107 of Title 14 Relating to the Qualifications for the State Superintendent of Schools.

Representative Scott brought **HA 1 to HB 582** before the House for consideration.

Representatives Scott, DiPinto & Reynolds made comments.

HA 1 to HB 582 was adopted by voice vote.

Representative Gilligan made comments.

Representative Petrilli requested and was granted the privilege of the floor for Brian Bushweller, Legislative Liaison for the Governor.

Representative Petrilli made a comment.

The roll call on **HB 582 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 582 w/HA 1** was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Smith.

Representative Smith brought **SB 238 w/SA 1**, sponsored by Senators Voshell, Still, Marshall, Vaughn, McBride & Cook & Representatives Quillen, Ewing, Buckworth, Carey & Bunting, before the House for consideration

SB 238 - An Act to Grant a Veterans Military Pay Bonus to Certain Merchant Marines.

Representative Smith brought **HA 1 to SB 238**, sponsored by Representative Quillen, before the House for consideration.

Representative Smith made a comment.

HA 1 to SB 238 was adopted by voice vote.

Representatives Smith, Houghton, Jonkiert, DiPinto, Oberle, Mack, Smith, Houghton, Stone, Smith & DiPinto made comments.

Representative Smith moved to place **SB 238 w/SA 1 & HA 1** on the Speaker's table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Petrilli deferred to Representative Capano.

Representative Capano brought **HB 643**, jointly sponsored by Senator Blevins & Representatives Spence, Quillen, Buckworth, DiPinto, Maier, Maroney, Reynolds, Smith, Stone, Gilligan, VanSant & Banning & Senators Henry, Marshall, McBride, Sokola, Voshell, Bair, Bonini, Connor, Hauge & Sorenson, before the House for consideration.

HB 643 - An Act to Amend Title 15 of the Delaware Code Relating to Voter Registration.

Representative Capano brought **HA 1 to HB 643** before the House for consideration.

Representative Capano made a comment.

HA 1 was adopted by voice vote.

Representative Capano introduced and brought **HA 2 to HB 643** before the House for consideration.

Representatives Capano & Mack made comments.

HA 2 was adopted by voice vote.

Representatives Capano, Reynolds, Davis & Capano made comments.

The roll call on **HB 643 w/HA 1 & 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 643 w/HA 1 & 2 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Maier.

Representative Maier requested and was granted the privilege of the floor for the introduction of guests.

Mr. Acting Speaker granted the privilege of the floor to former Representative Clarice Heckert.

Representative Gilligan made comments.

Representative Smith moved to lift SB 238 w/SA 1 & HA 1 from the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Smith brought SB 238 w/SA 1 & HA 1, sponsored by Senators Voshell, Still, Marshall, Vaughn, McBride & Cook & Representatives Quillen, Ewing, Buckworth, Carey & Bunting, before the House for consideration.

SB 238 - An Act to Grant a Veterans Military Pay Bonus to Certain Merchant Marines.

Representative Smith made a comment.

Representative Smith deferred to Representative Stone.

Representatives Stone & Smith made comments.

The roll call on SB 238 w/SA 1 & HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 238 w/SA 1 & HA 1 was returned to the Senate for concurrence on HA 1.

Representative Petrilli made an announcement.

The Majority Leader moved to recess for caucus at 4:32 p.m.

The House reconvened at 6:08 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has defeated: HB 469 w/HA 1.

The Senate wishes to inform the House that it has passed: SB 431, SB 412, HB 479, HB 460, SB 422, SB 410, HB 430, HB 474, HB 518 w/SA 1, HB 536 w/HA 1, HB 564 w/HA 1, HB 539 & HB 466 w/HA 1.

WITHDRAWAL OF SPONSORSHIP

I, Dennis P. Williams, do hereby request that my name be removed as Co-Sponsor of SB 406.

Date: June 17, 1996.

Signed: Dennis P. Williams.

WITHDRAWAL OF SPONSORSHIP

I, Richard DiLiberto, do hereby request that my name be removed as Co-Sponsor of HB 449.

Date: June 18, 1996.

Signed: Richard DiLiberto.

WITHDRAWAL OF SPONSORSHIP

I, Dennis P. Williams, do hereby request that my name be removed as Co-Sponsor of HB 449.

Date: June 18, 1996.

Signed: Dennis Williams.

WITHDRAWAL OF SPONSORSHIP

I, David D. Brady, do hereby request that my name be removed as Co-Sponsor of HB 449.

Date: June 18, 1996.

Signed: David D. Brady.

WITHDRAWAL OF SPONSORSHIP

I, Arthur Scott, do hereby request that my name be removed as Co-Sponsor of HB 449.

Date: June 18, 1996.

Signed: Arthur L. Scott.

Representative Maroney brought HB 640, jointly sponsored by Senator Blevins & Representatives Capano, Maier, Ulbrich, Houghton & Scott & Senators Blevins, McDowell, Sokola, Voshell, Amick, Bonini, Bair, Reed & Sorenson, before the House for consideration.

HB 640 - An Act to Amend Chapter 93, Title 16, Delaware Code, Relating to Health Planning and Resources Management.

Representatives Maroney, Smith & DiPinto made comments.

The roll call on HB 640 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 640 was sent to the Senate for concurrence.

Mr. Speaker Spence resumed the Chair.

Representative Petrilli brought Consent Agenda C before the House for consideration.

HR 77 - QUILLEN - Requesting the Department of Agriculture to Undertake a Study Regarding a Breeding Program for the Delaware Equine Industry.

HR 79 - MAIER - Extending the Due Date of the House Probation and Parole Task Force Recommendations to the Speaker of and the House of Representatives From February 15, 1996, to June 15, 1996.

HJR 26 - CAPANO; SENATOR BAIR; REPRESENTATIVES PETRILLI, BOULDEN, CAREY, CLOUTIER, DIPINTO, EWING, LEE, MACK, MARONEY, REYNOLDS, SMITH, ULBRICH, WELCH, SPENCE, QUILLEN, BUCKWORTH, CAULK, DAVIS, D. ENNIS, FALLON, LOFINK, MAIER, OBERLE, ROY, STONE, WAGNER - Directing the Attorney General of the State of Delaware to Prepare a Report Advising What Percentage of Individuals Convicted of Crimes Involving a Concealed Deadly Weapon Had a License for That Weapon at the Time of the Offense.

HJR 27 - WELCH, CAULK; SENATOR BONINI; REPRESENTATIVES LEE, WAGNER, BANNING; SENATORS COOK, BAIR; REPRESENTATIVES EWING, STONE, B. ENNIS, SCHROEDER; SENATOR STILL - Creating a Bingo Task Force to Study Delaware's Bingo Rules and Regulations and the Reasons for Declining Bingo Revenues and to Make Recommendations Thereon to the General Assembly.

HJR 28 - WAGNER; SENATOR BLEVINS; REPRESENTATIVES BRADY, CLOUTIER, D. ENNIS, HOUGHTON, LOFINK, SCHROEDER, ULBRICH; SENATORS AMICK, BONINI, COOK, REED, STILL; REPRESENTATIVES BANNING, CAPANO, DILIBERTO, GILLIGAN, JONKIERT, MAIER, STONE, VANSANT; SENATORS BAIR, CONNOR, HAUGE, SORENSON - Requesting Various Public Agencies and Officers Including the Attorney General, the Public Defender, Chief Judge of the Family Court, Superintendent of the Department of Public Instruction, Chair of the Chiefs of Police Council and the Delaware State Police to Assist in Facilitating the Prompt and Fair Disposition of Complaints Relating to Student Offenses Occurring in Public Schools.

SB 364 - VOSHELL; REPRESENTATIVE SCHROEDER - An Act to Amend Chapter 3 of Title 29 of the Delaware Code Relating to the Designation of Solidago Odora (Sweet Golden Rod) as the Official State Herb.

HCR 58 - STONE; SENATOR COOK; REPRESENTATIVES CAULK, DIPINTO, LOFINK, OBERLE, WAGNER, BRADY, DILIBERTO, JONKIERT, WEST; SENATORS ADAMS, HENRY, MCBRIDE, SOKOLA, VENABLES, AMICK, BONINI, REED, STILL; REPRESENTATIVES BUCKWORTH, DAVIS, LEE, MAIER, ULBRICH, WELCH, BUNTING, GILLIGAN, SCHROEDER; SENATORS CORDREY, BLEVINS, MARSHALL, SHARP, VAUGHN, VOSHELL, BAIR, CONNOR, SORENSON - Urging Delaware's Congressional Delegation to Support the Retaining of the Mortgage Interest Deduction.

Representative Maier requested that **HR 79** be removed from Consent Agenda C.

The roll call on Consent Agenda C was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HJR 26, HJR 27, HJR 28 & HCR 58** were sent to the Senate for concurrence and **SB 364** was returned to the Senate.

Representative Quillen brought **HB 583**, jointly sponsored by Representative Wagner & cosponsored by Representatives Brady, Scott & Schroeder, before the House for consideration.

HB 583 - An Act to Amend Title 14 of the Delaware Code Relating to School Employees. (F/N)

Representative Quillen made comments.

The roll call on **HB 583** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 583** was sent to the Senate for concurrence.

Representative Quillen made an announcement.

Representative Bunting requested and was granted personal privilege of the floor for the introduction of a guest.

Representative Oberle brought **HB 562**, jointly sponsored by Representatives Gilligan & Welch & Senator McBride & Representatives VanSant, Williams, Scott, Banning, Roy & Lofink & Senators Connor, Amick, McDowell & Sokola, before the House for consideration.

HB 562 - An Act to Amend Chapter 48, Title 29, Delaware Code Relating to Security of Lottery Operations.

Representative Oberle made comments.

Representative Oberle moved to place **HB 562** on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote

Representative Petrilli deferred to Representative Schroeder.

Representative Schroeder requested that **HB 649** be stricken.

Representative Schroeder brought **HB 576**, jointly sponsored by Representative Carey, before the House for consideration.

HB 576 - An Act to Amend Chapter 23, Title 7, Delaware Code, Also Being Chapter 216, 70 Laws of Delaware or Senate Bill No. 204, Relating to Shellfish Licenses.

Representatives Schroeder, Mack, Schroeder, Oberle, Schroeder, B. Ennis, Schroeder, B. Ennis, Mack, Banning, Carey, Bunting, Oberle, Schroeder, Oberle & Schroeder made comments.

The roll call on HB 576 was taken and revealed:

YES: 37.

NO: Representatives Davis, Oberle - 2.

NOT VOTING: Representatives B. Ennis, Gilligan - 2.

Therefore, having received a constitutional majority, HB 576 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Ulbrich.

Representative Ulbrich brought HB 597, jointly sponsored by Representatives Petrilli, Boulden, Bunting, Capano, Davis, DiPinto, D. Ennis, Ewing, Fallon, Maier, Maroney, Stone & Wagner, before the House for consideration.

HB 597 - An Act to Amend Title 14 of the Delaware Code Relating to Unit Funding for Grade 1. (F/N)

Representative Ulbrich introduced and brought HA 1 to HB 597 before the House for consideration.

Representative Ulbrich made comments.

HA 1 was adopted by voice vote.

Representatives Ulbrich, Smith, Davis, Ulbrich, Boulden, Ulbrich, Brady, Ulbrich & Maier made comments.

Representative Ulbrich moved to place HB 597 w/HA 1 on the Speaker's table. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Petrilli deferred to Representative Ulbrich.

Representative Ulbrich brought HB 429, jointly sponsored by Senator Blevins & Representatives Capano, Maier, Houghton & Scott & Senators Sokola, Voshell, Bonini & Reed, before the House for consideration.

HB 429 - An Act to Amend Chapter 19, Title 24 of the Delaware Code Relating to the Board of Nursing.

Representative Ulbrich brought HA 1 to HB 429 before the House for consideration.

Representative Ulbrich made comments.

HA 1 was adopted by voice vote.

The roll call on HB 429 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, HB 429 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Ulbrich.

Representative Ulbrich brought HB 565, jointly sponsored by Senator Blevins & Representatives Capano, Maier, Houghton & Scott & Senators Sokola, Voshell, Bonini & Reed, before the House for consideration.

HB 565 - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Chiropractic.

Representative Ulbrich brought HA 1 to HB 565 before the House for consideration.

Representative Ulbrich made comments.

HA 1 was adopted by voice vote.

Representatives Ulbrich & Roy made comments.

The roll call on HB 565 w/HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, HB 565 w/HA 1 was sent to the Senate for concurrence.

Representative Ulbrich brought HB 566, jointly sponsored by Senator Blevins & Representatives Capano, Maier, Houghton & Scott & Senators Sokola, Voshell, Bonini & Reed, before the House for consideration.

HB 566 - An Act to Amend Title 24 of the Delaware Code Relating to Optometry.

Representative Ulbrich brought HA 1 to HB 566 before the House for consideration.

Representative Ulbrich requested that HA 1 to HB 566 be stricken.

Representative Ulbrich introduced and brought HA 2 to HB 566 before the House for consideration.

Representative Ulbrich made comments.

HA 2 was adopted by voice vote.

The roll call on HB 566 w/HA 2 was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, HB 566 w/HA 2 was sent to the Senate for concurrence.

Mr. Speaker assigned HB 592 & SB 346 to the Appropriations Committee.

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

NAT RES: HB 452 - 4U.

Representative Petrilli made an announcement.

The Majority Leader moved to recess to the call of the Chair at 7:22 p.m.

42nd LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
June 19, 1996

Mr. Acting Speaker Quillen called the House to order at 2:08 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 407, HB 456, HB 473, SB 413 w/SA 1, HB 556 w/SA 1, HB 395 w/HA 1, HB 443, SB 403 w/SA 1, HB 495 w/HA 1 & SA 1 & HB 444.

June 18, 1996

LEGISLATIVE ADVISORY #60

Governor Thomas R. Carper signed the following legislation on the dates indicated: 6/14/96 - SB 276 aab SA 1, SB 277 aab SA 1. 6/17/96 - HB 293 aab HA 1, HB 216 aab HA 1, HB 252 aab HA 1 & 2 & SA 1 & 2 & HB 445.

Representative Maier requested that HR 79 be stricken.

The Majority Leader moved to adjourn at 2:10 p.m., thereby ending the current legislative day. The House reconvened at 2:11 p.m.

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Jane Maroney, Tenth Representative District.

The Acting Speaker led those present in a pledge of allegiance to the American Flag.

Mr. Acting Speaker introduced guests.

Representative Ewing made a comment.

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

The following prefiled legislation was introduced:

HS 1 for HB 480 - SCHROEDER, BUNTING, CAREY; SENATOR SORENSON - NAT RES: An Act to Amend Title 7 of the Delaware Code Relating to Shellfish Licenses and Permits, and the Penalty for Exceeding the Commercial Crab Pot Limit. (2/3 bill)

HB 666 - PETRILLI & SPENCE, BOULDEN, CAPANO, CAREY, DIPINTO, D. ENNIS, EWING, FALLON, LOFINK, MAIER, OBERLE, ROY, ULBRICH, WAGNER; SENATORS SHARP, BLEVINS, BAIR - H/ADM: An Act to Amend Title 9 of the Delaware Code Relating to the Number and Term of Office of New Castle County Council Members; and Vote Requirements for Certain Ordinances.

HB 667 - ROY & SENATOR SHARP; REPRESENTATIVES SPENCE, PETRILLI, DIPINTO, LOFINK, OBERLE, SMITH, GILLIGAN; SENATORS SOKOLA, AMICK - TRANS & INFRA: An Act to Amend Title 9 of the Delaware Code Relating to New Castle County Government Terms of Office.

HB 668 - DIPINTO, SPENCE & SENATOR BLEVINS - HOUSING & COM AFF: An Act to Amend Chapter 96, Title 9, of the Delaware Code Relating to Scire Facias. (3/5 bill)

HB 669 - DIPINTO, SPENCE & SENATOR BLEVINS - HOUSING & COM AFF: An Act to Amend Chapter 23, Title 10, of the Delaware Code Relating to Levary Facias. (3/5 bill)

HB 670 - ULBRICH & SENATOR BLEVINS; REPRESENTATIVES CAPANO, MAIER, HOUGHTON, SCOTT; SENATORS SOKOLA, VOSHELL, BONINI, REED - SUNSET: An Act to Amend Title 24 of the Delaware Code Relating to the Board of Accountancy.

HB 671 - VANSANT & SENATOR ADAMS - JUD: An Act to Amend Chapter 13, Title 24, Delaware Code Relating to Private Investigators and Private Security Agencies. (3/5 bill)

HB 672 - BUNTING & SENATOR CORDREY - H/ADM: An Act to Amend Chapter 166, Volume 37, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Selbyville", to Provide Further for the Supplying of Water, to Provide Limitations on Taxes, to Provide for Use of Town Monies, to Provide for Long-Term Borrowing and Procedures Therefor and to Repeal Any Act to the Extent Its Provisions Are Inconsistent With This Amendment. (2/3 bill)

HB 673 - WELCH & OBERLE & CAULK & BUNTING, BOULDEN, BUCKWORTH, CAREY, CLOUTIER, DAVIS, FALLON, LOFINK, MACK, MAIER, REYNOLDS; SENATORS MCBRIDE, BONINI, CONNOR, HAUGE - H/ADM: An Act to Amend Title 29 of the Delaware Code to Add a Chapter Relating to Advisory Initiative.

HA 4 to HB 321 - DIPINTO - APPRO: Placed with the bill.

HA 5 to HB 321 - DIPINTO - APPRO: Placed with the bill.

HA 6 to HB 321 - DIPINTO - APPRO: Placed with the bill.

HA 2 to HB 340 - MARONEY - ECON DEV, B & I: Placed with the bill.

HA 1 to HB 426 - LEE - READY LIST: Placed with the bill.

HA 3 to HB 449 - WAGNER - AGENDA: Placed with the bill.

HA 1 to HB 650 - CLOUTIER - TRANS & INFRA: Placed with the bill.

SB 403 w/SA 1 - MARSHALL & REPRESENTATIVE OBERLE - LABOR: An Act to Amend Chapter 23, Title 19 of the Delaware Code Relating to the Industrial Accident Board.

SB 407 - SHARP & REPRESENTATIVE ROY - P/S: An Act to Amend Title 6, Delaware Code, Relating to Motor Vehicle Franchising Practices.

SB 410 - CONNOR & REPRESENTATIVE MACK - H/ADM: An Act to Amend Volume 27, Chapter 216, Laws of Delaware as Amended, to Change Residency Requirements and Allow a Substitute Date for Municipal Elections in the City of New Castle. (2/3 bill)

SB 412 - ADAMS; REPRESENTATIVE CAULK - AG & FP & A: An Act to Amend Chapter 9 of Title 3 of the Delaware Code to Further Define Allowable Residential Use of Lands Located in Agricultural Preservation Districts and to Enable the Agricultural Preservation Foundation to Make Installment Payments in the Purchase of Agricultural Preservation Easements.

SB 413 w/SA 1 - ADAMS, STILL - SM BUS: An Act to Amend Chapter 25, Title 6 of the Delaware Code Relating to Prohibited Trade Practices.

HB 422 - SOKOLA & REPRESENTATIVE REYNOLDS; SENATORS VOSHALL & BLEVINS - ED: An Act to Amend Chapter 16, Title 14 of the Delaware Code Relating to the Comprehensive School Discipline Improvement Program.

SB 431 - ADAMS & REPRESENTATIVE WEST - H/ADM: An Act to Amend an Act, Being Chapter 276, Volume 65, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Georgetown" to Increase the Town Counsel's Power to Levy and Collect Taxes. (2/3 bill)

HA 1 to SB 193 - OBERLE - ECON DEV, B & I: Placed with the bill.

Mr. Acting Speaker Quillen introduced Girls' State to the Chamber.

Representatives DiLiberto, Scott, Cloutier & Mack requested that they be marked present.

Representative Houghton introduced HB 674.

HB 674 - An Act to Amend Title 16 Relating to Pools.

Mr. Acting Speaker assigned HB 674 to the Health & Human Development Committee.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #118

DATE: June 19, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1698	DiLiberto	6/11/96	T	Shed Jessup/Catholic Univ./'96 Redding Fellow
H138-1699	DiLiberto	6/11/96	T	Ricardo Palacio/Villanova Univ./'96 Redding Fellow
H138-1700	DiLiberto	6/11/96	T	Clarence Polk/George Washington Univ./'96 Redding Fellow
H138-1701	DiLiberto	6/11/96	T	Jorge Reynardus/Univ. Of Penn./'96 Redding Fellow
H138-1702	Smith	6/11/96	T	Jared Savage/1st Place/'96 State History Day Competition
H138-1703	Fallon	6/06/96	M	William James (Bunk) Himes
H138-1704	Caulk	6/16/96	T	Joshua Smith/Eagle Scout
H138-1705	DiLiberto	6/09/96	T	Daniel Daly/Eagle Scout
H138-1706	Capano	6/14/96	T	Elizabeth Richardson/42 Yrs. Of Ded./Teaching & Athletics
H138-1707	Banning	6/05/96	T	Rob Chambers/1st Team/All State Baseball/Blue/Gold Game
H138-1708	Mack	6/15/96	T	Brian Kempista/Eagle Scout
H138-1709	Mack	6/15/96	T	Michael Reilly, III/Eagle Scout
H138-1710	Mack	6/15/96	T	Steven Madonna/Eagle Scout
H138-1711	Maier	6/14/96	T	McKean High's Honors Economics
	cosponsors: Gilligan, Roy			/Jim Montebell & Gordon Dyatt/ 1st & 2nd Place Wins

T - Tribute

M - Memoriam

Representative Petrilli made an announcement.

The Reading Clerk read the following communication into the record:

June 18, 1996

TO: Bernard J. Brady, Secretary of the Senate
FROM: Senator Richard S. Cordrey, President Pro Tempore
RE: Senate Bill #415

Please take the necessary procedure to request that Senate Bill No. 415, AN ACT TO AMEND CHAPTER 5, OF TITLE 25 OF THE DELAWARE CODE RELATING TO THE RULES AGAINST PERPETUITIES, be returned to the Senate.

Thank you for your assistance with this matter.

June 19, 1996

TO: JoAnn P. Hedrick
Chief Clerk of the House
FROM: Bernard J. Brady
Secretary of the Senate
SUBJECT: SENATE BILL 415

Attached please find a copy of Senator Cordrey's request for the return of Senate Bill 415 from the House of Representatives.

Thank you for your time and cooperation.

Attachment

BJB:ks

June 19, 1996

The Honorable Bernard J. Brady
Secretary of the Senate
Delaware State Senate
Legislative Hall
Dover, DE 19903
Dear Mr. Brady:

Pursuant to your correspondence of this date, I am herewith returning SB 415, per Senator Cordrey's request.

Very truly yours,
JoAnn M. Hedrick
Chief Clerk of the House

JMH/gmr

Attachment

Representative Fallon requested and was granted personal privilege of the floor for the introduction of guests.

Representative Maier made a comment.

The Majority Leader moved to recess for committee meetings at 2:22 p.m.

The House reconvened at 4:43 p.m.

Representatives Spence & Caulk requested that they be marked present.

The Acting Speaker made an announcement.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has defeated: HB 557 w/HA 1.

The Senate wishes to inform the House that it has passed: SB 426 & SCR 71.

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

NAT RES: SS 1 to SB 358 - 3M.

P/S: HB 642 - 5M; HB 647 - 4M; HJR 29 - 4M; HJR 30 - 4M.

JUD: HB 632 - 5M; HB 639 - 5M; HB 644 - 5M; HB 657 - 5M; HB 664 - 5M; HB 665 - 5M; SS 2 to SB 223 w/SA 1 & 4 - 5M.

HEATH & HUM DEV: HB 626 - 1F,2M,2U; HB 648 - 5M; SB 405 - 5M.

ED: HB 651 - 6M; HB 661 - 7M; SB 382 w/SA 3 - 6M.

Representatives Roy, DiPinto & Jonkiert requested that they be marked present.

The following prefiled Consent Calendar #26 was introduced:

HCR 71 - SPENCE, LOFINK, REYNOLDS, DAVIS & SENATORS CONNOR & MCBRIDE -

Honoring Retiring Red Lion Pastor Irvin R. Pusey.

HCR 71 was adopted by voice vote and sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Wagner.

Representative Wagner moved to lift HB 449 w/HA 1 & 2 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Wagner brought HB 449 w/HA 1 & 2, jointly sponsored by Senator Voshell & Representatives Boulden, Capano, Caulk, Cloutier, Davis, D. Ennis, Ewing, Lee, Maier, Smith, Ulbrich, Welch, Jonkiert & West & Senator Still, before the House for consideration.

HB 449 - An Act to Amend Title 14 and Title 21 of the Delaware Code Relating to Public Schools; and Providing for the Suspension of, Non-Renewal of, or Refusal to Issue a Driver's License to a Person Who Has Been Expelled From School. (F/N)

Representative Wagner brought **HA 3** to **HB 449** before the House for consideration.

Mr. Speaker Spence resumed the Chair.

Representatives Oberle & Buckworth requested that they be marked present.

Representative Wagner made a comment.

HA 3 to **HB 449** was adopted by voice vote.

The roll call on **HB 449 w/HA 1,2 & 3** was taken and revealed:

YES: 34.

NO: Representatives Banning, Brady, B. Ennis, Williams - 4.

NOT VOTING: Representatives Plant, Scott - 2.

ABSENT: Representative Maroney - 1.

Therefore, having received a constitutional majority, **HB 449 w/HA 1,2 & 3** was sent to the Senate for concurrence.

Mr. Speaker Spence made an announcement.

Representative Gilligan requested and was granted the privilege of the floor for an announcement.

Representative Petrilli deferred to Representative DiPinto.

Representative DiPinto brought **HB 591**, jointly sponsored by Representatives Caulk, Buckworth, Capano, Lofink, Maier, Maroney, Ulbrich, Wagner & Welch & Senators Cook & Bonini, before the House for consideration.

HB 591 - An Act to Amend Chapter 47 of Title 9 of the Delaware Code Relating to Garbage Collection Districts.

Representatives DiPinto, Houghton, DiPinto, Wagner, DiPinto & Welch made comments.

The roll call on **HB 591** was taken and revealed:

YES: 31.

NO: Representatives Buckworth, Caulk, Houghton, Oberle, Welch - 5.

NOT VOTING: Representatives Banning, Bunting, Fallon, Mack, Plant - 5.

Therefore, having received a constitutional majority, **HB 591** was sent to the Senate for concurrence.

Representative Oberle brought **HB 421**, jointly sponsored by Senator Marshall, before the House for consideration.

HB 421 - An Act to Amend Chapter 23, Title 19 of the Delaware Code Relating to Workers' Compensation.

Representative Oberle brought **HA 1** to **HB 421** before the House for consideration.

Representative Oberle made a comment.

HA 1 was adopted by voice vote.

Representative Oberle requested and was granted the privilege of the floor for John Kirk, Administrator of the Office of Worker's Compensation, Department of Labor.

Representatives Oberle, Bunting, Oberle, Maier & Ulbrich made comments.

The roll call on **HB 421 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 421 w/HA 1** was sent to the Senate for concurrence.

Representative Jonkiert requested and was granted personal privilege of the floor for the introduction of guests.

Representative Petrilli brought **HB 495 w/HA 1 & SA 1**, sponsored by Representative Roy & Senator Sharp, before the House for concurrence on **SA 1**.

HB 495 - An Act Proposing an Amendment to Article IV, Section 11 (1) of the Delaware Constitution of 1897, as Amended, Relating to the Jurisdiction of the Delaware Supreme Court in Criminal Cases. (2/3 bill)

Representative Petrilli made a comment.

The roll call on **HB 495 w/HA 1 & SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative West - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 495 w/HA 1 & SA 1** was sent to the Governor.

Representative Petrilli brought **HB 518 w/SA 1**, sponsored by Representative Ewing & Senator Voshell, before the House for concurrence on **SA 1**.

HB 518 - An Act to Amend Title 10 of the Delaware Code Relating to Certain Motor Vehicle Offenses Committed by Juveniles. (2/3 bill)

Representative Petrilli made a comment.

The roll call on **HB 518 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 518 w/SA 1 was sent to the Governor.

Representative Petrilli made a comment.

Representative Petrilli brought HB 556 w/SA 1, sponsored by Representative Roy & Senator Sokola, before the House for consideration.

HB 556 - An Act to Amend Title 28 of the Delaware Code Relating to the Delaware Bicycle Council.

The roll call on HB 556 w/SA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 556 w/SA 1 was sent to the Governor.

Representative Petrilli deferred to Representative Roy.

Representative Ewing made a comment.

Representative Roy brought HB 344, jointly sponsored by Representatives Quillen, Buckworth, Lofink, Mack, Maier, Banning, Brady, B. Ennis, Houghton, Plant & Scott & Senators Cook, Marshall, McDowell, Voshell & Connor, before the House for consideration.

HB 344 - An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance. (F/N)

Representatives Roy, Stone, Davis, Roy & VanSant made comments.

The roll call on HB 344 was taken and revealed:

YES: 23.

NO: Representatives Capano, Ewing, Jonkiert, Lee, Smith, Welch, Williams - 7.

NOT VOTING: Representatives Banning, Boulden, Buckworth, Carey, Caulk, Davis, Fallon, Maroney, Stone, Wagner, West - 11.

Therefore, having received a constitutional majority, HB 344 was sent to the Senate for concurrence.

Representative Roy brought SB 333 w/SA 3 & 4, jointly sponsored by Senator Voshell & Representative Ewing & Senators Sharp, Adams, Cook, Blevins, Henry, Hauge, Bair, Bonini & Amick & Representatives Spence, D. Ennis, Smith, Oberle, Caulk, Plant, DiLiberto, Davis, Lee, Wagner, Banning & Welch, before the House for consideration.

SB 333 - An Act to Amend Chapter 5, Title 11 of the Delaware Code Relating to Crimes Relating to Crimes Relating to Telecommunication Services. (2/3)

Representative Roy deferred to Representative Ewing.

Representative Ewing introduced and brought HA 1 to SB 333 before the House for consideration.

Representative Ewing made a comment.

HA 1 was adopted by voice vote.

Representative Roy made a comment.

Representative Roy deferred to Representative Ewing.

Representative Ewing made comments.

The roll call on SB 333 w/SA 3 & 4 & HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 333 w/SA 3 & 4 & HA 1 was returned to the Senate for concurrence on HA 1.

Representative Roy brought SB 256, jointly sponsored by Senator Sharp & Representative Spence & Senator Vaughn, before the House for consideration.

SB 256 - An Act to Amend Title 11 of the Delaware Code Relating to the Corpus Delicti Rule.

Representative Roy made a comment.

The roll call on SB 256 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 256 was returned to the Senate.

Mr. Speaker Spence introduced Sally Oberle, wife of Representative Oberle.

Representative Roy brought SB 232, jointly sponsored by Senator Sharp, before the House for consideration.

SB 232 - An Act to Amend Title 11 of the Delaware Code Relating to the Court of Common Pleas.

Representative Roy moved to place SB 232 on the Speaker's table. The motion was seconded by Representative Davis and adopted by voice vote.

Representative Petrilli deferred to Representative Lee.

Representative Lee brought HB 585, jointly sponsored by Representative Banning & Senators Vaughn & Sharp, before the House for consideration.

HB 585 - An Act to Amend Chapter 59 of Title 10 of the Delaware Code Regarding Legal Name Changes.

Representative Lee made comments.

The roll call on HB 585 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 585 was sent to the Senate for concurrence. Representative Petrilli deferred to Representative Lee.

Representative Lee brought SB 389, jointly sponsored by Senators Vaughn & Sharp & Representative Roy, before the House for consideration.

SB 389 - An Act to Amend Title 11 of the Delaware Code Relating to Certain Crimes Committed by Persons in Custody. (2/3 bill)

Representative Lee made comments.

The roll call on SB 389 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 389 was returned to the Senate.

Representative Lee brought SJR 17 w/SA 1, sponsored by Senator Sharp & Representative Spence, before the House for consideration.

SJR 17 - Directing the Department of Correction to Develop Rules and Regulations Providing for Alternative Housing to Address Prison Overcrowding Problems.

Representative Lee requested that HA 1 to SJR 17 be stricken.

Representative Lee introduced and brought HA 2 to SJR 17, jointly sponsored by Representative Spence, before the House for consideration.

Representative Lee made a comment.

HA 2 was adopted by voice vote.

Representatives Lee, Plant, DiLiberto & Lee made comments.

The roll call on SJR 17 w/SA 1 & HA 2 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SJR 17 w/SA 1 & HA 2 was returned to the Senate for concurrence on HA 2.

Representative Quillen deferred to Representative Maroney.

Representative Maroney brought SB 317 w/SA 2, jointly sponsored by Senators Blevins & Bair, before the House for consideration.

SB 317 - An Act to Amend Titles 10, 11 and 13 of the Delaware Code Relating to Criminal NonSupport. (2/3 bill)(F/N)

Representative Maroney made comments.

Representative Maroney requested and was granted the privilege of the floor for Peter Feliceangeli, Deputy Attorney General.

Representatives Houghton, Welch, Wagner, Plant, Scott, DiLiberto & Williams made comments.

Representative Houghton requested and was granted the privilege of the floor for Brian Shirey, House Attorney.

Representatives Houghton, Maroney & Scott made comments.

Representative Scott requested and was granted the privilege of the floor for Brian Shirey, House Attorney.

Representatives Scott, Maroney & Williams made comments.

The roll call on SB 317 w/SA 2 was taken and revealed:

YES: 39.

NO: Representative Scott - 1.

NOT VOTING: Representative Plant - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, SB 317 w/SA 2 was returned to the Senate.

Representative Petrilli deferred to Representative Buckworth.

Representative Buckworth brought HS 1 to HB 514, jointly sponsored by Representatives Oberle, Bunting & Schroeder, before the House for consideration.

HB 514 - An Act to Amend Title 23 of the Delaware Code Relating to the Operation of a Vessel or Boat While Under the Influence of Intoxicating Liquor and/or Drugs. (2/3 bill)

Representative Buckworth brought HA 1 to HS 1 for HB 514 before the House for consideration.

Representative Buckworth introduced & brought HA 1 to HA 1 to HS 1 for HB 514 before the House for consideration.

Representative Buckworth made a comment.

HA 1 to HA 1 was adopted by voice vote.

Representative Buckworth made a comment.

HA 1 w/HA 1 was adopted by voice vote.

Representative Buckworth made comments.

The roll call on HS 1 for HB 514 w/HA 1 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HS 1 for HB 514 w/HA 1 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Fallon.

Representative Fallon deferred to Representative Capano.

Representative Capano brought SB 312 w/SA 1, jointly sponsored by Senators Blevins & Sorenson & Representatives Roy & Smith, before the House for consideration.

SB 312 - An Act to Amend Title 4 of the Delaware Code Relating to Licenses for Brewery-Pubs.

Representatives Capano & Gilligan made comments.

The roll call on SB 312 w/SA 1 was taken and revealed:

YES: 39.

ABSENT: Representatives Scott & West - 2.

Therefore, having received a constitutional majority, SB 312 w/SA 1 was returned to the Senate.

Representative Petrilli brought Consent Agenda D, which requires a two-thirds vote, before the House for consideration.

SB 381 w/SA 1 - MCBRIDE, VOSHELL; REPRESENTATIVE CAREY; SENATOR BAIR - An Act to Amend Titles 7 and 11 of the Delaware Code and Chapter 275, Volume 70 of the Laws of Delaware Relating to Hunting and Trapping Devices, Environmental Misdemeanors and Certain Technical Corrections. (2/3 bill)

HB 580 - WELCH, CLOUTIER, CAULK, EWING, STONE, BANNING; SENATORS HAUGE, AMICK; REPRESENTATIVES DAVIS, LEE, WAGNER; SENATOR BONINI - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses and the Definition of "Swears Falsely." (2/3 bill)

HB 527 - OBERLE, SPENCE; SENATORS MCBRIDE, SHARP - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses. (2/3 bill)(F/N)

HB 472 - ROY, OBERLE, SPENCE, CLOUTIER, MACK, REYNOLDS, GILLIGAN, DILIBERTO; SENATORS BLEVINS, SHARP; REPRESENTATIVES CAPANO, LOFINK, MARONEY, ULBRICH, BANNING, VANSANT; SENATOR SOKOLA - An Act to Amend Title 11 of the Delaware Code Relating to the Crime of New Home Construction Fraud. (2/3 bill)

SB 298 - SHARP; REPRESENTATIVE ROY; SENATOR VAUGHN; REPRESENTATIVE SPENCE - An Act Proposing an Amendment to Article IV, Section 29 of the Delaware Constitution of 1897, as Amended, Relating to the Term of Office of Justices of the Peace. (2/3 bill)

HB 624 - DAVIS; SENATOR COOK; REPRESENTATIVES BUCKWORTH, BUNTING; SENATORS HENRY, VAUGHN, STILL; REPRESENTATIVES DIPINTO, MARONEY, JONKIERT; SENATORS MCBRIDE, SORENSON - An Act to Amend Title 3 of the Delaware Code and the Laws of Delaware Relating to the Licensing of Participants, Officials, and Others in Harness Racing Meets. (3/5 bill)

HB 628 - DAVIS; SENATOR COOK; REPRESENTATIVES BUCKWORTH, BUNTING; SENATORS HENRY, VAUGHN, STILL; REPRESENTATIVES DIPINTO, MARONEY, JONKIERT; SENATORS MCBRIDE, SORENSON - An Act to Amend Title 3 of the Delaware Code and the Laws of Delaware Relating to the Licensing of Participants in Thoroughbred Racing Meets. (3/5 bill)(F/N)

SB 366 w/SA 1 - BLEVINS; REPRESENTATIVE GILLIGAN, SENATORS REED, SORENSON, MCDOWELL; REPRESENTATIVE DAVIS; SENATORS HENRY, SOKOLA, MARSHALL, VOSHELL; REPRESENTATIVE SMITH - An Act to Amend Title 16, Delaware Code, Relating to General Powers of the Secretary, Delaware Department of Health and Social Services. (3/5 bill)

Representative Petrilli requested that HB 472 be removed from Consent Agenda D.

The roll call on Consent Agenda D was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 580, HB 527, HB 624 & HB 628 were sent to the Senate for concurrence and SB 381 w/SA 1, SB 298 & SB 366 w/SA 1 were returned to the Senate.

Representative Oberle moved to suspend the rules which interfere with action on SCR 68. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with action on SCR 68. The motion was properly seconded and adopted by voice vote.

Representative Oberle brought SCR 68, jointly sponsored by Senators Sharp & Bair & Representative Roy, before the House for consideration.

SCR 68 - Requesting New Castle County and the City of Wilmington to Defer Any Action Concerning Privatization of the Wilmington Sewage Treatment System Until January, 1997.

Representative Oberle deferred to Representative DiLiberto.

Representative DiLiberto announced that he will not voting on SCR 68 because of a possible conflict of interest.

Representatives Oberle & Plant made comments.

Representative Plant requested and was granted the privilege of the floor for Thomas Noyes, Executive Assistant to the Mayor of Wilmington.

Representatives Jonkiert, Oberle, Roy, DiPinto & Oberle made comments.

Representative Oberle moved to place SCR 68 on the Speaker's table. The motion was seconded by Representative Roy and adopted by voice vote.

Representatives Petrilli & Davis made announcements.

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

H/ADM: HB 653 - 5M; HB 666 - 5F, HB 672 - 5M; SB 399 w/SA 1 - 5M; SB 410 - 5M; SB 431 - 5M; SB 432 w/SA 1 - 5M.

SUBS ABUSE: HB 659 - 2F,4M.

TRANS & INFRA: HS 1 for HB 581 - 5M; HB 650 - 4M,2U; HB 652 - 1F,4M; HB 660 - 1F,4M; HB 667 - 6M; SB 411 w/SA 1 - 5M; SCR 68 - 1F,5M.

APPRO: HB 321 - 4M,1U; HB 346 - 1F,3M; HB 378 - 3M,1U; HS 2 for HB 433 - 1F,4M; HB 592 - 4M; SB 346 w/SA 1 - 4M.

JUD: HB 671 - 8M.

HOUSING & COM AFF: HB 629 - 8M; HB 654 - 8M; HB 663 - 8M; HB 668 - 8M; HB 669 - 8M.

NAT RES: HB 662 - 4M; HCR 70 - 4M; SB 425 - 4M.

LABOR: HB 615 - 4M; HB 616 - 4M; HB 645 - 5M; HCR 57 - 5M; SB 289 w/SA 1 - 4M.

R & F: HB 601 - 7M; HB 631 - 8M; HB 656 - 8M; HB 634 - 8M.

ECON DEV, B & I: SB 391 - 7M; SB 397 - 6M; SB 398 w/SA 1 - 8M.

The Majority Whip moved to recess to the call of the Chair at 7:35 p.m.

43rd LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
June 20, 1996

Mr. Speaker called the House to order at 2:09 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: SB 435 w/SA 1, SB 456, SB 418, HB 590 w/SA 1, HB 519 w/SA 1, HB 503, SB 369 w/SA 1 & SB 310 w/SA 2.

The Chief Clerk read the following corrected committee report into the record:

SM BUS: SB 398 w/SA 1-8M.

Mr. Speaker assigned HB 631 to Appropriations Committee.

The Majority Leader moved to adjourn at 2:10 p.m., thereby ending the current legislative day. The House reconvened at 2:11 p.m.

The Chief Clerk called the roll.

Members present: 41.

A prayer was offered by Representative Bruce C. Reynolds, Fifteenth Representative District.

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

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

The following was introduced:

HS 1 to HB 619 - WELCH & CAULK, CAREY, EWING, LEE, BUNTING & WEST; SENATORS CORDREY, ADAMS, COOK, VENABLES, BONINI - AG & FP & A: An Act to Amend Chapter 60, Title 7 of the Delaware Code Relating to Environmental Control.

HB 675 - OBERLE & SMITH & SENATORS SHARP & SOKOLA; REPRESENTATIVES SPENCE, PETRILLI, QUILLEN, BOULDEN, BUCKWORTH, CAPANO, CAREY, CLOUTIER, DAVIS, DILIBERTO, DIPINTO, D. ENNIS, EWING, FALLON, LEE, LOFINK, MACK, MAIER, MARONEY, REYNOLDS, ROY, SMITH, STONE, ULBRICH, WAGNER, WELCH, BANNING, BRADY, BUNTING, B. ENNIS, GILLIGAN, HOUGHTON, JONKIERT, PLANT, SCHROEDER, SCOTT, VANSANT, WEST, WILLIAMS; SENATORS BAIR, HAUGE - ED: An Act to Amend the Laws of Delaware to Provide for Structured Tutoring and Mentoring Programs for Students in Grades K through 5 Who Are at Risk Academically.

HB 676 - OBERLE, PETRILLI, CLOUTIER, DAVIS, MACK, MAIER, REYNOLDS, ROY, SMITH, ULBRICH; SENATORS SHARP, MCBRIDE - TRANS & INFRA: An Act to Amend Title 9 of the Delaware Code Relating to Land Development in New Castle County.

HB 677 - SMITH - ECON DEV, B & I: An Act to Amend Title 18 of the Delaware Code Relating to the Establishment of a Special Fund to Fund the Liquidation of Insolvent Insurers From the Unexpended Assets of Other Insolvent Insurers.

HB 678 - DIPINTO & HOUGHTON & SENATORS ADAMS & MCBRIDE - R & F: An Act to Amend Title 30 of the Delaware Code, Relating to Gross Receipts and Use Taxes.

HB 679 - WAGNER; SENATOR SOKOLA - P/S: An Act to Amend Title 21, Section 2608 of the Delaware Code Relating to Qualification for Commercial Drivers Licenses.

HB 680 - LOFINK; SENATOR AMICK - AG & FP & A: An Act to Amend Title 3 of the Delaware Code Relating to Exotic Animals. (3/5 bill)

HB 681 - ULBRICH & SENATOR BLEVINS; REPRESENTATIVES CAPANO, MAIER, HOUGHTON, SCOTT; SENATORS SOKOLA, VOSHELL, BONINI, REED - SUNSET: An Act to Amend Title 24 of the Delaware Code Relating to the Medical Practices Act.

HB 682 - ULBRICH & SENATOR BLEVINS; REPRESENTATIVES CAPANO, MAIER, HOUGHTON, SCOTT; SENATORS SOKOLA, VOSHELL, BONINI, REED - SUNSET: An Act to Amend Title 24 of the Delaware Code Relating to Dentistry and Dental Hygiene.

HB 683 - ULBRICH & SENATOR BLEVINS; REPRESENTATIVES CAPANO, MAIER, HOUGHTON, SCOTT; SENATORS SOKOLA, VOSHELL, AMICK, BONINI, REED - SUNSET: An Act to Amend Chapter 53, Title 24 of the Delaware Code and Chapter 88 and 101, Title 29 of the Delaware Code Relating to Massage. (2/3 bill)

HB 684 - OBERLE & SMITH & BRADY, SPENCE, PETRILLI, BOULDEN, LOFINK, ROY, VANSANT; SENATORS SHARP, BAIR, HAUGE - ED: An Act Authorizing and Directing New Castle County to Conduct a Referendum in Connection With the November 1996 General Election Concerning Public Schools in New Castle County.

HR 85 - MARONEY, SPENCE, QUILLEN, BOULDEN, BUCKWORTH, CAPANO, CLOUTIER, DAVIS, DIPINTO, D. ENNIS, FALLON, LEE, MACK, MAIER, OBERLE, REYNOLDS, ROY, STONE, ULBRICH, WAGNER, BANNING, BRADY, DILIBERTO, B. ENNIS, HOUGHTON, VANSANT - HEALTH & HUM DEV: Requesting the Secretary of the Department of Health and Social Services to Recommend Legislation to Amend Title 18, Chapter 33 of the Delaware Code Relating to Health Insurance Contracts, to Address Compensation for the Off-Label Use of Drugs for Medical Purposes.

HCR 72 - MARONEY, DIPINTO, CLOUTIER, REYNOLDS - HEALTH & HUM DEV: Creating a Clean Indoor Air Task Force and Requesting the Assistance of Delaware School Districts and Private Employers to Assess and Address Clean Indoor Air Efficiently.

HA 1 to HB 378 - MARONEY - READY LIST: Placed with the bill.

HA 2 to HB 428 - WAGNER - AGENDA: Placed with the bill.

HA 1 to HS 1 for HB 480 - SCHROEDER - NAT RES: Placed with the bill.

HA 1 to HS 1 for HB 581 - BRADY - READY LIST: Placed with the bill.

HA 2 to HB 597 - ULBRICH - L.O.T.: Placed with the bill.

HA 1 to HB 602 - WELCH - READY LIST: Placed with the bill.

HA 1 to HB 612 - OBERLE - HOUSING & COM AFF: Placed with the bill.

HA 1 to HB 615 - OBERLE - AGENDA VI: Placed with the bill.

HA 1 to HB 616 - OBERLE-AGENDA VI: Placed with the bill.

HA 1 to HB 634 - SMITH-READY LIST: Placed with the bill.

HA 1 to HJR 30 - BOULDEN - READY LIST: Placed with the bill.

SB 310 w/SA 2 - COOK & MCBRIDE; REPRESENTATIVE DAVIS; SENATORS VAUGHN, MCDOWELL, STILL & SORENSON; REPRESENTATIVES BUCKWORTH, DIPINTO, MARONEY, BUNTING, JOKIERT - HEALTH & HUM DEV: An Act to Amend Title 16 of the Delaware Code Relating to Contagious Disease Generally. (F/N)

SB 369 w/SA 1 - MARSHALL, VOSHELL; REPRESENTATIVES SPENCE, JONKIERT, VANSANT - P/S: An Act to Amend Chapter 21, Title 21 of the Delaware Code Relating to the Registration of Motor Vehicles. (3/5 bill)

SB 418 - BLEVINS & REPRESENTATIVES DIPINTO, MARONEY, ULBRICH; SENATORS SOKOLA, VOSHELL; REPRESENTATIVES CAPANO, MAIER, HOUGHTON, SCOTT - ED: An Act to Amend Title 14 and Title 16 of the Delaware Code Relating to the Health Care Commission and the Delaware Institute for Medical Education and Research.

SB 426 - MARSHALL, HAUGE; REPRESENTATIVES D. ENNIS, CLOUTIER - R & F: An Act to Amend Title 19 of the Delaware Code Relating to Employment Information.

SB 435 w/SA 1 - VOSHELL - P/S: An Act to Amend Title 21 of the Delaware Code Relating to License Qualifications.

SB 456 - MARSHALL & REPRESENTATIVE OBERLE; SENATORS MCBRIDE, CONNOR, BLEVINS, COOK, VOSHELL, BONINI, SORENSON, STILL; REPRESENTATIVES BANNING, BUNTING, CAREY, CAULK, B. ENNIS, HOUGHTON, LEE, PLANT, REYNOLDS, SCHROEDER, SMITH, SPENCE, STONE, VANSANT, WAGNER, WELCH, WEST - LABOR: An Act to Amend Chapter 23, Title 10, Delaware Code, Also Being Chapter 303, 70 Laws of Delaware Relating to Workers' Compensation.

HA 1 to SB 412 - CAULK - AG & FP & A: Placed with the bill.

Representative West introduced guests.

Representatives Williams & B. Ennis requested they be marked present.

Representatives Carey & Smith requested and were granted the privilege of the floor for the introduction of guests.

Representative Quillen requested and was granted the privilege of the floor for Dr. Peter Williams, representing People to People International & three guests from Germany.

Representative D. Ennis requested and was granted personal privilege of the floor for comments.

Representatives Oberle, Maroney, Fallon, Buckworth & Ulbrich requested that they be marked present.

Mr. Speaker Spence made an announcement.

The Reading Clerk read the following communication into the record:

June 20, 1996

LEGISLATIVE ADVISORY #61

Governor Thomas R. Carper signed the following legislation on the date indicated: 6/19/96-SS 1 for SB 281, SJR aab HA 1 & HJR 23.

The Majority Leader moved to recess for caucus at 2:25 p.m.

The House reconvened at 4:22 p.m. with Representative Quillen as Acting Speaker.

Representative Cloutier requested that he be marked present.

Representative Petrilli deferred to Representative Caulk.

Representative Caulk introduced and brought HA 2 to SB 412. HA 2 was placed with the bill.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle moved to lift SCR 68 from the Speaker's table. The motion was seconded by Representative and adopted by voice vote.

Representative Oberle brought SCR 68, jointly sponsored by Senator Sharp & Representative Roy, before the House for consideration.

SCR 68 - Requesting New Castle County and the City of Wilmington to Defer Any Action Concerning Privatization of the Wilmington Sewage Treatment System Until January, 1997.

Representative Oberle deferred to Representative DiLiberto.

Representative DiLiberto announced that he will be voting on SCR 68 because of a possible conflict of interest.

Representative Oberle made comments.

Representative Oberle requested and was granted the privilege of the floor for Shawn Garvin, representing New Castle County.

Representatives Oberle, Jonkiert, Plant, Cloutier, Williams, Houghton & Cloutier made comments.

Representative Plant requested and was granted the privilege of the floor for Thomas Noyes, Executive Assistant to the Mayor of Wilmington.

Representatives Plant, B. Ennis & Oberle made comments.

The roll call on SCR 68 was taken and revealed:

YES: 27.

NO: Representatives Jonkiert, Plant, Scott, West, Williams - 5.

NOT VOTING: Representatives Banning, Brady, Bunting, Caulk, DiLiberto, DiPinto, B. Ennis, Houghton, Schroeder- 9.

Therefore, having received a constitutional majority, SCR 68 was returned to the Senate.

Representatives Davis, DiPinto, Roy & Schroeder requested that they be marked present during the roll call.

Representative Petrilli deferred to Representative Spence.

Representative Spence brought HB 590 w/SA 1, jointly sponsored by Senators McBride & Marshall & Representatives Buckworth, Capano, Carey, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Lee, Lofink, Oberle, Smith, Ulbrich, Wagner, Welch, Banning, B. Ennis, Gilligan, Houghton, Jonkiert, Schroeder, Scott, VanSant, West & Williams & Senators Adams, Henry, McDowell, Vaughn, Sokola, Bair & Connor & cosponsored by Representative Stone, before the House for concurrence on SA 1.

HB 590 - An Act to Amend Chapter 7, Title 18, Delaware Code Relating to the Distribution of Insurance Premium Taxes and Fees.

Representative Spence introduced and brought HA 1 to HB 590 before the House for consideration.

Representative Stone made a comment.

HA 1 was adopted by voice vote.

Representative Spence made comments.

The roll call on HB 590 w/SA 1 & HA 1 was taken and revealed:

YES: 40.

ABSENT: Representative DiPinto-1.

Therefore, having received a constitutional majority, HB 590 w/SA 1 & HA 1 was sent to the Senate for concurrence on HA 1.

Representative Petrilli deferred to Representative Wagner.

Representative Wagner requested and was granted personal privilege of the floor for comments.

Representative Wagner brought HB 428, jointly sponsored by Senator Sokola & Representatives Buckworth, Capano, Carey, Cloutier, Davis, DiPinto, D. Ennis, Ewing, Lee, Lofink, Mack, Maier, Petrilli, Reynolds, Smith, Spence, Stone, Ulbrich, Banning, Brady, Bunting, B. Ennis & Gilligan & Senators Amick, Bair, Hauge, McBride, Reed, Sorenson, Still, Vaughn & Venables, before the House for consideration.

HB 428 - An Act to Amend Title 10 and Title 14 of the Delaware Code Relating to Education; and Providing for Parental Involvement in Enforcing School Standards for Student Conduct and Attendance.

Representative Wagner introduced and brought HA 1 to HB 428 before the House for consideration. HA 1 was adopted by voice vote.

Representative Wagner brought HA 2 to HB 428 before the House for consideration.

Representative Wagner requested that HA 2 to HB 428 be stricken.

Representative Wagner introduced and brought HA 3 to HB 428 before the House for consideration.

HA 3 was adopted by voice vote.

Representatives Wagner, Mack, DiLiberto & Wagner made comments.

The roll call on HB 428 w/HA 1 & 3 was taken and revealed:

YES: 41.

Therefore, having recieved a constitutional majority, HB 428 w/HA 1 & 3 was sent to the Senate for concurrence.

Mr. Speaker resumed the Chair.

Representative Oberle moved to lift HB 417, jointly sponsored by Senators Connor & Reed, before the House for consideration.

HB 417 - An Act to Amend Title 9 of the Delaware Code Relating to Limitations Upon Taxing Power.

Representative Oberle brought HA 2 to HB 417, jointly sponsored by Representatives Roy & Gilligan & Senator Sharp, before the House for consideration.

Representative Oberle made comments.

HA 2 was adopted by voice vote.

Representative Oberle made comments.

The roll call on HB 417 w/HA 2 was taken and revealed:

YES: 41.

Therefore, having recieved a constitutional majority, HB 417 w/HA 2 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Roy.

Representative Roy brought HS 1 for HB 313, jointly sponsored by Senator Sharp, before the House for consideration.

HB 313 - An Act to Amend Title 11 of the Delaware Code Relating to the Forfeiture of Good Time.

(F/N)

Representative Roy made comments.

Representative Roy brought HA 1 to HS 1 for HB 313 before the House for consideration.

Representative Roy made a comment.

HA 1 was adopted by voice vote.

Representative Davis made a comment.

Representative Roy requested and was granted the privilege of the floor for Steve Wood, Deputy Attorney General.

Representative Davis made a comment.

The roll call on HS 1 for HB 313 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having recieved a constitutional majority, HS 1 for HB 313 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Lee.

Representative Lee brought HB 592, jointly sponsored by Representative Spence & Senator Vaughn & Representatives Buckworth, Wagner, Banning & Scott & Senator Amick, before the House for consideration.

HB 592 - An Act to Amend Chapter 43, Title 11 of the Delaware Code Relating to Good Time Credit for Prisoners. (F/N)

Representative Lee made a comment.

The roll call on HB 592 was taken and revealed:

YES: 40.

ABSENT: Representative Gilligan-1.

Therefore, having recieved a constitutional majority, HB 592 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Roy.

Representative Roy brought SB 346 w/SA 1, jointly sponsored by Senators Sharp & Blevins & Representative Spence & Senator Marshall & Representatives Boulden, Buckworth, Capano, Cloutier, Davis, Ewing, Lee, Lofink, Mack, Maier, Maroney, Oberle, Reynolds, Roy, Stone, Ulbrich, Wagner & Welch, before the House for consideration.

SB 346 - An Act to Amend Title 11 of the Delaware Code Relating to Unlawful Sexual Intercourse.
(F/N)

Representative Roy made comments.

Representative Welch brought HA 1 to SB 346 before the House for consideration.

Representative Welch made comments.

Mr. Speaker Spence appointed Representative Quillen as Acting Speaker.

Representative Welch moved to place HA 1 to SB 346 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Petrilli brought HB 519 w/SA 1, jointly sponsored by Senator Sokola, before the House for concurrence on SA 1.

HB 519 - An Act to Amend Title 6 of the Delaware Code Relating to Home Construction and Home Improvement.

Representative Petrilli made a comment.

The roll call on HB 519 w/SA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 519 w/SA 1 was sent to the Governor.

Representative Petrilli deferred to Representative Spence.

Representative Spence brought HB 657, jointly sponsored by Senator Sharp & Representatives Boulden, Capano, Cloutier, DiPinto, Ewing, Lee, Mack, Maroney, Reynolds, Stone, Banning, Bunting, B. Ennis, Houghton, VanSant & Williams & Senators Amick, Connor, Reed & Still & Representatives Petrilli, Buckworth, Caulk, Davis, D. Ennis, Fallon, Lofink, Maier, Oberle, Smith, Ulbrich, Brady, DiLiberto, Gilligan, Jonkiert & West & Senators Bair, Bonini, Hauge & Sorenson, before the House for consideration.

HB 657 - An Act to Amend Title 11 of the Delaware Code Relating to Criminal Background Checks for Child Care Providers.

Representative Spence made comments.

The roll call on HB 657 was taken and revealed:

YES: 40.

ABSENT: Representative Reynolds-1.

Therefore, having received a constitutional majority, HB 657 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Ulbrich.

Representative Ulbrich moved to suspend the rules which interfere with introduction of and action on SCR 70. The motion was seconded by Representative Buckworth adopted by voice vote.

Representative Ulbrich brought SCR 70, sponsored by Senators Sorenson & Reed & Representative Maier & cosponsored by Representatives Mack, DiPinto & B. Ennis, before the House for consideration.

SCR 70 - Commending the 1995-96 Eagle Scouts for Having Attained the Highest Advancement Rank One Can Achieve in the Boy Scouts of America, Wishing Each of Them a Successful Future, and Hoping That They Continue to Live By the Ideals of Scouting.

Representative Ulbrich made comments.

SCR 70 was adopted by voice vote and returned to the Senate.

Representative Petrilli deferred to Representative Fallon.

Representative Fallon introduced and brought SCR 71, jointly sponsored by Senator Voshell & cosponsored by Representatives Mack & B. Ennis, before the House for consideration.

SCR 71 - Commending the 1996 Girls State Participants, Held Under the Auspices of the Ladies Auxiliary of the American Legion, for their Devotion and Profound Interest in State Government, and the Intelligent Discussion and Debate of the Major Issues That Face State Government, and Further Extending to the Ladies Auxiliary of the American Legion Congratulations on Very Successful Program.

Representative Fallon made comments.

SCR 71 was adopted by voice vote and returned to the Senate.

Representative Petrilli made comments.

Representative Petrilli deferred to Representative Banning.

Representative Banning moved to suspend the rules which interfere with introduction of and action on HCR 73. The motion was seconded by Representative Petrilli and adopted by voice vote.

Representative Banning introduced & brought HCR 73, jointly sponsored by Representatives B. Ennis, West, Bunting, Scott, Carey, Quillen & Caulk & Senators Vaughn, Voshell, Adams & McDowell.

HCR 73 - Requesting Christopher A. Tulou, Secretary of the Department of Natural Resources and Environmental Control to Review With Earnest Intent the Possibility of Imposing a Moratorium on Commercial Crabbers From Taking Female Crabs in the Delaware Bay and River to Include a Moratorium on Dredging Until Such Time as the Crab Population Has Been Sufficiently Restored Based on Scientifically Reliable Studies to Warrant the Lifting of the Moratorium.

Representative Banning made comments.

HCR 73 was adopted by voice vote and sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Roy.

Representative Roy moved to lift SB 346 w/SA 1 from the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Roy brought SB 346 w/SA 1, jointly sponsored by Senators Sharp & Blevins & Representative Spence & Senator Marshall & Representatives Boulden, Buckworth, Capano, Cloutier, Davis, Ewing, Lee, Lofink, Mack, Maier, Maroney, Oberle, Reynolds, Roy, Stone, Ulbrich, Wagner & Welch, before the House for consideration.

SB 346 - An Act to Amend Title 11 of the Delaware Code Relating to Unlawful Sexual Intercourse.
(F/N)

Representative Roy deferred to Representative Welch.

Representative Welch moved to lift HA 1 to SB 346 from the Speaker's table. The motion was seconded by Representative Davis and adopted by voice vote.

Representative Welch brought HA 1 to SB 346 before the House for consideration.

Representative Welch made comments.

Representative Welch requested that HA 1 to SB 346 be stricken.

Representatives Mack, Roy & Smith made comments.

The roll call on SB 346 w/SA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 346 w/SA 1 was returned to the Senate.

Representative Petrilli deferred to Representative Smith.

Representative Smith introduced HB 685, jointly sponsored by Representatives Spence, Petrilli, Cloutier, DiPinto, Lofink, Oberle & Roy.

HB 685 - An Act to Amend an Act by the 138th General Assembly of the State of Delaware Entitled "An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1997, Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds, and Amending Certain Pertinent Statutory Provisions", and to Amend Title 17 of the Delaware Code Relating to Highways and the Highway Congestion Relief Account.

Mr. Speaker assigned HB 685 to the Transportation & Infrastructure Committee.

Representative Petrilli deferred to Representative Roy.

Representative Roy brought HB 472, jointly sponsored by Representative Oberle & Senator Sharp & Representatives Spence, Capano, Cloutier, Lofink, Mack, Maroney, Reynolds, Ulbrich, Gilligan, Banning, DiLiberto & VanSant & Senators Blevins & Sokola, before the House for consideration.

HB 472 - An Act to Amend Title 11 of the Delaware Code Relating to the Crime of New Home Construction Fraud. (2/3 bill)

Mr. Speaker Spence resumed the Chair.

Representative Schroeder moved to suspend the rules which interfere with introduction of and action on HA 1 to HB 472. The motion was properly seconded and adopted by voice vote.

Representative Schroeder introduced and brought HA 1 to HB 472 before the House for consideration.

Representative Schroeder deferred to Representative DiLiberto.

Representative DiLiberto made comments.

Representative DiLiberto requested and was granted the privilege of the floor for Frank Pileggi, House Attorney.

Representatives DiLiberto & Roy made comments.

Representative Roy requested and was granted the privilege of the floor for Tom Stevens, Deputy Attorney General.

Representatives Roy, VanSant, Welch, B. Ennis, DiLiberto & Welch made comments.

HA 1 to HB 472 was defeated by voice vote.

The roll call on HB 472 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 472 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Maier.

Representative Maier brought HB 625, jointly sponsored by Representatives Davis, Bunting, Capano, Plant, Quillen, Scott, Spence & Ulbrich & Senators Blevins, Hauge, Reed, Sharp, Sorenson & Voshell, before the House for consideration.

HB 625 - An Act to Amend Title 21 of the Delaware Code Relating to the Registration of Motor Vehicles. (3/5 bill)(F/N)

Representative Maier made comments.

Representative Maier moved to plave HB 625 on the Speaker's table. The motion was seconded by Representative Quillen and adopted by voice vote.

Representative Cloutier brought HB 499 before the House for consideration.

HB 499-An Act to Amend Chapter 1, Title 14, Delaware Code Relating to the State Board of Education and the Superintendent of Public Instruction Qualifications.

Representatives Cloutier, Ewing, Reynolds, Cloutier, Fallon, Plant, Wagner, Cloutier, VanSant, Scott & Cloutier made comments.

Representative Scott requested and was granted the privilege of the floor for Reverend Nathaniel Brown, President, Central Branch, N.A.A.C.P.

Representative West made comments.

The roll call on HB 499 was taken and revealed:

YES: Representatives Boulden, Cloutier, Davis, DiPinto, Lee, Petrilli-6.

NO: 34

ABSENT: Representative Roy-1.

Therefore, not having received a constitutional majority, HB 499 was declared defeated.

Representatives Cloutier & Wagner requested and were granted personal privilege of the floor for comments.

Representative Petrilli brought Consent Agenda E before the House for consideration.

HB 543 - WELCH, DAVIS, PETRILLI, LEE, OBERLE, ULBRICH, SPENCE, CLOUTIER, MAIER; SENATOR MARSHALL - An Act to Amend Title 19 of the Delaware Code Relating to Unemployment Compensation.

HB 533 - BANNING, BOULDEN, BUNTING, CAREY, DILIBERTO, EWING, GILLIGAN, JONKIERT, MACK, PLANT, REYNOLDS, SCOTT, SPENCE, WEST; SENATORS MCBRIDE, VOSHELL; REPRESENTATIVES BRADY, CAPANO, DAVIS, B. ENNIS, FALLON, HOUGHTON, LEE, MAIER, QUILLEN, SCHROEDER, SMITH, VANSANT, WILLIAMS; SENATORS VAUGHN, BAIR - An Act to Amend Title 11 of the Delaware Code Relating toe Abuse of Animals.

HB 600 - DIPINTO; SENATOR CORDREY; REPRESENTATIVES BUCKWORTH, CAREY, EWING, LEE, STONE, BANNING, HOUGHTON, WILLIAMS; SENATORS BLEVINS, HENRY, SOKOLA, VOSHELL, CONNOR, HAUGE; REPRESENTATIVES BOULDEN, CAPANO, CLOUTIER, FALLON, REYNOLDS, WAGNER, BRADY, SCOTT; SENATORS ADAMS, COOK, MCBRIDE, VENABLES, BAIR, AMICK, SORENSON - An Act to Amend Title 18 of the Delaware Code Relating to Credit Insurance.

HB 549 - BUNTING; SENATOR COOK; REPRESENTATIVES BRADY, DILIBERTO, GILLIGAN, JONKIERT, PLANT, SCOTT, VANSANT, WILLIAMS; SENATORS BONINI HAUGE, SORENSON, VENABLES; REPRESENTATIVES BANNING, DAVIS, B. ENNIS, HOUGHTON, OBERLE, SCHROEDER, SMITH, WEST; SENATORS BLEVINS, CORDREY, SOKOLA, VAUGHN, VOSHELL - An Act to Amend Title 29 of the Delaware Code Relating to the Board of Pension Trustees and Investment Pools.

HB 559 - WAGNER, SPENCE, QUILLEN, CAREY, CLOUTIER, D. ENNIS, LEE, MAIER, OBERLE, ROY, STONE, WELCH, BRADY, DILIBERTO, GILLIGAN, SCOTT, WEST; SENATORS BLEVINS, AMICK, CONNOR; REPRESENTATIVES PETRILLI, BUCKWORTH, CAULK, DAVIS, EWING, LOFINK, MARONEY, REYNOLDS, SMITH, ULBRICH, BANNING, BUNTING, B. ENNIS, HOUGHTON, VANSANT, WILLIAMS; SENATORS VENABLES, BONINI, STILL - An Act to Amend Title 29 and 14, Delaware Code, Relating to Adoption Leave for State Employees, Teachers, and School Employees. (F/N)

HB 617 - DAVIS; SENATOR COOK; REPRESENTATIVES BUCKWORTH, BUNTING; SENATORS HENRY, VAUGHN, STILL; REPRESENTATIVES DIPINTO, MARONEY, JONKIERT; SENATORS MCBRIDE, SORENSON - An Act to Amend Chapter 101 of Title 3 of the Delaware Code to Require the Thoroughbred Racing Commission to Fingerprint All License Applicants.

HB 613 - CLOUTIER, GILLIGAN, SPENCE, PETRILLI - An Act to Amend Title 14 Relating to the Qualifications of Certain School Personell.

HB 420 - OBERLE; SENATOR MARSHALL - An Act to Amend Title 19 of the Delaware Code Relating to Handicapped Persons Employment Protection.

Representative Petrilli requested that HB 533 & HB 559 be removed from Consent Agenda E.

The roll call on Consent Agenda E was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 543, HB 600, HB 549, HB 617, HB 613 & HB 420 were sent to the Senate for concurrence.

Representative Petrilli brought Consent Agenda F, before the House for consideration.

SB 334 - ADAMS, VOSHELL, COOK, VAUGHN, VENABLES, CORDREY; REPRESENTATIVE EWING - An Act to Amend Title 30 of the Delaware Code Relating to Exemptions of Farm Trucks From Motor Fuel Tax.

SB 318 - BLEVINS; REPRESENTATIVES MARONEY, DILIBERTO; SENATOR BAIR - An Act to Amend Titles 10 and 11 of the Delaware Code Relating to Bond Forfeiture in Child Support Proceedings. (F/N)

SB 287 - VOSHELL; REPRESENTATIVE ROY; SENATOR AMICK - An Act to Amend Title 21 of the Delaware Code Relating to Terminal Rental Adjustment Clause Leases.

SB 308 - SHARP - An Act to Amend Subtitle II, Title 6 of the Delaware Code Relating to Commerce and Trade; and Providing for a Uniform Fraudulent Transfer Act.

SB 215 - MARSHALL; REPRESENTATIVE JONKIERT; SENATOR HENRY; REPRESENTATIVE PLANT; SENATOR MCDOWELL; REPRESENTATIVES GEORGE, SCOTT - An Act to Amend Title 25 of the Delaware Code Relating to Lien of Taxes and Other Charges.

The roll call on Consent Agenda F was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 334, SB 318, SB 287, SB 308 & SB 215** were returned to the Senate.

Representative Petrilli brought Consent Agenda G, before the House for consideration.

HB 423 - OBERLE; SENATOR MARSHALL - An Act to Amend Title 29 of the Delaware Code Relating to Exemptions From the State Classified Service.

HB 573 - WEST; SENATOR CORDREY; REPRESENTATIVES BRADY, DILIBERTO, GILLIGAN, JONKIERT, SCHROEDER, VANSANT, BOULDEN, CAPANO, CAULK, DAVIS, D. ENNIS, LEE, MAIER, QUILLLEN, ROY, STONE, WAGNER; SENATORS ADAMS, MARSHALL, MCDOWELL, VENABLES; REPRESENTATIVES BANNING, BUNTING, B. ENNIS, HOUGHTON, PLANT, SCOTT, WILLIAMS, BUCKWORTH, CAREY, CLOUTIER, DIPINTO, EWING, LOFINK, OBERLE, REYNOLDS, SPENCE, ULBRICH, WELCH; SENATORS BLEVINS, MCBRIDE, VAUGHN, VOSHELL - An Act Authorizing and Directing the Delaware Commission of Veterans Affairs to Establish, Maintain and Operate a Second Delaware Veterans Memorial Cemetery to be located in Sussex County on Land Owned by the State of Delaware, Said Land to be Deeded to the Commission by the Department of Health & Social Services on Land Presently a Part of the Stockley Center, Located Near Millsboro, Delaware.

HB 596 - SCOTT, BANNING, BRADY, CAPANO, CAULK, B. ENNIS, GILLIGAN, JONKIERT, LOFINK, PLANT, SMITH, VANSANT, WILLIAMS; SENATORS MARSHALL, VOSHELL; REPRESENTATIVES BOULDEN, BUNTING, CAREY, CLOUTIER, EWING, HOUGHTON, LEE, OBERLE, SCHROEDER, ULBRICH, WEST; SENATORS HENRY, STILL - An Act to Amend Chapter 47 of Title 16 of the Delaware Code Relating to Controlled Substances.

HB 614 - OBERLE; SENATOR MARSHALL - An Act to Amend Title 19, Delaware Code, Chapter 13 Creating a Statute of Limitations for the Filing of Unfair Labor Practice Charges Under the Public Employment Relations Act,

HB 621 - SCHROEDER, BUNTING; SENATORS CORDREY, AMICK, VOSHELL - An Act to Amend Title 7 of the Delaware Code Relating to Shellfish and the Regulatory Authority of the Department of Natural Resources and Environmental Control.

HB 627 - WELCH; SENATOR BONINI; REPRESENTATIVES BOULDEN, DAVIS, EWING, LOFINK, SMITH, WAGNER, BUNTING, JONKIERT; SENATORS AMICK, STILL; REPRESENTATIVES SPENCE, CAULK, D. ENNIS, LEE, PETRILLI, STONE, BANNING, B. ENNIS, SCHROEDER; SENATOR REED - An Act to Amend Title 10 of the Delaware Code Relating to Family Court Protection From Abuse Proceedings.

SB 275 w/SA 1 - SOKOLA; REPRESENTATIVES REYNOLDS, DAVIS, SCHROEDER; REPRESENTATIVES SHARP, HENRY, BAIR, HAUGE, SORENSON; REPRESENTATIVES CLOUTIER, MAIER, WAGNER, ULBRICH, EWING, CAREY; SENATORS COOK, CONNOR, BLEVINS, VOSHELL, BONINI, REED, STILL; REPRESENTATIVES LEE, DIPINTO, CAPANO, BUCKWORTH, MACK - An Act to Amend Title 14 of the Delaware Code Relating to the Reporting of Information About Public Education. (F/N)

HCR 61 - MARONEY; SENATOR BLEVINS; REPRESENTATIVES BUCKWORTH, CLOUTIER, DAVIS, LEE, ROY, WAGNER, BANNING, DILIBERTO, HOUGHTON, PLANT, WEST; SENATORS ADAMS, MARSHALL, AMICK, SORENSON; REPRESENTATIVES SPENCE, CAPANO, DIPINTO, FALLON, MAIER, SMITH, WELCH, BRADY, B. ENNIS, JONKIERT, VANSANT, WILLIAMS; SENATORS HENRY, SOKOLA, BONINI, STILL - Requesting and Urging the Voluntary Adoption of Guidelines Regarding Post-Partum Hospital Stays by All Delaware Health Care Providers, Insurers, Health Maintenance Organization, and Health Benefit Plans; Requesting the Delaware Health Care Commission to Monitor Certain Readmissions.

HB 635 - WELCH; SENATOR COOK; REPRESENTATIVES PETRILLI, CAULK, DAVIS, EWING, LOFINK, OBERLE, ULBRICH, BANNING, B. ENNIS, SCHROEDER; SENATORS BONINI, STILL; REPRESENTATIVES SPENCE, BOULDEN, CAPANO, D. ENNIS, LEE, MAIER, SMITH, WAGNER, BUNTING, JONKIERT; SENATORS VENABLES, REED - An Act to Amend Chapter 81 of Title 10 of the Delaware Code Relating to Personal Actions.

Representative Petrilli requested that HB 596, HB 627 & HB 635 be removed from Consent Agenda G. The roll call on Consent Agenda G was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 423, HB 573, HB 614, HB 621 & HCR 61 were sent to the Senate for concurrence and SB 275 w/SA 1 was returned to the Senate.

Representative Petrilli brought Consent Agenda H, before the House for consideration.

SB 390 w/SA 1 - VAUGHN, SHARP; REPRESENTATIVES LEE, ROY-An Act to Amend Chapter 19, Title 11 of the Delaware Code Relating to Arrest Without Warrant.

SB 393 - HENRY, MCBRIDE, BLEVINS MARSHALL, SOKOLA, BONINI, SORENSON; REPRESENTATIVES BRADY, B. ENNIS, SCHOEDER, WILLIAMS, CAPANO, DIPINTO, LEE, MARONEY, REYNOLDS, WAGNER; SENATORS ADAMS, COOK, MCDOWELL, VENABLES, CONNOR; REPRESENTATIVES BANNING, BUNTING, JONKIERT, SCOTT, BOULDEN, CLOUTIER, EWING, MAIER, PLANT, ULBRICH, WEST - An Act to Amend Title 11 of the Delaware Code Relating to Female Genital Mutilation. (F/N)

SB 292 - MARSHALL; REPRESENTATIVE OBERLE - An Act to Amend Title 19 of the Delaware Code Relating to Employment Practices and to Amend Title 16 of the Delaware Code Relating to the Clean Indoor Air Act.

HB 482 - SMITH - An Act to Amend Title 11 of the Delaware Code Relating to Licenses to Carry Concealed Deadly Weapons.

HB 633 - MARONEY, BUCKWORTH, CLOUTIER, EWING, MAIER, BRADY, SCOTT, CAPANO, DIPINTO, MACK, BANNING, HOUGHTON; SENATORS SORENSON, MCDOWELL - An Act to Amend Title 31 of the Delaware Code Relating to the Children's Trust Fund Board of Directors.

HB 636 - JONKIERT; SENATOR SHARP; REPRESENTATIVES BUNTING, BRADY, CAPANO, CAULK, DAVIS, DIPINTO, D. ENNIS, FALLON, HOUGHTON, LOFINK, MAIER, OBERLE, PLANT, REYNOLDS, SCHROEDER, SPENCE, STONE, VANSANT, WELCH, WILLIAMS; SENATORS AMICK, BLEVINS, CONNOR, HAUGE, MARSHALL, MCDOWELL, SOKOLA, STILL, VENABLES; REPRESENTATIVES BANNING, BOULDEN, BUCKWORTH, CAREY, CLOUTIER, DILIBERTO, B. ENNIS, EWING, GILLIGAN, LEE, MACK, MARONEY, PETRILLI, QUILLEN, ROY, SCOTT, SMITH, ULBRICH, WAGNER, WEST; SENATORS ADAMS, BAIR, BONINI, COOK, HENRY, MCBRIDE, REED, SORENSON, VAUGHN, VOSHELL - An Act to Amend Title 29, Chapter 58 of the Delaware Code Relating to the Requirements Imposed Upon State Employees.

HB 641 - DIPINTO, CAPANO - An Act To Amend Title 13, Delaware Code Relating to Marriage Licenses.

SB 425 - CORDREY, ADAMS; REPRESENTATIVES CAREY, SPENCE - An Act Amending the Beach Preservation Act, Title 7 of the Delaware Code.

Representative Petrilli requested that HB 482 be removed from Consent Agenda H.

The roll call on Consent Agenda H was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 390 w/SA 1, SB 393, SB 292 & SB 425 were returned to the Senate & HB 633, HB 636 & HB 641 were sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Roy.

Representative Roy requested and was granted personal privilege of the floor for an announcement.

Representative Petrilli brought Consent Agenda I, which requires a two-thirds vote, before the House for consideration.

SB 391 - VAUGHN; REPRESENTATIVES OBERLE, SPENCE, STONE, WAGNER, HOUGHTON; SENATORS SHARP, MCDOWELL, STILL; REPRESENTATIVES D. ENNIS, PETRILLI, BRADY, JONKIERT, OBERLE; SENATORS MARSHALL, BLEVINS - An Act to Amend Title 18 of the Delaware Code Relating to Fraternal Benefit Societies.

HB 671 - VANSANT; SENATOR ADAMS - An Act to Amend Chapter 13, Title 24, Delaware Code Relating to Private Investigators and Private Security Agencies. (3/5 bill)

HR 29 - B. ENNIS, BANNING, BRADY, BUNTING, CAREY, CLOUTIER, DILIBERTO, D. ENNIS, FALLON, HOUGHTON, LEE, MACK, MARONEY, PETRILLI, QUILLEN, ROY, SCOTT, SPENCE, ULBRICH, WAGNER, WEST; SENATORS COOK, VOSHELL, BLEVINS, STILL; REPRESENTATIVES BOULDEN, BUCKWORTH, CAPANO, CAULK, DAVIS, DIPINTO, EWING, GILLIGAN, JONKIERT, LOFINK, MAIER, OBERLE, PLANT, REYNOLDS, SCHROEDER, SMITH, STONE, VANSANT, WELCH, WILLIAMS; SENATORS VAUGHN, ADAMS, VENABLES - Authorizing and Directing the Delaware Fire Prevention Commission to Name the Fire Service Training Center (Only) Located at 1461 Chestnut Grove Road as the "Louis J. Amabili Fire Service Training Center" for His Long Tenure and Dedicated Fire Service in the State of Delaware and the Recognition He Has Brought to Our State.

HB 664 - VANSANT, BANNING, BRADY, BUNTING, CAREY, CLOUTIER, DILIBERTO, EWING, GILLIGAN, JONKIERT, MAIER, ULBRICH; SENATORS ADAMS, BLEVINS, HAUGE,

SORENSEN, VAUGHN; REPRESENTATIVES BOULDEN, BUCKWORTH, CAPANO, CAULK, DAVIS, B. ENNIS, FALLON, HOUGHTON, LOFINK, SCOTT, WILLIAMS; SENATORS AMICK, COOK, SOKOLA, STILL, VOSHELL - An Act to Amend Title 24 of the Delaware Code Relating to Deadly Weapons Dealers.

HB 665 - VANSANT, BANNING, BRADY, BUNTING, CAREY, CLOUTIER, DILIBERTO, EWING, GILLIGAN, JONKIERT, MAIER, ULBRICH, WILLIAMS; SENATORS AMICK, BONINI, HAUGE, SORENSON, VAUGHN; REPRESENTATIVES BOULDEN, BUCKWORTH, CAPANO, CAULK, DAVIS, B. ENNIS, FALLON, HOUGHTON, LOFINK, SCOTT, WELCH; SENATORS ADAMS, BLEVINS, COOK, SOKOLA, STILL VOSHELL - An Act to Amend Title 11 of the Delaware Code Relating to Licenses to Carry Concealed Deadly Weapons.

SB 192 w/SA 1 - BLEVINS, STILL; REPRESENTATIVE STONE - An Act to Amend Chapter 178, Volume 69, Laws of Delaware and Title 24 of the Delaware Code Relating to the Board of Cosmetology and Barbering.

The roll call on Consent Agenda I was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 391 & SB 192 w/SA 1** were returned to the Senate & **HB 671, HJR 29, HB 664 & HB 665** were sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Davis.

Representative Davis made an announcement.

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

AG & FP & A: **HS 1/HB 619** - 1F,3M; **SB 412** - 1F,4M.

P/S: **SB 435 w/SA 1** - 5M.

ED: **SB 418** - 6M.

APPRO: **HB 404** - 5M.

TRANS & INFRA: **HB 685** - 7M.

Mr. Speaker assigned **HB 596** to the Appropriations Committee.

The Majority Leader moved to recess to the call of the Chair at 7:19 p.m.

44th LEGISLATIVE DAY
138th GENERAL ASSEMBLY
Second Session
June 24, 1996

Mr. Speaker called the House to order at 2:16 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed: **SCR 70, SS 1 to SB 332, HB 508, HB 332 w/HA 1 & SA 1, HB 589 w/HA 3 & 4, HS 1 to HB 159 w/HA 1 & SA 1, HB 598, HB 579 w/HA 1, SB 451, SB 439, SB 448, SB 424, SB 444 w/SA 1, SB 427 w/SA 1 & 2 & HB 572 w/HA 1 & SA 1.**

WITHDRAWAL OF SPONSORSHIP

I, Pam Maier, do hereby request that my name be removed as Co-Sponsor of **HB 609**.

Date: June 20, 1996.

Signed: Pam Maier.

WITHDRAWAL OF SPONSORSHIP

I, Stephanie Ulbrich, do hereby request that my name be removed as Co-Sponsor of **HB 609**.

Date: 6/20/96.

Signed: Stephanie Ulbrich.

The Majority Whip moved to adjourn at 2:19 p.m., thereby ending the current legislative day. The House reconvened at 2:20 p.m.

The Assistant Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative Nancy H. Wagner, Thirty-First Representative District.

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

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

Mr. Speaker Spence made an announcement.

The following prefiled legislation was introduced:

HS 1 to HB 625 - MAIER & DAVIS - P/S: An Act to Amend Title 21 of the Delaware Code Relating to the Registration of Motor Vehicles.

HB 686 - WAGNER & DAVIS & SENATORS VENABLES & STILL - R & F: An Act to Amend Title 30 and Title 6 of the Delaware Code Relating to Retail Grocery Stores.

HB 687 - CLOUTIER - ED: An Act to Amend Title 14, Delaware Code Relating to Private School Voucher Program. (3/4 bill)

HB 689 - BRADY, BANNING, BUNTING, EWING, HOUGHTON, JONKIERT, LOFINK, MACK, PLANT, REYNOLDS, SCOTT, WEST, WILLIAMS; SENATOR REED - JUD: An Act to Amend Chapter 5 of Title 11 of the Delaware Code Relating to the Delivery of Aerosol Paints and Marking Devices to Minors. (2/3 bill)

HB 690 - SCHROEDER & SENATOR CORDREY - H/ADM: An Act to Waive Certain Statutory Provisions of Chapter 1, Title 13 of the Delaware Code Relating to the Marriage of Linda J. Lopuski-Rickards and Murray Kenric Butler.

HR 86 - MARONEY - HEALTH & HUM DEV: Encouraging and Requesting the Division of Public Health of the Department of Health and Social Services to Provide Leadership in the Promotion of Public Awareness and Knowledge About the Diagnosis, Prevention, and Treatment of Osteoporosis.

HA 2 to HB 378 - MARONEY - AGENDA VII: Placed with the bill.

HA 1 to HB 482 - WELCH - AGENDA: Placed with the bill.

HA 1 to HB 559 - WAGNER - AGENDA: Placed with the bill.

HA 1 to HB 629 - ROY - AGENDA VIII: Placed with the bill.

HA 1 to HB 632 - SPENCE - READY LIST: Placed with the bill.

HA 1 to HB 642 - CAPANO & SENATOR BLEVINS - READY LIST: Placed with the bill.

HA 1 to HB 666 - CLOUTIER - AGENDA VI: Placed with the bill.

SS 1 for SB 332 - SHARP, VAUGHN, AMICK, HAUGE; REPRESENTATIVES ROY, CLOUTIER, DILIBERTO, WELCH - JUD: An Act to Amend Chapter 38, Title 12 of the Delaware Code Relating to Business Trusts.

SB 417 w/SA 1 - SHARP & REPRESENTATIVE ROY - JUD: An Act to Propose an Amendment to Article IV of the Delaware Constitution of 1897 to Include the Family Court and Court of Common Pleas as Courts Established by the Constitution of the State of Delaware and Articles III and IV of the Delaware Constitution of the State of Delaware to Delete References to the Orphans' Court.

SB 424 - SHARP & VAUGHN; REPRESENTATIVE ROY - JUD: An Act to Amend Chapter 5, Title 11 of the Delaware Code Relating to Offenses Involving Children.

SB 427 w/SA 1 - BONINI & SOKOLA, HAUGE; REPRESENTATIVES OBERLE, REYNOLDS - ED: An Act to Amend Title 14 of the Delaware Code Relating to Alternative Routes for Teacher Certifications.

SB 439 - VOSHELL & REPRESENTATIVE EWING - JUD: An Act to Amend Title 11 of the Delaware Code Relating to Issuing a Bad Check.

SB 444 w/SA 1 - ADAMS & REPRESENTATIVE WAGNER; SENATORS VAUGHN & BONINI; REPRESENTATIVES CAREY, CAULK, EWING, FALLON, LEE, BANNING, BUNTING, B. ENNIS & WEST - H/ADM: An Act to Amend Title 15 of the Delaware Code Relating to Elections.

SB 448 - BLEVINS & REPRESENTATIVE MARONEY; SENATORS MARSHALL, SOKOLA, BAIR & REED; REPRESENTATIVES PLANT, STONE, CLOUTIER, SCOTT & WILLIAMS - HEALTH & HUM DEV: An Act to Amend Title 16, Delaware Code, Relating to General Powers of the Secretary, Delaware Department of Health and Social Services.

SB 451 - CORDREY; REPRESENTATIVE SMITH - B & I: An Act to Amend Chapter 5, of Title 25, Relating to the Rule Against Perpetuities.

HA 1 to SS 1 for SB 78 - WELCH & BUCKWORTH & MARONEY & BUNTING, SPENCE, BOULDEN, CAULK, DAVIS, D. ENNIS, EWING, FALLON, LEE, LOFINK, MACK, REYNOLDS, WAGNER, VANSANT, BANNING, BRADY, B. ENNIS, HOUGHTON, JONKIERT, PLANT, SCOTT, WEST, WILLIAMS - R & F: Placed with the bill.

HA 1 to SS 2 to SB 223 - ROY, WAGNER, PLANT, HOUGHTON, JONKIERT, SCOTT - READY LIST: Placed with the bill.

HA 1 to SB 382 - CLOUTIER - AGENDA VIII: Placed with the bill.

Representative Welch requested that HA 1 & HA 2 to SB 323 be stricken.

Representative Williams requested that he be marked present.

Representatives West & Gilligan made comments.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #119

DATE: June 24, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

Number	Sponsor	Presentation Date	Type	Description
H138-1712	Fallon	6/21/96	T	Allen Petroleum Corp./"Customers Appreciation Celebration".

H138-1713	Spence	6/15/96	T	Katherine Shumar/Retire/School Bus Driver/John S. Charlton Sch.
H138-1714	Maroney	5/22/96	T	Father Bill Graney/25th Anniv./Ordination
H138-1715	Oberle	6/15/96	T	Tony Lofink/All-Star Baseball/Salesianum/96 Pro Draft
H138-1716	Ewing	6/09/96	T	Rev. Olin Shockley/Retire/42 Yrs./United United Methodist Church
H138-1717	Bunting	7/05/96	T	Geoffrey Myers/Outstanding Serv./Com./Chief/Middlesex Beach Pat.
H138-1718	VanSant	6/08/96	T	Billie M. & Clyde S. Wetzler/50th Wedding Anniversary
H138-1719	VanSant	5/18/96	T	Jane & Jim Kugler/50th Wedding Anniversary
H138-1720	Brady	6/29/96	T	Anne M. Schneider & Michael W. Mangini/Marriage
H138-1721	Jonkiert	7/19/96	T	Ernestine Pacello/87th Birthday
H138-1722	Jonkiert	9/09/96	T	Joseph Pacello/87th Birthday
H138-1723	Jonkiert	9/02/96	T	Alberti/88th Birthday
H138-1724	Fallon	6/22/96	T	William C. Parker/Ordination
H138-1725	Lofink	6/25/96	T	John A. Stiner/Eagle Scout

HOUSE TRIBUTE ANNOUNCEMENT #120

DATE: June 24, 1996

The following tributes and memoriams have been issued through the office of the Chief Clerk of the House at the request of the sponsor:

<u>Number</u>	<u>Sponsor</u>	<u>Presentation Date</u>	<u>Type</u>	<u>Description</u>
H138-1726	Ewing	6/21/96	T	Abby Pritchett/Outstanding Scholar/Woodbridge
H138-1727	Fallon	6/19/96	T	John & Dorothy Brohawn/50th Wedding Anniversary
H138-1728	Mack	7/03/96	T	Ida Belle/85th Birthday
H138-1729	Buckworth	6/20/96	T	Kelly Laing/W. Reily Brown/Scholarship/Cam.-Wyo. Lions Club
H138-1730	Buckworth	6/20/96	T	Cindi Hewitt/Michael Webb FFA Scholarship
H138-1731	Buckworth	6/20/96	T	Shannon Foskey/Charles Pyott Awd./Cam.-Wyo. Lions Club
H138-1732	Buckworth	6/20/96	T	William Cordeiro/Male Teen of Yr./Cam.-Wyo. Lions Club
H138-1733	Buckworth	6/20/96	T	Sandra Bell/Female Teen of Year/Cam.-Wyo. Lions Club
H138-1734	Buckworth	6/20/96	T	Kristie Grier/Olive Shoemaker Scholarship/Cam.-Wyo. Lions Club
H138-1735	Buckworth	6/20/96	T	Susan A. Stewart/William Brown Scholarship/Cam.-Wyo. Lions Club
H138-1736	Maier	7/28/96	T	James C. Morton/75th Birthday
H138-1737	Maier	8/22/96	T	Theresa C. Palandrani/75th Birthday
H138-1738	DiLiberto	4/27/96	T	Barbara J. Bower & Louis M. Leoni, Jr./Marriage

T - Tribute

M - Memoriam

Representative Petrilli deferred to Representative Scott.

Representative Scott brought HB 78 before the House for consideration.

HB 78 - An Act to Amend Chapter 101, Title 29 of the Delaware Code Relating to General Provisions for Public Access to State Agencies.

Representatives VanSant requested that he be marked present.

Representative Scott made a comment.

The roll call on HB 78 was taken and revealed:

YES: 32.

NOT VOTING: Representative Cloutier - 1.

ABSENT: Representatives Brady, Buckworth, Bunting, Davis, DiPinto, D. Ennis, Jonkiert, Maroney -

8.

Therefore, having received a constitutional majority, HB 78 was sent to the Senate for concurrence. Representatives Maier & Ulbrich requested that they be marked present during the roll call.

Representative Ewing made comments.

Mr. Speaker reassigned HB 376 to House Desegregation Committee.

Representative Petrilli brought HS 1 for HB 159 w/HA 1 & SA 1, sponsored by Representatives D. Ennis & Wagner & Senator Voshell & Representatives Brady, Houghton, VanSant, DiLiberto, Bunting, Schroeder, West, Scott, Gilligan, Quillen, D. Ennis, Lee, Ewing, Capano, Spence, Welch & Boulden & Senators Vaughn & McBride, before the House for concurrence on SA 1.

Representative Petrilli made a comment.

HB 159 - An Act to Amend Chapter 43, Title 21, Delaware Code, Relating to Equipment and Construction of Vehicles.

The roll call on HS 1 for HB 159 w/HA 1 & SA 1 was taken and revealed:

YES: 33.

ABSENT: Representatives Brady, Buckworth, Bunting, Davis, DiLiberto, D. Ennis, Jonkiert, Maroney

- 8.

Therefore, having received a constitutional majority, HS 1 for HB 159 w/HA1 & SA 1 was sent to the Governor.

Mr. Speaker reassigned HB 673 to the Desegregation Committee.

Representative Petrilli brought HB 332 w/HA 1 & SA 1, sponsored by Representatives Capano & Bunting, before the House for concurrence on SA 1.

HB 332 - An Act to Amend Chapter 17, Title 18, Delaware Code Relating to Insurance Agents, Brokers, and Other Licensees of the Insurance Department.

Representative Petrilli made a comment.

The roll call on HB 332 w/HA 1 & SA 1 was taken and revealed:

YES: 37.

ABSENT: Representatives Brady, DiPinto, D. Ennis, Maroney - 4.

Therefore, having received a constitutional majority, HB 332 w/HA 1 & SA 1 was sent to the Governor.

Representatives Buckworth, Davis, Bunting & Jonkiert requested that they be marked present during the roll call.

Representative Petrilli brought HB 572 w/HA 1 & SA 2, sponsored by Representatives DiPinto & VanSant & Senator Cordrey, before the House for consideration.

HB 572 - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors, Cider, and Taxes. (3/5 bill)

Representative Petrilli made a comment.

The roll call on HB 572 w/HA 1 & SA 2 was taken and revealed:

YES: 39.

NO: Representative Caulk - 1.

ABSENT: Representative D. Ennis - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 572 w/HA 1 & SA 2 was sent to the Governor.

Representatives Brady, Maroney & DiPinto requested that they be marked present during the roll call.

Representative Petrilli brought HB 589 w/HA 3 & 4 & SA 1, sponsored by Representatives Roy, Spence & Gilligan & Senator Sharp & Representatives DiLiberto & VanSant, before the House for consideration.

HB 589 - An Act to Amend Title 8, 9 and 29 of the Delaware Code Relating to Eliminating the Requirement for the Recordation of, and Enhancing Public Access to, Corporation Documents in the Offices of the Recorders of Deeds. (2/3 bill)

Representative Petrilli made a comment.

The roll call on HB 589 w/HA 3 & 4 & SA 1 was taken and revealed:

YES: 40.

ABSENT: Representative D. Ennis -1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, HB 589 w/HA 3 & 4 & SA 1 was sent to the Governor.

Representative Petrilli brought Consent Agenda I, which requires a two-thirds vote, before the House for consideration.

SB 399 w/SA 1 - VOSHALL; REPRESENTATIVE SCHROEDER - 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 an Electric Light Plant, Water Works and a Sewer System for Said Town, Prescribing the Powers and Duties of Said Board and Providing for the Election of Their Successors" to Change the Date for Filing Notice of Candidacy for Office of Member of Board of Public Works and Require United States and Delaware Citizenship to Vote. (2/3 bill)

SB 410 - CONNOR; REPRESENTATIVE MACK - An Act to Amend Volume 27, Chapter 216, Laws of Delaware as Amended, to Change the Residency Requirements and Allow a Substitute Date for Municipal Elections in the City of New Castle. (2/3 bill)

SB 431 - ADAMS; REPRESENTATIVE WEST - An Act to Amend an Act, Being Chapter 276, Volume 65, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Georgetown" to Increase the Town Counsel's Power to Levy and Collect Taxes. (2/3 bill)

SB 432 w/SA 1 - CORDREY; REPRESENTATIVE WEST - An Act to Amend The Charter of the Town of Millsboro, Chapter 457, Volume 60, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Millsboro", to Change From Town Clerk to Town Manager, Change the Hours of Municipal Elections, Provide for Absentee Balloting, Authorize the Mayor to Act in Certain Emergencies, Expand the Powers of the Municipality in the Collection of Taxes, Increase the Maximum Fine Which May Be Imposed, and Authorize Contribution to an Ambulance/Emergency Treatment Service. (2/3 bill)

HB 653 - BUNTING; SENATOR CORDREY - An Act to Amend Chapter 295, Volume 65, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Bethany Beach" Relating to the Qualifications for NonResident Property Owners to Hold Public Office. (2/3 bill)

HB 672 - BUNTING; SENATOR CORDREY - An Act to Amend Chapter 166, Volume 37, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Selbyville", to Provide Further for the Supplying of Water, to Provide Limitations on Taxes, to Provide for Use of Town Monies, to Provide for Long-Term Borrowing and Procedures Therefor and to Repeal Any Act to the Extent Its Provisions Are Inconsistent With This Amendment. (2/3 bill)

The roll call on Consent Agenda I was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 399 w/SA 1**, **SB 410**, **SB 431** & **SB 432 w/SA 1** were returned to the Senate and **HB 653** & **HB 672** were sent to the Senate for concurrence.

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

The Majority Leader moved to recess for caucus at 2:53 p.m.

The House reconvened at 4:23 p.m with Representative Oberle as Acting Speaker.

The Reading Clerk read the following communications into the record:

June 24, 1996

LEGISLATIVE ADVISORY #62

Governor Thomas R. Carper signed the following legislation on the dates indicated: 6/21/96 - **SB 339 aab SA 1**, **SB 354 aab SA 1** & **HA 1** & 2, **HB 477**, **HB 503**, **HB 538**. 6/24/96 - **HB 371 aab HA 1**.

Representative Petrilli deferred to Representative Banning.

Representative Banning brought **HB 533**, jointly sponsored by Representatives Boulden, Brady, Bunting, Capano, Carey, Davis, DiLiberto, B. Ennis, Ewing, Fallon, Gilligan, Houghton, Jonkiert, Lee, Mack, Maier, Plant, Quillen, Reynolds, Schroeder, Scott, Smith, Spence, VanSant, West & Williams & Senators McBride, Vaughn & Voshell, before the House for consideration.

HB 533 - An Act to Amend Title 11 of the Delaware Code Relating to Abuse of Animals.

Representative Banning introduced and brought **HA 1** to **HB 533** before the House for consideration.

Representative Banning made a comment.

HA 1 was adopted by voice vote.

Representative Banning made comments.

The roll call on **HB 533 w/HA 1** was taken and revealed:

YES 41.

Therefore, having received a constitutional majority, **HB 533 w/HA 1** was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Wagner.

Mr. Speaker Spence resumed the Chair.

Representative Wagner brought **HB 559**, jointly sponsored by Representatives Spence, Petrilli, Quillen, Buckworth, Carey, Caulk, Cloutier, Davis, D. Ennis, Ewing, Lee, Lofink, Maier, Maroney, Oberle, Reynolds, Roy, Smith, Stone, Ulbrich, Welch, Banning, Brady, Bunting, DiLiberto, B. Ennis, Gilligan, Houghton, Scott, VanSant, West & Williams & Senators Blevins, Venables, Amick, Bonini, Connor & Still, before the House for consideration.

HB 559 - An Act to Amend Titles 29 and 14, Delaware Code, Relating to Adoption Leave for State Employees, Teachers, and School Employees.

Representative Wagner brought HA 1 to HB 559 before the House for consideration.

Representative Wagner made a comment.

HA 1 was adopted by voice vote.

Representative Wagner made comments.

The roll call on HB 559 w/HA 1 was taken and revealed:

YES: 40.

NOT VOTING: Representative Jonkiert - 1.

Therefore, having received a constitutional majority, HB 559 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Carey.

Representative Carey brought HB 609, jointly sponsored by Representatives Spence, Petrilli, Quillen, Buckworth, Capano, Davis, D. Ennis, Lofink, Maroney & Wagner & Senators Bair & Amick, before the House for consideration

HB 609 - An Act to Amend Title 7, Delaware Code, Creating the Oil Consumer Protection Fund Act. (3/5 bill)(F/N)

Representative Carey moved to place HB 609 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle brought HB 615, jointly sponsored by Senator Marshall, before the House for consideration.

HB 615 - An Act to Amend Title 19, Delaware Code, Chapter 16 Creating a Statute of Limitations for the Filing of Unfair Labor Practice Charges Under the Police Officers' and Firefighters' Employment Relations Act.

Representative Oberle brought HA 1 to HB 615 before the House for consideration.

Representative Oberle made a comment.

HA 1 was adopted by voice vote.

Representative Oberle made comments.

The roll call on HB 615 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, HB 615 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Oberle.

Representative Oberle brought HB 616, jointly sponsored by Senator Marshall, before the House for consideration.

HB 616 - An Act to Amend Title 14, Delaware Code, Chapter 40 Creating a Statute of Limitations for the Filing of Unfair Labor Practice Charges Under the Public School Employment Relations Act.

Representative Oberle brought HA 1 to HB 616 before the House for consideration.

Representative Oberle made a comment.

HA 1 was adopted by voice vote.

The roll call on HB 616 w/HA 1 was taken and revealed:

Representative Oberle made comments.

YES: 41.

Therefore, having received a constitutional majority, HB 616 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli deferred to Representative Roy.

Representative Roy brought SB 325 w/SA 1, jointly sponsored by Senator Sharp & Representatives Spence & Oberle, before the House for consideration.

SB 325 - An Act to Amend Title 11 of the Delaware Code Relating to the Establishment of a Videophone Fund.

Representative Roy made a comment.

Representative Wagner announced that she will not voting on SB 325 w/SA 1 because of a possible conflict of interest.

The roll call on SB 325 w/SA 1 was taken and revealed:

YES: 40.

NOT VOTING: Representative Wagner - 1.

Therefore, having received a constitutional majority, SB 325 w/SA 1 was returned to the Senate.

Representative Petrilli deferred to Representative Roy.

Representative Roy brought SB 340 w/SA 1 & 2, jointly sponsored by Senator Sharp, before the House for consideration.

SB 340 - An Act to Amend Title 10 and Title 11 of the Delaware Code Relating to Appeals by the State in Criminal Cases.

Representative Roy brought HA 1 to SB 340 before the House for consideration.

Representative Roy made a comment.

HA 1 was adopted by voice vote.

Representative Roy made a comment.

The roll call on SB 340 w/SA 1 & 2 & HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, SB 340 w/SA 1 & 2 & HA 1 was returned to the Senate for concurrence on HA 1.

Representative Petrilli deferred to Representative Lee.

Representative Lee introduced HB 688.

HB 688 - An Act to Amend the 1997 Annual Appropriations Act, Formally Entitled: An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 1997; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; and Amending Certain Pertinent Statutory Provisions."

Mr. Speaker assigned HB 688 to Revenue & Finance Committee.

Representative Petrilli deferred to Representative Lee.

Representative Lee brought HB 426, jointly sponsored by Representative Roy & Senator Sharp, before the House for consideration.

HB 426 - An Act to Amend Chapter 31 and Chapter 48, Title 25 of the Delaware Code Relating to Federal Liens; and Providing for a Uniform Federal Lien Registration Act. (3/5 bill)

Representative Lee made a comment.

Representative Lee brought HA 1 to HB 426 before the House for consideration.

HA 1 was adopted by voice vote.

Representative Lee deferred to Representative DiPinto.

Representative DiPinto made comments.

The roll call on HB 426 w/HA 1 was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, HB 426 w/HA 1 was sent to the Senate for concurrence.

Representative Petrilli brought HB 666, jointly sponsored by Representatives Spence, Boulden, Capano, Carey, DiPinto, D. Ennis, Ewing, Fallon, Lofink, Maier, Oberle, Roy, Ulbrich & Wagner & Senators Sharp, Blevins & Bair, before the House for consideration.

HB 666 - An Act to Amend Title 9 of the Delaware Code Relating to the Number and Term of Office of New Castle County Council Members; and Vote Requirements for Certain Ordinances.

Representative Petrilli made comments.

Representative Cloutier brought HA 1 to HB 666 before the House for consideration.

Representatives Cloutier, Petrilli, Cloutier, Davis, Cloutier, Petrilli, Oberle, Cloutier, Roy, Petrilli, Gilligan, Maier, Scott, Cloutier, Oberle & Cloutier made comments.

HA 1 to HB 666 was defeated by voice vote.

The roll call on HB 666 was taken and revealed:

YES: 31.

NO: Representatives Banning, Brady, B. Ennis, Houghton, Mack, Scott, VanSant, Williams - 8.

NOT VOTING: Representatives Schroeder, West - 2.

Therefore, having received a constitutional majority, HB 666 was sent to the Senate for concurrence.

Representative Jonkiert requested that action on HB 413 be Deferred to a Day Certain, Tuesday, June 25, 1996.

Representative Petrilli deferred to Representative Quillen.

Representative Quillen brought HB 534, jointly sponsored by Representatives Jonkiert, Schroeder, Petrilli, Boulden, Buckworth, Caulk, Davis, Ewing, Lee, Welch & Banning, before the House for consideration.

HB 534 - An Act to Amend Section 513 of Title 13 of the Delaware Code Relating to the Definition of "Income" for Purposes of Determining Support.

Representative Quillen deferred to Representative Maroney.

Representative Maroney brought HA 1 to HB 534 before the House for consideration.

Representatives Maroney, Davis, Quillen & Davis made comments.

HA 1 was adopted by voice vote.

Representative Quillen moved to place HB 534 w/HA 1 on the Speaker's table. The motion was properly seconded and adopted by voice vote.

Representative Petrilli deferred to Representative Lofink.