

# STATE OF DELAWARE



## Journal of the House of Representatives

143<sup>RD</sup> General Assembly

Convened  
Tuesday, January 11, 2005  
Dover, Delaware

~~~~~

2005-2006

MEMBERS OF THE HOUSE OF REPRESENTATIVES  
143rd GENERAL ASSEMBLY

District

**NEW CASTLE COUNTY**

- |    |                                                           |
|----|-----------------------------------------------------------|
| 1  | Dennis P. Williams, 3414 N. Madison Street, Wilmington    |
| 2  | Hazel D. Plant, 523 Eastlawn Avenue, Wilmington           |
| 3  | Helene M. Keeley, 21 Servan Court, Wilmington             |
| 4  | Joseph G. DiPinto, 2607 West 18th Street, Wilmington      |
| 5  | Melanie George Marshall, 12 Calvarese Drive, Bear         |
| 6  | Diana M. McWilliams, 810 Bezel Road, Wilmington           |
| 7  | Wayne A. Smith, 3 Richards Drive, Wilmington              |
| 8  | Bethany A. Hall-Long, 127 St. Augustine Court, Middletown |
| 9  | Richard C. Cathcart, 226 Milford Drive, Middletown        |
| 10 | Robert J. Valihura, Jr., 11 Laurel Ridge Lane, Wilmington |
| 11 | Gregory F. Lavelle, 500 Whitby Drive, Wilmington          |
| 12 | Deborah D. Hudson, 1022 Oriente Avenue, Wilmington        |
| 13 | John F. VanSant, 311 Troy Avenue, Wilmington              |
| 15 | Valerie J. Longhurst, 11 Winchester Court, Bear           |
| 16 | James J. Johnson, 105 Skelton Drive, New Castle           |
| 17 | Michael P. Mulrooney, 32 Saratoga Drive, New Castle       |
| 18 | Terry R. Spence, 26 Freeport Road, New Castle             |
| 19 | Robert F. Gilligan, 2628 Sherwood Drive, Wilmington       |
| 20 | Roger P. Roy, 3 Citation Court, Wilmington                |
| 21 | Pamela S. Maier, 12 Chadd Road, Newark                    |
| 22 | Joseph E. Miro, 5 Firechase Circle, Newark                |
| 23 | Teresa L. Schooley, 2 Chapel Hill Drive, Newark           |
| 24 | William A. Oberle, Jr., 2 Danver's Way, Newark            |
| 25 | Stephanie A. Ulbrich, 1018 Summit View Drive, Newark      |
| 26 | John J. Viola, 624 N. Barrett Lane, Newark                |
| 27 | Vincent A. Lofink, 103 Veronica Lane, Bear                |

**KENT COUNTY**

- |    |                                                                                |
|----|--------------------------------------------------------------------------------|
| 28 | Bruce C. Ennis, 522 Smyrna-Clayton Boulevard, Smyrna                           |
| 29 | Pamela J. Thornburg, P. O. Box 1917, Dover                                     |
| 30 | William R. Outten, 206 Delaware Avenue, Harrington                             |
| 31 | Nancy H. Wagner, 283 Troon Road, Dover                                         |
| 32 | Donna D. Stone, 1155 Woodsedge Road, Dover                                     |
| 33 | G. Wallace Caulk, Jr., Buffalo Run Farm, 4657 Barratt's Chapel Road, Frederica |
| 34 | Gerald A. Buckworth, 127 North Old Mill Road, Dover                            |

**SUSSEX COUNTY**

- |    |                                                         |
|----|---------------------------------------------------------|
| 14 | Peter C. Schwartzkopf, 24 Coventry Road, Rehoboth Beach |
| 35 | J. Benjamin Ewing, 6935 Federalsburg Road, Bridgeville  |
| 36 | V. George Carey, 24625 Sugar Hill Road, Milford         |
| 37 | Joseph W. Booth, 200 Garden Street, Georgetown          |
| 38 | Gerald W. Hocker, P. O. Box 930, Ocean View             |
| 39 | Tina Fallon, 10464 Gravelly Creek Lane, Seaford         |
| 40 | Clifford G. Lee, 705 South Central Avenue, Laurel       |
| 41 | John C. Atkins, 29980 Millsboro Highway, Millsboro      |

**STAFF MEMBERS**

143rd GENERAL ASSEMBLY

JoAnn M. Hedrick – Chief Clerk  
Helen Alford – Minority Secretary  
Kay Amalfitano – Minority Legal Secretary  
Jean Ardis – Secretary  
Minnie Bowen – Legal Secretary  
John Brady – Majority Attorney  
Carol Breslin – Financial Officer  
Rodney Brittingham – Task Force Administrator  
William Bullock - Sergeant-at-Arms

William Bush – Minority Attorney  
 Josephine Conaty – Page  
 Jacqueline Crane – Page – Deceased July 17, 2006  
 Kevin Coyle – Sergeant-at-Arms  
 Bette Crystal – Executive Assistant to the Speaker  
 Andrew DalNogare – Legislative Assistant  
 Alan Davis – Minority Attorney  
 Margaret Moore Dean – Legislative Assistant  
 Jean Diener – Leadership Secretary  
 Janice Donovan - Legal Secretary  
 Inga Emerson – Journal Clerk  
 Janice Fischbach – Minority Secretary  
 Joe Fulgham – Communications Officer  
 Luisa Georgov - Secretary  
 Jerry Grant – Minority Legislative Assistant  
 John Hammerer – Minority Page  
 Rylene Harper – Minority Legislative Assistant  
 Helen Hicks – Receptionist  
 Karen Hill - Secretary  
 Barbara Holton – Minority Head Page  
 Elinor Hughes - Leadership Secretary  
 Alexis Jamison – Legal Secretary  
 Ruth Joyce – Majority Head Page - Deceased August 29, 2006  
 Joyce Keeler – Minority Legislative Assistant  
 Janet Kilpatrick – Legislative Assistant  
 Dee King – Page  
 Marietta Laporte – Legal Secretary  
 Florence Legates – Bill Clerk  
 Joyce Liss – Secretary  
 Thomas Little – Majority Attorney  
 Carole Lloyd – Receptionist  
 Tony Maczynski – Legislative Assistant  
 Stephanie Mantegna – Communications Officer  
 Joyce Martin - Page  
 John Matlusky – Director of Policy & Communications  
 Betsy McIntyre - Secretary  
 Betty McWilliams - Secretary  
 Dolores Michels – Legislative Assistant  
 Margaret Millman – Page  
 Rosalie Millman – Bill Stamping Clerk  
 Maria Ottinger – Secretary  
 Marilyn Porter – Secretary to the Speaker  
 Pamela Price – Director of Research  
 Richard Puffer - Minority Deputy Chief of Staff  
 Deborah Puzzo – Task Force Administrator  
 Betty Richard – Bill Prep Clerk  
 Lori Rigby – Legislative Assistant  
 Carie Riley – Legislative Assistant  
 Battle Robinson – Majority Attorney  
 Barbara Rossiter – Head Bill Prep  
 Nancy Ruberto – Secretary  
 Ayesha Sammänder – Applications Support Specialist  
 Frances Schmidt – Page  
 Mary Sherlock – Minority Attorney  
 Charles Short – Recorder  
 Charlotte Skinner - Secretary  
 Ron Smith – Senior Majority Attorney  
 Dale Sullivan - Sergeant-at-Arms  
 Beverly Sweet - Secretary  
 Edith Sylvester – Page  
 Sandy Sylvester - Page  
 Patrick Vanderslice - Majority Attorney  
 Douglas VanSant - Reading Clerk  
 Helen Webb – Bill Prep Clerk

Tom White - Sergeant-at-Arms  
Mary Margaret Williams – Minority Chief of Staff  
Joan Wutka – Transportation Liaison  
Janice Yerkes – Secretary  
Ellen Youngmans – Bill Prep Clerk  
Lori Zimmerman - Secretary

STANDING COMMITTEES  
OF THE  
HOUSE OF REPRESENTATIVES

**AGRICULTURE:** Representative Pamela J. Thornburg - Chair; Representative V. George Carey – Vice-chair; Representative John C. Atkins; Representative Joseph W. Booth; Representative G. Wallace Caulk, Jr.; Representative Gerald W. Hocker; Representative William R. Outten; Representative Bethany A. Hall-Long; Representative Michael P. Mulrooney.

**APPROPRIATIONS:** Representative Joseph G. DiPinto - Chair; Representative Gerald A. Buckworth; Representative Tina Fallon; Representative Stephanie A. Ulbrich; Representative Peter C. Schwartzkopf; Representative Dennis P. Williams; Representative Joseph W. Booth(Alternate); Representative Joseph E. Miro (Alternate); Representative Donna D. Stone (Alternate); Representative Pamela J. Thornburg (Alternate); Representative Nancy H. Wagner (Alternate).

**BUSINESS/CORPORATIONS/COMMERCE:** Representative Joseph E. Miro - Chair; Representative Gerald W. Hocker - Vice-chair; Representative Deborah D. Hudson; Representative Gregory F. Lavelle; Representative Donna D. Stone; Representative Stephanie A. Ulbrich; Representative Helene M. Keeley; Representative Valerie J. Longhurst; Representative Diana M. McWilliams; Representative Hazel D. Plant.

**CAPITAL INFRASTRUCTURE:** Representative Roger P. Roy - Chair; Representative V. George Carey; Representative Vincent A. Lofink; Representative William A. Oberle, Jr.; Representative Bruce C. Ennis; Representative Helene M. Keeley; Representative Richard C. Cathcart (Alternate); Representative Gregory F. Lavelle (Alternate); Representative Joseph E. Miro (Alternate); Representative Donna D. Stone (Alternate); Representative Michael P. Mulrooney (Alternate).

**CORRECTIONS:** Representative John C. Atkins - Chair; Representative Nancy H. Wagner – Vice-chair; Representative Gerald A. Buckworth; Representative William R. Outten; Representative James J. Johnson; Representative Helene M. Keeley; Representative Melanie George Marshall.

**ECONOMIC DEVELOPMENT, BANKING & INSURANCE:** Representative Donna D. Stone - Chair; Representative Gregory F. Lavelle – Vice-chair; Representative V. George Carey; Representative Tina Fallon; Representative Gerald W. Hocker; Representative Deborah D. Hudson; Representative Robert J. Valihura, Jr.; Representative Pamela J. Thornburg; Representative Helene M. Keeley; Representative Valerie J. Longhurst; Representative Hazel D. Plant; Representative John J. Viola.

**EDUCATION:** Representative Nancy H. Wagner - Chair; Representative Stephanie A. Ulbrich – Vice-chair; Representative Joseph W. Booth; Representative Richard C. Cathcart; Representative Pamela S. Maier; Representative Joseph E. Miro; Representative Bethany A. Hall-Long; Representative Melanie George Marshall; Representative Diana M. McWilliams; Representative Michael P. Mulrooney; Representative Teresa L. Schooley.

**ENERGY:** Representative Robert J. Valihura, Jr. – Chair; Representative Stephanie A. Ulbrich – Vice-chair; Representative John C. Atkins; Representative Vincent A. Lofink; Representative Joseph E. Miro; Representative Roger P. Roy; Representative Donna D. Stone; Representative Pamela J. Thornburg; Representative Bruce C. Ennis; Representative Bethany A. Hall-Long; Representative Helene M. Keeley; Representative Hazel D. Plant; Representative Teresa L. Schooley.

**ETHICS:** Representative Wayne A. Smith - Chair; Representative Clifford G. Lee; Representative Terry R. Spence; Representative Robert F. Gilligan; Representative John F. VanSant.

**GAMING AND PARI-MUTUELS:** Representative Vincent A. Lofink – Chair; Representative John C. Atkins - Vice-chair; Representative Joseph G. DiPinto; Representative Deborah D. Hudson; Representative William A. Oberle, Jr.; Representative William R. Outten; Representative Pamela J. Thornburg; Representative Nancy H. Wagner; Representative Helene M. Keeley; Representative Hazel D. Plant; Representative John F. VanSant; Representative John J. Viola.

**HEALTH & HUMAN DEVELOPMENT:** Representative Pamela S. Maier - Chair; Representative Joseph E. Miro – Vice-chair; Representative Joseph W. Booth; Representative G. Wallace Caulk, Jr.; Representative Stephanie A. Ulbrich; Representative Bethany A. Hall-Long; Representative Melanie George Marshall; Representative Diana M. McWilliams; Representative Teresa L. Schooley.

**HOMELAND SECURITY:** Representative Joseph E. Miro – Chair; Representative Pamela S. Maier – Vice-chair; Representative John C. Atkins; Representative J. Benjamin Ewing, Jr.; Representative Deborah D. Hudson; Representative Clifford G. Lee; Representative Terry R. Spence;



Representative Nancy H. Wagner; Representative James J. Johnson; Representative Melanie George Marshall; Representative Peter C. Schwartzkopf; Representative Dennis P. Williams.

**HOUSE ADMINISTRATION:** Representative Wayne A. Smith – Chair; Representative Clifford G. Lee; Representative Terry R. Spence; Representative Robert F. Gilligan; Representative John F. VanSant.

**HOUSING & COMMUNITY AFFAIRS:** Representative Gregory F. Lavelle. - Chair; Representative Donna D. Stone – Vice-chair; Representative Gerald W. Hocker; Representative Deborah D. Hudson; Representative Pamela J. Thornburg; Representative Robert J. Valihura, Jr.; Representative James J. Johnson; Representative Helene M. Keeley; Representative Hazel D. Plant; Representative John J. Viola.

**JUDICIARY:** Representative Robert J. Valihura, Jr. - Chair; Representative Nancy H. Wagner – Vice-chair; Representative Deborah D. Hudson; Representative Gregory F. Lavelle; Representative Donna D. Stone; Representative James J. Johnson; Representative Melanie George Marshall; Representative Helene M. Keeley.

**LABOR:** Representative William A. Oberle, Jr. - Chair; Representative Vincent A. Lofink – Vice-chair; Representative Gerald A. Buckworth; Representative Terry R. Spence; Representative James J. Johnson; Representative Michael P. Mulrooney; Representative Hazel D. Plant; Representative John J. Viola.

**LEGISLATIVE COUNCIL:** Representative Terry R. Spence – Chair; Representative Wayne A. Smith; Representative Clifford G. Lee; Representative Robert F. Gilligan; Representative John F. VanSant.

**MANUFACTURED HOUSING (SUBCOMMITTEE):** Representative Robert J. Valihura, Jr. – Chair; Representative Donna D. Stone – Vice-Chair; Representative Gerald W. Hocker; Representative Deborah D. Hudson; Representative Gregory F. Lavelle; Representative Pamela J. Thornburg; Representative Bruce C. Ennis; Representative Peter C. Schwartzkopf.

**NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT:** Representative Joseph W. Booth – Chair; Representative Gerald W. Hocker - Vice-chair; Representative John C. Atkins; Representative V. George Carey; Representative G. Wallace Caulk, Jr.; Representative William R. Outten; Representative Pamela J. Thornburg; Representative Bethany A. Hall-Long; Representative Valerie J. Longhurst; Representative Diana M. McWilliams; Representative Michael P. Mulrooney;

**POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY/ JOINT SUNSET:** Representative William A. Oberle, Jr. – Chair; Representative Robert J. Valihura, Jr. – Vice-chair; Representative Deborah D. Hudson.; Representative Michael P. Mulrooney; Representative John J. Viola.

**PUBLIC SAFETY:** Representative J. Benjamin Ewing, Jr. – Chair; Representative John C. Atkins – Vice-chair; Representative Gerald A. Buckworth; Representative William R. Outten; Representative James J. Johnson; Representative Melanie George Marshall; Representative Helene M. Keeley.

**REVENUE & FINANCE:** Representative Deborah D. Hudson – Chair; Representative Robert J. Valihura, Jr. – Vice-chair; Representative Tina Fallon; Representative Gerald W. Hocker; Representative Gregory F. Lavelle; Representative Donna D. Stone; Representative Pamela J. Thornburg; Representative Helene M. Keeley; Representative Valerie J. Longhurst; Representative Hazel D. Plant; Representative John J. Viola.

**RULES:** Representative Vincent A. Lofink – Chair; Representative Clifford G. Lee; Representative William A. Oberle, Jr.; Representative Wayne A. Smith; Representative Terry R. Spence; Representative Robert F. Gilligan; Representative John F. VanSant.

**TELECOMMUNICATIONS, INTERNET & TECHNOLOGY:** Representative Roger P. Roy – Chair; Representative Deborah D. Hudson – Vice-chair; Representative Donna D. Stone; Representative Robert F. Gilligan; Representative James J. Johnson.

**TOURISM:** Representative Deborah D. Hudson – Chair; Representative Tina Fallon - Vice-chair; Representative Joseph W. Booth; Representative Gerald A. Buckworth; Representative V. George Carey; Representative Donna D. Stone; Representative Nancy H. Wagner; Representative Valerie J. Longhurst; Representative Peter C. Schwartzkopf.

**TRANSPORTATION, LAND USE AND INFRASTRUCTURE:** Representative Richard C. Cathcart – Chair; Representative Gregory F. Lavelle - Vice-chair; Representative G. Wallace Caulk, Jr.; Representative Pamela S. Maier; Representative Bruce C. Ennis; Representative Teresa L. Schooley.

**VETERANS' AFFAIRS:** Representative Richard C. Cathcart – Chair; Representative V. George Carey – Vice-chair; Representative John C. Atkins; Representative Joseph W. Booth; Representative Clifford G. Lee; Representative William R. Outten; Representative Terry R. Spence; Representative Donna D. Stone; Representative Stephanie A. Ulbrich; Representative Bruce C. Ennis; Representative Robert F. Gilligan; Representative James J. Johnson; Representative Michael P. Mulrooney; Representative Hazel D. Plant; Representative Peter C. Schwartzkopf; Representative John J. Viola.

**PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES  
OF THE 143rd GENERAL ASSEMBLY  
2005 – 2006  
HOUSE RESOLUTION NUMBER 4**

**I. RULES OF ORDER**

**RULE 1 - CONVENING OF HOUSE**

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

**RULE 2 - ORDER OF BUSINESS**

(a) After the convening of the House, the order of business shall include the following:

- (1) The minutes of the previous day shall be made public and posted by the Chief Clerk prior to the next legislative day. With the consent of a majority of members, the reading of the minutes for the previous day may be omitted.
- (2) Presentation of petitions, memorials, tributes, memoriams, citations or communications.
- (3) Reports from standing and special committees.
- (4) Introduction and first reading of bills and resolutions.
- (5) Consideration of Agenda.
- (6) Consent Calendar, or Consent Agenda, when available.
- (7) Announcement of committee meetings.
- (8) Announcement of Agenda for next legislative day.

(b) The order of business may be changed when necessary by the Speaker unless a majority of the members present object.

**RULE 3 – MESSAGES**

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

**II. DUTIES OF THE SPEAKER**

**RULE 4 - ORDER AND DECORUM**

(a) The Speaker shall preside and have general direction over the House Chamber, and shall preserve order and decorum. In debate, the Speaker shall confine the members to the question under discussion. No member shall have the floor except when recognized by the Speaker, or when the Speaker grants open debate between members.

(b) Cameras, recording instruments, and similar equipment or electronic devices are permitted in the House Chamber only with the permission of the Speaker.

**RULE 5 - QUESTIONS OF ORDER; APPEAL**

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

**RULE 6 - TEMPORARY PRESIDING OFFICER, SPEAKER PRO TEMPORE**

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

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

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

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

**RULE 8 - APPOINTMENT OF COMMITTEES**

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

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

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

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

#### **RULE 10 - SETTING THE AGENDA**

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

#### **RULE 11 - SUBPOENA ISSUANCE**

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

### **III. RIGHTS AND DUTIES OF MEMBERS.**

#### **RULE 12- ATTENDANCE OF MEMBERS**

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

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

#### **RULE 13- QUORUM**

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

#### **RULE 14 - ADDRESSING THE HOUSE**

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

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

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

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

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

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

(1) a call to order by the Speaker,

(2) a point of order by a member, or

(3) a motion by a member to move the previous question, to adjourn, or to recess.

(d) A member shall not make derogatory personal comments about or to other members.

(e) No member shall use a cellular phone in the House Chamber while the House is in session.

(f) No member shall use a pager in the House Chamber while the House is in session unless the pager is set to a non- non-audible setting.

#### **RULE 16 - RULES OF LEGISLATIVE CONDUCT**

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

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

A. A member who has a personal or private interest in any measure or bill pending before the House shall disclose the fact and shall not participate in the debate nor vote thereon; provided, however, that (i) upon the request of any other member of the House, a member who has such a personal or private interest may nevertheless respond to questions concerning

any such measure or bill, or (ii) a member who has a personal or private interest may add factual matter to the debate which he or she believes will correct wrong or false information. A personal or private interest in a measure or bill is an interest which tends to impair a member's independence of judgment in the performance of his or her legislative duties with respect to that measure or bill.

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

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

D. For the purposes of this Rule:

- (I) A "close relative" means a person's parents, spouse, children (natural or adopted) and siblings of the whole and half-blood.
- (II) A "private enterprise" means any activity, whether conducted for profit or not for profit, and includes the ownership of real or personal property; provided that "private enterprise" does not include any activity of the State of Delaware, any political subdivision or any agency, authority or instrumentality thereof.
- (III) A person has a "financial interest" in a private enterprise if he or she (i) has a legal or equitable ownership interest in the enterprise with a fair market value in excess of \$5,000, or owns more than 10% of the enterprise if not traded on an established securities market, or owns more than 1% in the case of an enterprise whose securities are regularly traded on an established securities market, (ii) is associated with the enterprise and received from the enterprise during the last calendar year or might reasonably be expected to receive from the enterprise during the current or the next calendar year income in excess of \$5,000 for services as an employee, officer, director, trustee, or independent contractor, or (iii) is a creditor of an insolvent private enterprise in an amount in excess of \$5,000.
- (IV) A "person" means an individual, partnership, corporation, trust, joint venture and any other association of individuals or entities.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **IV. BILLS, RESOLUTIONS AND OTHER MEASURES**

##### **RULE 17 - RESOLUTIONS AND OTHER MEASURES; DEFINITIONS**

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

- (1) Simple Resolutions: A Simple Resolution is an expression of a majority of members on a specific subject, and deals with the internal affairs of the House only. The effect of its passage does not go beyond the bounds and the authority of the House.
- (2) Concurrent Resolutions: A Concurrent Resolution is used to accomplish the same purpose in relation to the entire General Assembly that the Simple Resolution achieves for either the House or Senate singly. It must be passed by both the House and Senate to become effective. A Concurrent Resolution adopted by the General Assembly does not become a statute, nor does it have the force and effect of law, nor can it be used for any purpose which requires the exercise of legislative power.
- (3) Joint Resolutions: A Joint Resolution is the most formal type of resolution, and is addressed to matters which are not internal affairs of either the House individually, nor the internal affairs of the General Assembly as a whole. It is of no legal effect unless passed by both Houses and approved by the Governor. Although a Joint Resolution is not a law, it is employed to provide for temporary measures, and has the force of law while in effect for a wide variety of limited purposes. A Joint Resolution is effective only for the General Assembly in which it was passed and approved. The requirement of the Governor's signature for Joint Resolutions stems from its original use in instances where it was expedient or necessary to express the joint will and action of the General Assembly and Governor combined.

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

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

##### **RULE 18 - PREPARATION AND CUSTODY**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **RULE 20 - ASSIGNMENT TO APPROPRIATIONS COMMITTEE**

Each bill or joint resolution, whether emanating from the House or the Senate, containing an appropriation or which may involve any net financial loss or obligation on the part of the State, including Transportation Trust Funds, if any, of \$50,000 or more in any one (1) of the next three (3) fiscal years (which has been previously referred by the Speaker under the Rules to any committee of the House other than the Committee on Appropriations) shall, after the same has been reported back to the House, be referred to the Committee on Appropriations.

#### **RULE 21 - FISCAL NOTES**

(a) No bill or resolution either authorizing expenditures, or increasing or affecting the Transportation Trust Fund, or reducing revenues as described in Chapter 19, Title 29 of the Delaware Code shall be placed before the House for consideration unless accompanied by a fiscal note.



(b) (1) All legislation proposing new fees or increases in existing fees charged by any state agency shall include therewith an explanation of:

- A. the expected total amount of funds to be generated by the proposed fee or fee increase;
- B. the purpose of the proposed new fee or fee increase;
- C. a general identification of the persons, business entities or organizations affected by the legislation;
- D. the impact of the proposed new fees or fee increases on these affected persons, business entities or organizations; and
- E. the intended use by the agency of the revenues generated by the new fees or fee increases.

(2) The Office of the Controller General shall conduct such review or audit of the information offered by the state agency pursuant to paragraph (b)(1) of this Rule as is deemed necessary to evaluate the information required therein, and shall issue a written report of its findings. The written report of the Office of the Controller General's findings shall be attached to the legislation, by the Sponsor of the legislation, prior to the legislation's initial committee consideration in the House of origin.

(3) The House may waive the requirements of this Section as to any specific legislation pending before the House by a vote of the majority of all members elected to the House.

#### **RULE 22 - FINAL READINGS AND CONSIDERATION BY HOUSE**

(a) When brought before the House for consideration, each bill and joint resolution shall be given its final reading by title, unless the Speaker directs a reading in full.

(b) Each bill or joint resolution, in order to pass the House, shall be read on two (2) different days of the session unless a majority of the members elected to the House determine otherwise, or unless the bill or joint resolution is on a Consent Agenda or Calendar, and voted on by a single vote. No bill or joint resolution shall be brought before the House for passage on the same Calendar day it is reported out of committee, nor in the absence of the Prime Sponsor without his or her written consent.

#### **RULE 23 - AMENDMENTS**

(a) An amendment to a measure shall be introduced by prefiling the amendment if the amendment changes the nature and intent of the bill or resolution, or may be introduced when the measure is being discussed on the floor, if the amendment makes only technical corrections and does not change the nature and intent of the bill or resolution.

(b) When an amendment to a bill would significantly change the nature and intent of the bill, such amendment shall contain a brief synopsis outlining the basic changes incurred.

(c) When an amendment to a bill would change its fiscal impact by increasing expenditures or reducing revenues by \$50,000 or more, a new fiscal note shall accompany the amendment.

(d) If a bill becomes significantly changed by amendment, the Speaker may reassign the amended bill to committee. The title of a bill or resolution shall not be amended.

(e) Before final action on the main bill or resolution all prefiled amendments shall be acted upon in numerical order except as is provided in Rule 35(d) hereof. All amendments shall be floor managed by the prime sponsor thereof. In the absence of the Prime Sponsor the amendment shall be floor managed by a co-prime sponsor or member designated in writing by the Prime Sponsor. In the absence of the Prime Sponsor or any co-prime sponsor and there being no member designated to floor manage the amendment by the Prime Sponsor then the Speaker may designate a Floor Manager for the amendment.

(f) An amendment previously attached to a bill in either House may be stricken from the bill by:

- (1) an amendment which directs that a specific House or Senate amendment be stricken; or
- (2) an amendment which reverses the directions given by the amendment being stricken.

(g) An amendment to an amendment shall only be considered prior to the adoption of the amendment it is amending. However, an amendment once passed may be removed by a subsequent amendment.

#### **RULE 24 - SUBSTITUTE BILLS**

(a) A substitute bill may be introduced by the Prime Sponsor of the bill for which it is a substitute and shall be assigned to committee and follow the same procedure as other bills.

(b) Once introduced, the substitute bill shall render null and void the bill for which it is a substitute.

(c) The title of a substitute bill must be identical to the title of the bill for which it is substituted.

#### **RULE 25- PETITION OF BILL OR RESOLUTION OUT OF COMMITTEE**

Every bill or resolution which has been in committee for a period of more than twelve (12) legislative days, except those assigned to the Appropriations Committee pursuant to Rule 20, shall, upon written request of the majority of the members elected to the House, be reported to the House for a decision as to its further disposal.

#### **RULE 26 - VOTING**

(a) Except as provided for in Rule 46 or Rule 47, each bill or joint resolution which comes before the House for final action shall be acted upon by a separate roll call vote.

(b) The names of the members of the House shall be called alphabetically, except for the Speaker, Temporary Presiding Officer when acting as Speaker, or Speaker Pro Tempore when acting as Speaker, who shall vote last, and each member shall, without debate or comments, answer "Yes", or "No", or "not voting", from his or her respective seat.

(c) No member shall be permitted to change his or her vote after the roll call has been announced by the Chief Clerk.

(d) A roll call may not be laid on the table.

#### **RULE 27 - STRIKING A BILL OR RESOLUTION**

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

#### **V. COMMITTEES**

#### **RULE 28 - STANDING COMMITTEES**

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

(b) The following standing committees and subcommittees shall be appointed by the Speaker at the beginning of each General Assembly.

##### **Standing Committees:**

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

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

#### **RULE 29 - APPOINTMENT OF SPECIAL COMMITTEES**

The Speaker, on his or her own initiative or upon order of the House, may appoint Special Committees.

#### **RULE 30 - ETHICS COMMITTEE**

(a) The Ethics Committee shall be a standing committee consisting of five (5) members, three (3) appointed by the Speaker and two (2) appointed by the Minority Leader, at the beginning of each General Assembly.

(b) The powers and duties of the Ethics Committee shall be as follows:

- (1) to recommend to the House, from time to time, such rules of conduct for members of the House as it shall deem appropriate;
- (2) to issue written advisory opinions upon the request of any member as to the applicability of any Rule of Legislative Conduct to any particular fact situation;
- (3) to investigate any alleged violation by a member of any Rule of Legislative Conduct and, after notice and hearing, to recommend to the House by resolution such disciplinary action as the committee may deem appropriate;
- (4) to report to the appropriate federal or State authorities any substantial evidence of a violation by any member of any law involving a Rule of Legislative Conduct which may come to its attention in connection with any proceeding whether advisory or investigative;



- (5) to maintain a file of its proceedings and advisory opinions with a view toward achieving consistency of opinions and recommendations. Upon the request of a legislator involved in an advisory opinion, to publish that advisory opinion;
- (6) to follow such rules of procedure for ethics violations as may be adopted by the House, and to establish such other procedural rules as shall not be inconsistent with the rules prescribed by the House;
- (7) to act only upon a majority vote of its members; and
- (8) such other duties and responsibilities as may be assigned by the House from time to time.

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

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

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

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

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

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

#### **RULE 31 - JOINT COMMITTEES**

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

#### **RULE 32 - QUORUM ON COMMITTEES**

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

#### **RULE 33 - COMMITTEE MEETINGS**

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

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

(c) So far as may be applicable, the rules of the House shall be observed in the conduct of committee meetings.

(d) All committee meetings will be open to the public except that the committee Chairperson may call an executive session at which no final action may be taken. An executive session may be called for those purposes which are listed at 29 Del. C. §10004 or for the purpose of requesting the issuance of a subpoena pursuant to Rule 35(e). This subsection may be waived by a majority vote of the committee.

#### **RULE 34 - DELIBERATIVE PROCESS AND PROCEDURES OF STANDING COMMITTEES**

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

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

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

#### **RULE 35 - PASSAGE OF MEASURES OUT OF COMMITTEE**

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

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

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

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

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

#### **RULE 36 - COMMITTEE REPORTS**

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

#### **RULE 37 - COMMITTEE RECOMMENDATIONS TO APPROPRIATIONS COMMITTEE**

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

#### **RULE 38 - COMMITTEE OF THE WHOLE**

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

### **VI. MOTIONS**

#### **RULE 39 - DEBATE AND VOTE ON MOTIONS**

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

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

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

(d) At the request of any member, the vote on any measure shall be by roll call vote.

#### **RULE 40 - PRECEDENCE OF MOTIONS**

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

(1) to adjourn sine die. This motion is not debatable.

(2) to adjourn. This motion is not debatable and cannot be amended nor reconsidered.

(3) to recess. This motion is not debatable. This motion is passed by a majority of those members present.

- (4) question of privilege.
- (5) all incidental motions.
- (6) to table.
- (7) motion to call the previous question. A motion to call the previous question shall not be entertained except at the request of five (5) members arising for that purpose and so indicating, and shall be determined by roll call vote without debate. When the previous question has been called and sustained, it shall not cut off action on amendments to the main measure, and the vote shall be taken without debate first on the amendments in order and then on the main measure.
- (8) to limit debate.
- (9) postpone to a day certain.
- (10) to commit to committee.
- (11) to amend. An amendment may be offered to an amendment, but no motion may be accepted which would amend an amendment to an amendment.
- (12) to reconsider.
- (13) to take from the table.

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

#### **RULE 41 - MOTION FOR RECONSIDERATION**

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

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

#### **RULE 42 - MOTION TO TAKE FROM THE TABLE**

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

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

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

#### **RULE 43 - SUSPENSION OF RULES**

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

### **VII. CALENDAR AND AGENDA**

#### **RULE 44 - HOUSE CALENDAR**

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

#### **RULE 45 - AGENDA**

- (a) The Speaker shall place items on the Agenda pursuant to Rule 10 of these Rules.
- (b) In lifting bills from the table, the motion to lift is the Agenda item.
- (c) Any House Bill amended by the Senate shall either be placed on the Agenda or assigned to committee, at the discretion of the Speaker.
- (d) Measures brought to the top of the Agenda for the day shall be permitted only to be:
  - (1) deferred to day certain two (2) times only; or
  - (2) deferred to the end of Agenda one (1) time only; or
  - (3) laid on the table. A measure which has been on the table for six (6) legislative days shall be returned to the Ready List; or
  - (4) brought to a vote.

#### **RULE 46 - CONSENT AGENDA**

(a) Any member of the House may propose any bill or joint resolution for inclusion on a Consent Agenda for final reading. If any bill or joint resolution on a particular Consent Agenda has a super majority vote requirement then such Consent Agenda will require the highest such vote requirement.

(b) A bill or joint resolution shall be removed from a Consent Agenda if any member objects to it being included thereon. In addition, a bill or joint resolution may not be included on a Consent Agenda if at the time of reading a Consent Agenda an unattached amendment to it has been proposed.

(c) All bills and joint resolutions on a Consent Agenda shall be read and voted upon as a single group.

#### **RULE 47 - CONSENT CALENDAR**

(a) Any member of the House may propose any resolution for inclusion on a Consent Calendar for final reading. The proposal shall be made in writing in the Office of the Chief Clerk on any day.

(b) A resolution shall be removed from a Consent Calendar if any member objects to its being included thereon. In addition, resolutions may not be included on a Consent Calendar if at the time of reading a Consent Calendar an unattached amendment to it is proposed.

(c) All resolutions on a Consent Calendar shall be read and voted upon as a single group.

#### **RULE 48 - ANNOUNCEMENT OF AGENDA; DELIVERY OF BILLS AND RESOLUTIONS**

(a) The Chief Clerk shall place upon the desk of the Speaker at the beginning of each day's session all bills, resolutions and motions pending before the House that day, properly arranged and classified.

(b) Prior to the beginning of each legislative day, the Chief Clerk shall provide to each member a printed copy by number, Sponsor and/or title, of the bills, resolutions or other measures that are being placed on the Agenda for that legislative day.

(c) All bills, concurrent resolutions, or joint resolutions originating in the House, or Senate bills or resolutions to which the House has added amendments or its concurrence, shall be delivered to the Senate by the Chief Clerk of the House or by the Bill Clerk of the House within the three (3) next succeeding legislative days of such House action.

### **VIII. MISCELLANEOUS**

#### **RULE 49 - OFFICES, PARKING SPACES AND SEATS**

Desks on the floor of the House, offices, and parking spaces shall be allocated to the members by the Speaker.

#### **RULE 50 - AUTHORIZED MANUAL OF PARLIAMENTARY PROCEDURE**

In all cases to which they are applicable and in which they are not inconsistent with these Rules, the latest edition of Mason's Manual of Legislative Procedure shall govern the House.

#### **RULE 51 - CHIEF CLERK AND ASSISTANT CHIEF CLERK**

The House shall elect a Chief Clerk and an Assistant Chief Clerk who, in the absence of the Chief Clerk, shall perform the Chief Clerk's duties.

The Assistant Chief Clerk shall be compensated at a per diem rate to be determined by the Speaker while serving as Chief Clerk.

#### **RULE 52 - SUPERVISION OF LEGISLATIVE STAFF**

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

#### **RULE 53 - REGISTRATION OF NEWS MEDIA**

(a) Accredited representatives of the daily and weekly press, press associations, and of radio and television stations shall be accorded equal press privileges by the Speaker. Any person wishing to report proceedings of the House may apply to the Speaker for assignment of suitable available space in the House Chamber.

(a) On approval of the Speaker, radio and television stations shall be permitted to air and record sessions of the House.

(c) Any use or reproduction of House tapes will require permission of the Speaker and the request shall be communicated to the Chief Clerk in writing. A fee may be charged for this service.

#### **RULE 54 - REGISTRATION OF LOBBYISTS**

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

#### **RULE 55 - PRIVILEGE OF FLOOR**

The privilege of the floor may be granted by the Speaker upon request of any member, unless an objection is sustained by a majority of members present and voting.

#### **RULE 56 - EXPEDITED PROCEDURES**

The Speaker may designate the procedure by which certain items are to be expedited. Such rules as would interfere with the introduction of and/or action on such items shall automatically be deemed suspended unless one (1) or more members object to an item being determined by expedited procedures.

#### **RULE 57 - PERSONS ON THE FLOOR OF THE HOUSE**

(a) No person may be admitted to the floor of the House while the House is in session unless specifically invited by a member and with the consent of the Speaker except the following: former Governors, former members of the House, former members of the Senate (but none of the foregoing has this privileged admission without consent if he or she is paid to act as a registered lobbyist as defined in Chapter 58, Title 29 of the Delaware Code), duly designated representatives of the Governor of Delaware, members of the House and the Senate and their staffs, staff members from the Division of Research, representatives

of each Cabinet Department, reporters for each of the daily newspapers published in the State, a reasonable number of other accredited correspondents as determined by the Speaker and a reasonable number of representatives of radio and television broadcasting stations (together with necessary equipment) as determined by the Speaker.

(b) No one other than a member shall sit in a member's seat while the House is in session.

(c) No one shall be allowed to smoke in the House Chamber.

(d) While the House is in session no one shall use a cellular phone in the House Chamber, including the balcony area and all pagers shall be set to a non-audible setting.

#### **RULE 58 - NON-MEMBER INVITED SPEAKERS OR GUESTS**

(a) A non-member speaker or guest shall be allowed to address the House of Representatives provided they are noted on the Agenda together with the name of the Representative sponsoring said speaker or guest and the time allotted for their remarks.

(b) A speaker noted per subsection (a) of this rule shall be granted a time limit of one (1) minute, three (3) minutes or five (5) minutes by the Speaker of the House.

(c) On the day of the scheduled address, the sponsoring member shall be recognized and shall move that the invited speaker or guest be granted privilege to address the House and shall state the allotted time granted by the Speaker of the House.

(d) The Speaker of the House may grant an unlimited amount of time for the Governor to address the House as deemed necessary by the Speaker or the members of the House.

(e) This rule is only applicable to appearances by non-members giving remarks unrelated to Agenda items and shall not be construed so as to limit the speaking time of witnesses to legislation.

#### **RULE 59 - REPEAL OR AMENDMENT OF RULES**

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

#### **RULE 60 - RULES TO BE PRINTED**

These Rules shall be printed by the Division of Research, upon adoption, in a pocket-sized edition which shall also contain the following materials:

(a) a list of the Officers of the House;

(b) the membership of the Standing Committees of the House;

(c) the Constitutional vote requirements for passage of legislation; and

(d) requirements set forth elsewhere directly relating to House action such as the fiscal note requirement.

#### **RULE 61 - STATE MAIL, POSTAGE AND MAILING PRODUCTION OR DISTRIBUTION LIMITATIONS.**

(a) No House member or staff member shall use state mail services and/or state-paid for postage for his or her own personal use.

(b) No member or employee of the House of Representatives may use state funds, state materials or state equipment for the production or distribution of fifty (50) or more pieces of substantially identical material distributed during the period sixty (60) days prior to the general election day or within thirty (30) days prior to the date of a special election or a primary involving that member.

(c) Subsection (b) of this Rule shall not apply to the following, when not done for a political election campaign purpose:

(1) answers to communications; or

(2) actions taken pursuant to a specific law, resolution, ordinance or regulation which authorizes or directs the action to be taken.

#### **RULE 62 - DISTRIBUTION OF LITERATURE TO MEMBERS' DESKS OR MAILBOXES**

No person except a member or employee of the House of Representatives shall distribute or cause to be distributed any pamphlets, material, or other printed literature to the members' desks or mailboxes in the House. An employee of the House shall only distribute such literature if directed to do so by a member or the Chief Clerk of the House.

All copies of pamphlets, materials, or printed literature distributed by a member or employee of the House of Representatives shall bear the name of the source of origin. Members should distribute such literature through the Office of the Chief Clerk.

### **HOUSE RESOLUTION NUMBER 3 RELATING TO PERMANENT PROCEDURES OF THE HOUSE OF REPRESENTATIVES OF THE 143rd GENERAL ASSEMBLY OF THE STATE OF DELAWARE FOR ETHICS VIOLATIONS**

#### **RULES OF PROCEDURE, ETHICS VIOLATIONS.**

##### **Rule 1 - Scope and Authority.**

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

#### **PROCEEDINGS BEFORE THE ETHICS COMMITTEE.**

##### **Rule 2 - Meetings and Quorum.**

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

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

##### **Rule 3 - Committee Records.**

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

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

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

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

##### **Rule 4 - Special Procedures.**

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

##### **Rule 5 - Changes in Committee Rules.**

The rules of the Committee other than these rules may be modified, amended or repealed by a vote of a majority of the Committee.

#### **COMMITTEE INVESTIGATIVE AUTHORITY.**

##### **Rule 6 - Complaints.**

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

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

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

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

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

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

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

##### **Rule 7 - Processing Complaints.**

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

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

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

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

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



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

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

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

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

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

(a)(1) If the Committee determines under Rule 7 that the allegation of a violation in a complaint filed with the Committee merits further inquiry, or if the Committee's determination in that regard is reversed by the House, the Committee shall conduct a preliminary inquiry to determine whether such violation occurred.

(2) In the preliminary inquiry:

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

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

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

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

E. any probative evidence may be used.

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

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

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

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

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

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

**Rule 9 - Answers and Motions and Committee Action.**

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

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

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

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

(4) A motion for a bill of particulars.

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

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

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

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

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

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

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

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

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

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

**Rule 10 - Disciplinary Hearings before the Committee.**

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



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

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

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

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

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

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

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

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

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

#### **Rule 11 - Committee Recommendations.**

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

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

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

(1) Suspension or expulsion from the House.

(2) Censure.

(3) Reprimand.

(4) Fine.

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

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

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

(2) If there are any dissenting votes to the determination in paragraph (d)(1) of this subsection, the statement shall be considered dismissed and neither the Committee nor the House shall take any further action with respect thereto provided that the House shall consider the matter upon the written petition of any member of the House filed with the Speaker and approved by a majority vote of all members of the House. If any such proceeding is initiated in the House, the

matter shall be prosecuted by the members of the Committee who dissented from the vote to dismiss. The statement shall be the basis of the House's consideration of the matter and the dissenting members of the Committee shall cause a copy of the statement to be delivered to the House and served upon the respondent.

**Rule 12 - Disclosure of Evidence.**

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

**Rule 13 - Exculpatory Information.**

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

**Rule 14 - Admissibility of Evidence.**

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

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

**Rule 15 - Witnesses.**

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

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

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

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

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

**PROCEEDINGS BEFORE THE HOUSE**

**Rule 16 - Records of House Proceedings.**

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

**Rule 17 - Special Procedures.**

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

**Rule 18 - Consideration of Complaints by the House.**

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

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

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

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

(4) A motion for a bill of particulars.

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

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

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

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

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

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

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

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

#### **Rule 19. Disciplinary Hearings.**

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

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

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

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

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

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

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

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

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

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

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

**Rule 20. Findings; Sanctions.**

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

(2) If the House votes that a count has been proved, the House may upon completion of the second phase of the disciplinary hearing, by a majority vote consider and vote on a motion that any of the following sanctions be imposed respecting the violation charged in such count;

- A. Suspension or expulsion from the House.
- B. Censure.
- C. Reprimand.
- D. Fine.
- E. Any other sanction determined by the committee to be appropriate.

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

**Rule 21. Disclosure of Evidence.**

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

**Rule 22. Exculpatory Information.**

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

**Rule 23. Admissibility of Evidence.**

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

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

**Rule 24. Witnesses.**

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

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

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

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

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

**LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session**  
**January 11, 2005**

Representative-Elect Oberle called the House to order at 2:03 p.m. on January 11, 2005.

Representative-Elect Smith moved that Representative-Elect Oberle be made Temporary Speaker until a permanent Speaker of the House is elected. The motion was seconded by Representative-Elect Lee and adopted by voice vote.

Representative-Elect Smith moved that Mrs. JoAnn Hedrick be made Temporary Chief Clerk until a permanent Chief Clerk is elected. The motion was seconded by Representative-Elect Lee and adopted by voice vote.

A prayer was offered by Representative-Elect Spence after he made comments.

Mr. Temporary Speaker and his guests led those present in a pledge of allegiance to the American Flag.

The House observed a moment of silence in memory of Representative G. Robert Quillen, Reverend Brooks Reynolds, Jack Ryan & Harry Legates at the request Mr. Temporary Speaker.

The Temporary Chief Clerk read the names of the members-elect of the House of Representatives of the 143rd General Assembly as follows:

Representative District No. 1 - Representative-Elect Dennis P. Williams  
Representative District No. 2 - Representative-Elect Hazel D. Plant  
Representative District No. 3 - Representative-Elect Helene M. Keeley  
Representative District No. 4 - Representative-Elect Joseph G. DiPinto  
Representative District No. 5 - Representative-Elect Melanie L. George  
Representative District No. 6 - Representative-Elect Diana M. McWilliams  
Representative District No. 7 - Representative-Elect Wayne A. Smith  
Representative District No. 8 - Representative-Elect Bethany A. Hall-Long  
Representative District No. 9 - Representative-Elect Richard C. Cathcart  
Representative District No. 10 - Representative-Elect Robert J. Valihura, Jr.  
Representative District No. 11 - Representative-Elect Gregory F. Lavelle  
Representative District No. 12 - Representative-Elect Deborah D. Hudson  
Representative District No. 13 - Representative-Elect John F. VanSant  
Representative District No. 14 - Representative-Elect Peter C. Schwartzkopf  
Representative District No. 15 - Representative-Elect Valerie J. Longhurst  
Representative District No. 16 - Representative-Elect James Johnson  
Representative District No. 17 - Representative-Elect Michael P. Mulrooney  
Representative District No. 18 - Representative-Elect Terry R. Spence  
Representative District No. 19 - Representative-Elect Robert F. Gilligan  
Representative District No. 20 - Representative-Elect Roger P. Roy  
Representative District No. 21 - Representative-Elect Pamela S. Maier  
Representative District No. 22 - Representative-Elect Joseph E. Miro  
Representative District No. 23 - Representative-Elect Teresa L. Schooley  
Representative District No. 24 - Representative-Elect William A. Oberle, Jr.  
Representative District No. 25 - Representative-Elect Stephanie A. Ulbrich  
Representative District No. 26 - Representative-Elect John J. Viola  
Representative District No. 27 - Representative-Elect Vincent A. Lofink  
Representative District No. 28 - Representative-Elect Bruce C. Ennis  
Representative District No. 29 - Representative-Elect Pamela J. Thornburg  
Representative District No. 30 - Representative-Elect William R. Outten  
Representative District No. 31 - Representative-Elect Nancy H. Wagner  
Representative District No. 32 - Representative-Elect Donna D. Stone  
Representative District No. 33 - Representative-Elect G. Wallace Caulk, Jr.  
Representative District No. 34 - Representative-Elect Gerald A. Buckworth  
Representative District No. 35 - Representative-Elect J. Benjamin Ewing, Jr.  
Representative District No. 36 - Representative-Elect V. George Carey  
Representative District No. 37 - Representative-Elect Joseph W. Booth  
Representative District No. 38 - Representative-Elect Gerald W. Hocker  
Representative District No. 39 - Representative-Elect Tina Fallon  
Representative District No. 40 - Representative-Elect Clifford G. Lee  
Representative District No. 41 - Representative-Elect John C. Atkins

Representative-Elect Smith moved that the Certificates of Election be received and that a committee be appointed to examine the Certificates. The motion was seconded by Representative-Elect Lee and adopted by voice vote.

Mr. Temporary Speaker appointed Representative-Elect John C. Atkins and Representative-Elect Bruce C. Ennis to examine the Certificates of Election of the Members-Elect.

A choral group from the Southern Delaware School of the Arts, led by Louann Hudson, sang a selection of patriotic songs. Mr. Temporary Speaker thanked the students. Representative-Elect Smith made comments. Each member of the choral group announced his/her name for the record. Representative-Elect Atkins made comments.

Representative-Elect John C. Atkins reported that the Certificates of Election had been examined and were found to be in order.

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

The State of Delaware  
New Castle County, ss.

Be It Remembered, That at the General Election held on Tuesday, the Second day in November, in the year of our Lord Two Thousand and Four for New Castle County, according to the Constitution and Laws of the State of Delaware,

Pamela S. Maier  
was duly elected  
Representative – 21st District

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

In Testimony Whereof, we James T. Vaughn, Jr. and Richard R. Cooch constituting the Superior Court for New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 4th day of November, A.D. 2004.

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

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

Representative-Elect Smith moved that Judge Wayne Hanby administer the oath of office to Representative-Elect William A. Oberle, Jr. and the senior Members-Elect.

Representative-Elect Oberle invited Representatives-Elect Roger P. Roy & Robert F. Gilligan to join him on the podium.

Judge Hanby administered the oath of Representative to Representatives-Elect Oberle, Roy & Gilligan as follows:

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

William A. Oberle, Jr.  
State Representative

Sworn and subscribed before me on this 11th day of January A.D. 2005  
Wayne R. Hanby  
Justice of the Peace

Mr. Temporary Speaker & Representative-Elect Smith made announcements.

Representative Smith moved that the Honorable Judge Charles W. Welch administer the oath of office to the remaining Representatives-Elect. There was no objection. Mr. Temporary Speaker made an announcement.

The oath was administered as above.

Mr. Temporary Speaker made announcements. Mr. Temporary Speaker thanked Judge Hanby.

Representative Smith moved that the Temporary Chief Clerk call the roll of the Members of the House of Representatives of the 143rd General Assembly. The motion was seconded by Representative Lee. There was no objection.

The roll call was taken and revealed:  
Members Present: 40.  
Member Absent: Representative-Elect Caulk - 1.  
The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives

FROM: G. Wallace Caulk, Jr.  
Representative-Elect – Thirty-Third Representative District

RE: Absence from Session

DATE: January 11, 2005



Please be advised that I will be unable to attend session Tuesday, January 11, 2005 due to business reasons.

Thank you for your consideration in this matter.

Representative Smith moved to adopt the roll as just called as the interim roll of the House of Representatives of the 143rd General Assembly. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith introduced and brought **HR 1**, jointly sponsored by Representative Lee, before the House for consideration.

**HR 1 - IN REFERENCE TO THE ELECTION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.**

BE IT RESOLVED by the House of Representatives of the 143rd General Assembly of the State of Delaware that Terry R. Spence be made is hereby elected to the Office of Speaker of the House of Representatives for the duration of the 143rd General Assembly of the State of Delaware.

**HR 1** was adopted by voice vote.

Mr. Temporary Speaker invited Representative Spence to the podium.

Representative Smith moved that Justice Randy J. Holland administer the oath of Speaker of the House to Representative Spence. The motion was seconded by Representative Lee and adopted by voice vote.

Justice Holland administered the oath of Speaker of the House to Representative Spence as follows:

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

Terry R. Spence  
Speaker of the House

Sworn and subscribed before me this 11th day of January. A.D. 2005

Randy J. Holland  
Justice, Delaware Supreme Court

Mr. Speaker Spence thanked Justice Holland and made comments.

Representative Roger Roy announced that the Majority Caucus has met and has elected Representative Wayne A. Smith, Seventh Representative District as Majority Leader and Representative Clifford G. Lee, Fortieth Representative District as Majority Whip.

Representative Peter C. Schwartzkopf announced that the Minority Caucus has met and has elected Representative Robert F. Gilligan, Nineteenth Representative District as Minority Leader and Representative John F. VanSant, Thirteenth Representative District as Minority Whip.

Mr. Speaker Spence made comments.

Representative Smith introduced and brought **HR 2**, jointly sponsored by Representative Lee, before the House for consideration.

**HR 2 - IN REFERENCE TO ELECTION OF OFFICERS.**

BE IT RESOLVED by the House of Representatives of the 143rd General Assembly of the State of Delaware that JoAnn M. Hedrick is elected to serve as Chief Clerk of the House of Representatives and Dolores Michels as Assistant Chief Clerk of the House of Representatives.

**HR 2** was adopted by voice vote.

Mr. Speaker Spence & Representative Smith made comments.

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

Representative Smith introduced and brought **HJR 1**, jointly sponsored by Representative Lee, before the House for consideration.

**HJR 1 - IN REFERENCE TO OFFICERS.**

BE IT RESOLVED by the House of Representatives and the Senate of the 143rd General Assembly of the State of Delaware, with the approval of the Governor, that Florence Legates is elected to serve as Bill Clerk at the pleasure of the House of Representatives.

The roll call on **HJR 1** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **HJR 1** was sent to the Senate for concurrence.

Representative Smith moved that a committee of two members be appointed to notify the Governor that the House is organized and ready for business. The motion was seconded by Representative Lee and was adopted by voice vote.

Mr. Speaker Spence appointed Representative Tina Fallon and Representative Hazel D. Plant to notify the Governor that the House is organized and ready for business.

Representative Smith moved that a committee of two members be appointed to notify the Senate that the House is organized and ready for business. The motion was seconded by Representative Lee and was adopted by voice vote.

Mr. Speaker Spence appointed Representative Joseph W. Booth and Representative Dennis P. Williams to notify the Senate that the House is organized and ready for business.

Representative Smith introduced and brought **HR 3**, jointly sponsored by Representative Spence & Representative Lee & Representative Gilligan & Representative VanSant, before the House for consideration.

**HR 3 - RELATING TO PERMANENT PROCEDURES OF THE HOUSE OF REPRESENTATIVES OF THE 143RD GENERAL ASSEMBLY OF THE STATE OF DELAWARE FOR ETHICS VIOLATIONS.**

**HR 3** was adopted by voice vote.

Representative Smith introduced and brought **HR 4**, jointly sponsored by Representative Spence & Representative Lee & Representative Gilligan & Representative VanSant, before the House for consideration.

**HR 4 – RELATING TO PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES OF THE 143RD GENERAL ASSEMBLY OF THE STATE OF DELAWARE.**

**HR 4** was adopted by voice vote.

Representative Fallon announced that she and Representative Plant have notified the Governor that the House of Representatives is organized and ready for business.

Mr. Speaker Spence made an announcement.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with introduction of and action on **HB 11**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Roy introduced and brought **HB 11**, jointly sponsored by Senator Adams & Senator DeLuca & Representatives Cathcart, Hudson, Lavelle, Lofink, Miro, Stone & Wagner & Senators Still & McBride, before the House for consideration.

**HB 11 - AN ACT TO AMEND TITLE 30, CHAPTER 55 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES TAXES.**

Representative Roy moved to place **HB 11** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representatives Smith & Roy made announcements.

Mr. Speaker Spence appointed Representatives Roy, Oberle, Lofink, Carey, Keeley & Ennis to the Bond Bill/Capital Infrastructure Committee.

Mr. Speaker Spence introduced guests and made comments.

The Members of the House introduced their family members and friends who were present for the record.

Mr. Speaker Spence made a comment.

Mr. Speaker Spence granted privilege of the floor to Senators Steven H. Amick & George H. Bunting, Jr. who announced that the Senate is organized and ready for business.

A closing prayer was offered by Reverend Thomas Protack, associate pastor of St. Andrew's, St. John's and St. Luke's in Fenwick Island and Ocean City, Maryland.

The Majority Leader moved to recess to the call of the Chair at 4:02 p.m.

Mr. Speaker Spence called the House to order at 2:30 p.m. on January 12, 2005.

Mr. Speaker Spence announced that he had administered the oath of Representative to Representative-Elect G. Wallace Caulk, Jr. in the Speaker's Office prior to the call to order.

The Majority Leader moved to adjourn at 2:14 p.m., thereby ending the current legislative day. The House reconvened at 2:15 p.m.

## **2nd LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session January 12, 2005**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Keeley & Plant – 2.

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

Mr. Speaker Spence 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 12 – LAVELLE & REPRESENTATIVE SMITH & REPRESENTATIVE VALIHURA & SENATOR BLEVINS & SENATOR SOKOLA; REPRESENTATIVES CATHCART, DIPINTO, HUDSON, ROY, ULBRICH; SENATORS AMICK, COPELAND, SORENSON - HOUSE ADMINISTRATION - An Act to Amend Title 9 of the Delaware Code Relating to Vacancies on New Castle County Council.**

Mr. Speaker Spence made an announcement.



Representatives George, Hall-Long, Longhurst, VanSant, Miro, Valihura & Schwartzkopf requested that they be marked present.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 1** and requests the concurrence of the House.

Memorandum

TO: Rep. Terry R. Spence  
Speaker of the House  
FROM: Rep. Helene M. Keeley  
DATE: January 12, 2005  
RE: Absence from Session

I will be unable to attend session today due to personal reasons. Thank you for your consideration of this matter.

HOUSE TRIBUTE ANNOUNCEMENT #1

DATE: January 12, 2005

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                         | Date       | Type | Description                                               |
|---------|---------------------------------|------------|------|-----------------------------------------------------------|
| H143-1  | Oberle                          | 11/5/2004  | T    | Lt. Ralph Dangelo - Retirement - NCC Police               |
| H143-2  | Oberle                          | 11/5/2004  | T    | Senior Sgt. Curtis Clifton - Retirement - NCC Police      |
| H143-3  | Oberle                          | 11/5/2004  | T    | Senior Sgt. John Downs - Retirement - NCC Police          |
| H143-4  | Oberle                          | 11/5/2004  | T    | Senior Sgt. Murphy Marbury - Retirement – NCC Police      |
| H143-5  | Oberle                          | 11/5/2004  | T    | Senior Sgt. Renee Taschner - Retirement – NCC Police      |
| H143-6  | Oberle                          | 11/5/2004  | T    | Cpl. Theodore Butler, Jr. - Retirement - NCC Police       |
| H143-7  | Oberle                          | 11/5/2004  | T    | Cpl. Gregory Coughlin - Retirement - NCC Police           |
| H143-8  | Oberle                          | 11/5/2004  | T    | Cpl. Gwendolyn Forrester - Retirement - NCC Police        |
| H143-9  | Maier                           | 11/12/2004 | T    | Thristina Jackson - Retirement - Newark Day Nursery       |
|         | Cosponsor: Rep. Ulbrich         |            |      |                                                           |
| H143-10 | Stone                           | 11/5/2004  | T    | Joy Hall - Retirement - DelDOT                            |
| H143-11 | Buckworth                       | 11/20/2004 | T    | Ethel & Don Tyndall - 25th Wedding Anniversary            |
| H143-12 | Booth                           | 11/13/2004 | T    | E. James Monihan - Retirement – Beebe Medical Center      |
| H143-13 | Wagner                          | 11/8/2004  | T    | Lyn Arnold - Woman of the Year                            |
| H143-14 | Spence                          | 11/6/2004  | M    | Victor J. Keeler                                          |
|         | cosponsors: All Representatives |            |      |                                                           |
| H143-15 | Hudson                          | 11/6/2004  | T    | Doris & William Singleton - 50th Wedding Anniversary      |
| H143-16 | Valihura                        | 11/12/2004 | T    | Shipley Manor - 20th Anniversary                          |
| H143-17 | Carey                           | 11/24/2004 | T    | Mae Joseph - 101st Birthday                               |
| H143-18 | Lee                             | 11/21/2004 | T    | St. Johns AME Zion Church - 120th Anniversary             |
|         | Cosponsor: Rep. Fallon          |            |      |                                                           |
| H143-19 | Carey                           | 11/13/2004 | T    | John Walls - 50 Years - Milton Volunteer Fire Company     |
| H143-20 | Carey                           | 11/13/2004 | T    | Ronald Wright, Sr. - 50 Years - Milton Volunteer Fire Co. |
| H143-21 | B. Ennis                        | 11/12/2004 | T    | Manetta Carrow - 80th Birthday                            |
| H143-22 | Wagner                          | 11/12/2004 | M    | Matthieu Todd Sammons                                     |
| H143-23 | Stone                           | 11/6/2004  | M    | Holly J. Malago                                           |
| H143-24 | Stone                           | 11/8/2004  | M    | Janice Irene Stibling Holmes                              |

HOUSE TRIBUTE ANNOUNCEMENT #2

DATE: January 12, 2005

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                                | Date       | Type | Description                                               |
|---------|----------------------------------------|------------|------|-----------------------------------------------------------|
| H143-25 | Spence                                 | 11/9/2004  | M    | Mark R. Ewing                                             |
|         | cosponsors: All Representatives        |            |      |                                                           |
| H143-26 | Booth                                  | 11/17/2004 | T    | Barbara Harmon - 35 Years - First State Community Action  |
|         | cosponsors: Reps. Carey & Schwartzkopf |            |      |                                                           |
| H143-27 | Carey                                  | 11/17/2004 | T    | Roy Hazzard - 25 Years - First State Community Action     |
| H143-28 | Carey                                  | 11/17/2004 | T    | Bernice Edwards - 25 Years - First State Community Action |
| H143-29 | Wagner                                 | 11/10/2004 | M    | Reverend Doctor Herman T. Moody, Jr.                      |
| H143-30 | Wagner                                 | 11/6/2004  | T    | Mary Ward & Charles Hutchins - Marriage                   |
| H143-31 | Wagner                                 | 11/19/2004 | T    | Nichole Anderson & Robert Easton - Marriage               |
| H143-32 | Spence                                 | 12/13/2004 | T    | Rosalie McKenna - 90th Birthday                           |
| H143-33 | B. Ennis                               | 10/23/2004 | T    | Lucie Mae Walrath - 100th Birthday                        |
| H143-34 | Carey                                  | 1/5/2005   | T    | Gladys Case - 90th Birthday                               |
| H143-35 | Schwartzkopf                           | 11/20/2004 | T    | Brebner Family - Preservation Award – Historical Society  |
| H143-36 | Schwartzkopf                           | 11/20/2004 | T    | Meredith Pierce - Preservation Award – Historical Society |

|         |              |            |   |                                                               |
|---------|--------------|------------|---|---------------------------------------------------------------|
| H143-37 | Schwartzkopf | 11/20/2004 | T | John Salin - Preservation Award - Historical Society          |
| H143-38 | Schwartzkopf | 11/20/2004 | T | Robert Salin - Preservation Award - Historical Society        |
| H143-39 | Schwartzkopf | 11/20/2004 | T | Evelyn Thoroughgood - Preservation Award – Historical Society |
| H143-40 | Schwartzkopf | 11/20/2004 | T | Irene Simpler - Preservation Award - Historical Society       |
| H143-41 | Schwartzkopf | 11/20/2004 | T | Warren MacDonald - Preservation Award – Historical Society    |
| H143-42 | Carey        | 1/22/2005  | T | Francis Bonkowski, III - Eagle Scout                          |
| H143-43 | Oberle       | 11/13/2004 | M | Arden McCauley Hayden                                         |
| H143-44 | Maier        | 12/8/2004  | T | Syble Morton - 80th Birthday                                  |
| H143-45 | Buckworth    | 11/17/2004 | T | Amber Kelly - 5th in Nation - Prepared Speech                 |
| H143-46 | B. Ennis     | 11/20/2004 | T | Shirley & William Holloway - 50th Wedding Anniversary         |
| H143-47 | Gilligan     | 11/27/2004 | T | Arthur Durnan - 80th Birthday                                 |
| H143-48 | Fallon       | 11/16/2004 | M | Virgil Horne                                                  |

#### HOUSE TRIBUTE ANNOUNCEMENT #3

DATE: January 12, 2005

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      | Date       | Type | Description                                                  |
|---------------------------------|--------------|------------|------|--------------------------------------------------------------|
| H143-49                         | Wagner       | 11/17/2004 | M    | Anthony P. Vinciguerra                                       |
| H143-50                         | Fallon       | 11/6/2004  | T    | Deanne Fonda - Organized Youth Rally                         |
| H143-51                         | Miro         | 11/28/2004 | T    | Carol & Florian Gargula - 40th Wedding Anniversary           |
| H143-52                         | Buckworth    | 11/21/2004 | M    | Larry E. Shockley                                            |
| H143-53                         | Schwartzkopf | 11/1/2004  | T    | Bill Klemkowski - Restaurateur of the Year                   |
| H143-54                         | Ewing        | 11/28/2004 | T    | Robert Johnson - Acts of Kindness                            |
| H143-55                         | Thornburg    | 11/27/2004 | M    | Harry Legates                                                |
| cosponsors: All Representatives |              |            |      |                                                              |
| H143-56                         | Fallon       | 11/28/2004 | T    | Doctors & Staff - Alaska Regional Hospital – Care            |
| H143-57                         | B. Ennis     | 11/15/2004 | M    | James N. Rodney                                              |
| H143-58                         | B. Ennis     | 11/11/2004 | M    | Ruth E. Burris                                               |
| H143-59                         | B. Ennis     | 11/20/2004 | M    | Clarence E. Burris, Jr.                                      |
| H143-60                         | Buckworth    | 11/27/2004 | M    | Michael David Finfinger                                      |
| H143-61                         | Stone        | 12/3/2004  | T    | Master Sgt. Jeffrey Botteon - Retirement – USAF              |
| H143-62                         | Outten       | 11/26/2004 | M    | Leroy M. Calhoun                                             |
| H143-63                         | Ulbrich      | 11/24/2004 | M    | James S. Rapp                                                |
| H143-64                         | Buckworth    | 12/14/2004 | T    | Debbie Windett - Coach of the Year – Henlopen Conf.          |
| H143-65                         | Fallon       | 12/3/2004  | T    | Richard Drummond - Grand Marshall - Seaford Christmas Parade |
| H143-66                         | Wagner       | 12/10/2004 | T    | Robert Shiuh - Retirement - DelDOT                           |
| H143-67                         | Lavelle      | 12/10/2004 | T    | Christina Fierro - Scholar - Volunteer - Role Model          |
| H143-68                         | Roy          | 12/3/2004  | T    | Jack Gardner - Loyal & Dedicated Service                     |
| H143-69                         | Ewing        | 12/18/2004 | T    | Alvin Willink - 80th Birthday                                |
| H143-70                         | Booth        | 12/10/2004 | T    | Myra Ware - Charlesa Lowell Award                            |
| H143-71                         | Schwartzkopf | 12/9/2004  | T    | Rehoboth Elementary School - Superior Rating                 |
| H143-72                         | Schwartzkopf | 12/9/2004  | T    | Richard Shields Elementary School – Superior Rating          |
| H143-73                         | Schwartzkopf | 12/9/2004  | T    | Cape Henlopen School District – Commendable Rating           |
| H143-74                         | Spence       | 12/8/2004  | T    | F. Tucker Mulrooney - Retirement - DelTech                   |

#### HOUSE TRIBUTE ANNOUNCEMENT #4

DATE: January 12, 2005

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  | Date       | Type | Description                                                  |
|------------------------------|----------|------------|------|--------------------------------------------------------------|
| H143-75                      | Hudson   | 11/3/2004  | T    | Olena & Oleska Paranczak - 60th Wedding Anniversary          |
| H143-76                      | Wagner   | 11/6/2004  | T    | Ashley Link & Jeremy Watson - Marriage                       |
| H143-77                      | Wagner   | 12/1/2004  | T    | Tammy Augustus - National Board Certification                |
| H143-78                      | Wagner   | 12/1/2004  | T    | Cheryl Heslinga - National Board Certification               |
| H143-79                      | Wagner   | 12/3/2004  | M    | Ronald Thomas Reid                                           |
| H143-80                      | B. Ennis | 12/17/2004 | T    | Sgt. John Webb - Boating Law Enforcement Officer of the Year |
| H143-81                      | Roy      | 12/30/2004 | T    | Raymond Miller - Retirement - DelDOT                         |
| H143-82                      | Wagner   | 12/6/2004  | T    | John Brady - Alumnus of the Year - Widener University        |
| cosponsor: Rep. Schwartzkopf |          |            |      |                                                              |
| H143-83                      | Wagner   | 12/18/2004 | T    | Charese Messina & Adam Pritchett - Marriage                  |
| H143-84                      | Wagner   | 12/9/2004  | M    | Emma Hall Craft                                              |

|         |                          |            |   |                                                           |
|---------|--------------------------|------------|---|-----------------------------------------------------------|
| H143-85 | VanSant                  | 11/11/2004 | T | Mary & Carmello DiBiaso - 60th Wedding Anniversary        |
| H143-86 | Williams                 | 11/26/2004 | T | Mr. & Mrs. Joseph Stallings, Sr./50th Wedding Anniversary |
| H143-87 | Gilligan                 | 11/27/2004 | T | Mr. & Mrs. Joseph Donahue - 50th Wedding Anniversary      |
| H143-88 | Mulrooney                | 11/20/2004 | T | Mr. & Mrs. Ted Megginson - 50th Wedding Anniversary       |
| H143-89 | Wagner                   | 12/8/2004  | M | Thomas Gregory Spence                                     |
|         | cosponsor: Rep. Stone    |            |   |                                                           |
| H143-90 | Roy                      | 12/20/2004 | T | Dr. Florinda Cagulangan - Retirement                      |
| H143-91 | Lavelle                  | 12/17/2004 | T | Christine Holloman - 70th Birthday                        |
|         | cosponsor: Rep. Williams |            |   |                                                           |
| H143-92 | Buckworth                | 12/17/2004 | T | William Carrow - Civilian of the Year                     |
| H143-93 | Buckworth                | 12/17/2004 | T | Blair Newman - All-State Football - First Team            |
| H143-94 | Buckworth                | 12/17/2004 | T | Joe Balcerak - All-State Football - First Team            |
| H143-95 | Buckworth                | 12/17/2004 | T | Bernie Hanna - All-State Football - First Team            |
| H143-96 | Buckworth                | 12/17/2004 | T | Greg McCulley - All-State Football - First Team           |
| H143-97 | Atkins                   | 12/21/2004 | T | Thomas Jones - Retirement - DelDOT                        |

#### HOUSE TRIBUTE ANNOUNCEMENT #5

DATE: January 12, 2005

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                                      | Date       | Type | Description                                                            |
|----------|----------------------------------------------|------------|------|------------------------------------------------------------------------|
| H143-98  | Atkins                                       | 12/21/2004 | T    | Joseph Moore, Jr. - Retirement - DelDOT                                |
| H143-99  | B. Ennis                                     | 11/29/2004 | T    | Ashley Fletcher - Miss Delaware Teen USA                               |
| H143-100 | Wagner                                       | 12/14/2004 | M    | Marguerite Evelyn Ryder                                                |
| H143-101 | Stone                                        | 12/17/2004 | T    | Dr. Allen Sessoms - Commitment - Capitol Park                          |
| H143-102 | Thornburg                                    | 12/18/2004 | M    | Andrea Nagyiski                                                        |
| H143-103 | Thornburg                                    | 12/21/2004 | M    | Theodore A. Enss, Jr.                                                  |
| H143-104 | Ewing                                        | 12/21/2004 | M    | Irwin G. Burton                                                        |
| H143-105 | B. Ennis                                     | 1/15/2005  | T    | Michael Pearson, Jr. - Eagle Scout                                     |
| H143-106 | Oberle                                       | 12/25/2004 | T    | The Mikles Family - Strength & Selflessness                            |
| H143-107 | Hall-Long                                    | 1/8/2005   | T    | Bob Bartley - Fireman of the Year - Townsend Fire Co.                  |
| H143-108 | Hall-Long                                    | 1/8/2005   | T    | Robin Bartley - EMT of the Year - Townsend Fire Co.                    |
| H143-109 | Hall-Long                                    | 1/8/2005   | T    | Leonard Wallace, III - Jr. Fireman of the Year – Townsend Fire Company |
| H143-110 | Hall-Long                                    | 1/8/2005   | T    | Leonard Wallace, Jr. - EMT of the Year - NC County                     |
| H143-111 | Ulbrich                                      | 12/26/2004 | T    | Dorothy Cooke - 80th Birthday                                          |
| H143-112 | Booth                                        | 1/2/2005   | T    | Virginia Brittingham - 85th Birthday                                   |
|          | cosponsor: Rep. Atkins                       |            |      |                                                                        |
| H143-113 | Booth                                        | 1/2/2005   | T    | Catherine Riniker - 85th Birthday                                      |
|          | cosponsor: Rep. Atkins                       |            |      |                                                                        |
| H143-114 | McWilliams                                   | 12/28/2004 | T    | James Hunter - 76th Birthday                                           |
| H143-115 | Plant                                        | 12/21/2004 | M    | Reverend Doctor Lewis Johnson                                          |
| H143-116 | Booth                                        | 12/21/2004 | M    | David Martin Bloodsworth, Sr.                                          |
|          | cosponsors: Reps. Atkins, Carey, Ewing & Lee |            |      |                                                                        |
| H143-117 | Lee                                          | 12/29/2004 | T    | Joe Stanley - Retirement - DelDOT                                      |
| H143-118 | DiPinto                                      | 12/29/2004 | T    | Jane & Jack Runkle - 50th Wedding Anniversary                          |
| H143-119 | Outten                                       | 1/2/2005   | T    | The Taylor Family - 70th Anniversary – Hardware Store                  |
| H143-120 | Hocker                                       | 12/28/2004 | T    | Cpl. Derek Cathell - Trooper of the Year – Troop 7                     |
| H143-121 | Spence                                       | 12/11/2004 | T    | Mildred Crystal - 80th Birthday                                        |
| H143-122 | Wagner                                       | 1/28/2005  | T    | Mettie Boreham - 100th Birthday                                        |

T- Tribute

M – Memoriam

Representative Smith made an announcement regarding **SCR 1**.

Representative Smith brought the following prefiled **Consent Calendar #1** before the House for consideration.

**HCR 1 – STONE ON BEHALF OF ALL REPRESENTATIVES & SENATOR COOK ON BEHALF OF ALL SENATORS** – Designating February 2005 as American Heart Month and February 4, 2005 as the American Heart Association’s Go Red for Women Day in Delaware.

**HCR 2 – WAGNER ON BEHALF OF ALL REPRESENTATIVES & SENATOR SOKOLA ON BEHALF OF ALL SENATORS** – Commending Kathleen H. Thomas for Being Selected Delaware’s State Teacher of the Year for 2005 and Commending Each School District’s Teacher of the Year.

**SCR 1 – ADAMS & SENATOR MCDOWELL & REPRESENTATIVES SMITH & SPENCE** – Providing for a Joint Session of the House and Senate for the Purpose of Announcing the Vote for Governor and Lt. Governor of the State of Delaware.

**Consent Calendar #1** was adopted by voice vote and **HCR 1 & HCR 2** were sent to the Senate for concurrence and **SCR 1** was returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner made comments. Representative Wagner introduced a guest. Representative Wagner requested and was granted privilege of the floor for the Teachers of the Year, who announced their names, school districts and subjects taught for the record. Representative Wagner made comments. Representative Wagner requested and was granted privilege of the floor for Kathleen Thomas, State Teacher of the Year.

Mr. Speaker Spence, Representatives Wagner, Gilligan & Buckworth made comments. Representative Buckworth introduced a guest.

Representatives Cathcart & Maier requested that they be marked present.

The Majority Leader moved to recess for caucus and to the call of the Chair at 2:55 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Member was marked present by the Chief Clerk after the House recessed at 2:55 P.M.: Representative Oberle.

Mr. Speaker Spence called the House to order at 2:10 p.m. on January 13, 2005.

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.

### **3rd LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session January 13, 2005**

The Chief Clerk called the roll:

Members Present: 37.

Members Absent: Representatives Keeley, Lofink, Oberle & Thornburg - 4.

A prayer was offered by Representative Gerald A. Buckworth, Thirty-Fourth Representative District.

Mr. Speaker Spence 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 13 - STONE & REPRESENTATIVE CATHCART & SENATOR BUNTING & SENATOR STILL; REPRESENTATIVES ATKINS, BUCKWORTH, CAULK, DIPINTO, EWING, GEORGE, HALL-LONG, KEELEY, LOFINK, MAIER, MIRO, OBERLE, PLANT, VALIHURA, WAGNER, WILLIAMS; SENATORS HENRY, SOKOLA - HOUSE ADMINISTRATION - An Act to Amend Title 19 of the Delaware Code Relating to Employment and Reemployment Rights and Certain Other Rights for Members of the Uniformed Military Services.**

**HB 14 - THORNBURG & SENATOR COOK - HOUSE ADMINISTRATION - An Act to Amend Chapter 171, Volume 58, Laws of Delaware, as Amended, the Charter of the Town of Cheswold, to Provide for the Elimination of the One Year Waiting Period for a Former Council Member to be Employed by the Town of Cheswold. (2/3 bill)**

Representative Miro requested that he be marked present. Representative Smith deferred to Representative Roy. Representative Roy introduced guests. Representatives Ennis, McWilliams, Schwartzkopf, Atkins, Lavelle & Valihura 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 **HCR 2 & HJR 1** and is returning same to the House.

#### **Memorandum**

TO: Rep. Terry R. Spence  
Speaker of the House  
FROM: Rep. Helene M. Keeley  
DATE: January 13, 2005  
RE: Absence from Session

I will be unable to attend session on Thursday, January 13, 2005 and Tuesday, January 18, 2005 due to personal reasons. Thank you for your consideration of this matter.

#### **MEMORANDUM**

TO: THE HONORABLE TERRY R. SPENCE  
SPEAKER OF THE HOUSE OF REPRESENTATIVES  
FROM: REPRESENTATIVE PAMELA J. THORNBURG  
DATE: January 13, 2005  
RE: Absence from Session

Please be advised that it is necessary for me to be absent today due to an out of town commitment. Thank you for your understanding.

January 12, 2005

TO: House Speaker Terry R. Spence  
FROM: Representative William A. Oberle, Jr.

SUBJECT: Absence from Office

I am unable to attend session on Thursday, January 13, 2005, as I will be out of state on business.

Mr. Speaker Spence made an announcement.

The Majority Leader moved to recess for the Joint Session, caucus and to the call of the Chair at 2:20 p.m.

### JOINT SESSION – SENATE CHAMBER

The Sergeant-at-Arms announced the arrival of the House members.

The members of the House of Representatives were admitted and welcomed by Lieutenant Governor John Carney. At the invitation of the Lieutenant Governor, Representative Spence joined him on the podium.

At 2:36 p.m. Senator McDowell moved that the House and Senate meet in Joint Session for the purpose of announcing the election results for the Governor and Lieutenant Governor.

Senator McDowell moved that the Lieutenant Governor, as President of the Senate, preside over the Joint Session. There was no objection.

Senator McDowell moved that the Secretary of the Senate and the Chief Clerk of the House act as Secretaries to the Joint Session. There was no objection.

The Lieutenant Governor instructed the Senate Reading Clerk to read the certified returns of the election for Governor and Lieutenant Governor for each county commencing with New Castle County.

The State of Delaware

New Castle County, ss

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

One hundred twenty-nine thousand and ninety-two (129,092)

votes were given for **(D) RUTH ANN MINNER** for Governor

Ninety-nine thousand five hundred and eighty-six (99,586)

votes were given for **(R) WILLIAM SWAIN LEE** for Governor

Four thousand and fifty-six (4,056)

votes were given for **(W) FRANK INFANTE** for Governor

Eight hundred and eighty-nine (889)

votes were given for **(L) FRANK INFANTE** for Governor

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

In Testimony Whereof, we, JAMES T. VAUGHN, JR. and RICHARD R. COOCH constituting the Superior Court for New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 4th day of November, A.D. 2004.

James T. Vaughn, Jr. President Judge

Richard R. Cooch Resident Judge

THE STATE OF DELAWARE

KENT COUNTY, ss

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

Twenty Two Thousand, Three Hundred and Twenty Four (22,324)

votes were given for **(D) RUTH ANN MINNER** for Governor

Twenty Eight Thousand, Five Hundred and Sixty Two (28,562)

votes were given for **(R) WILLIAM SWAIN LEE** for Governor

Three thousand, Six Hundred and Ninety Seven (3,697)

votes were given for **(W) FRANK INFANTE** for Governor

Three Hundred and Nine (309)

votes were given for **(L) FRANK INFANTE** for Governor

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

IN TESTIMONY WHEREOF, We WILLIAM L. WITHAM, JR., and FRED S. SILVERMAN constituting the Superior Court for Kent, who have met and ascertained the state of election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 4th day of November, A.D. 2004.

William L. Witham, Jr. Judge

Fred S. Silverman Judge

The State Of Delaware

Sussex County, ss

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

Thirty-Four Thousand Two Hundred Seventy-one (34,271) votes were given for **(D) RUTH ANN MINNER** for Governor

Thirty-Eight Thousand, Nine Hundred Sixty-seven (38,967) votes were given for **(R) WILLIAM SWAIN LEE** for Governor

Three thousand Two Hundred and Fifty-five (3,255) votes were given for **(W/L) FRANK INFANTE** for Governor

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

In Testimony Whereof, we, T. HENLEY GRAVES and E. SCOTT BRADLEY, constituting the Superior Court for Sussex County, who have met and ascertained the state of election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 5th day of November, A.D. 2004.

T. Henley Graves Resident Associate Judge

E. Scott Bradley Associate Judge

The State of Delaware

New Castle County, ss

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

One hundred forty-eight thousand and fifty-six (148,056)

votes were given for **(D) JOHN C. CARNEY, JR.** for Lieutenant Governor

Seventy three thousand nine hundred (73,900)

votes were given for **(R) JAMES P. URSOMARSO** for Lieutenant Governor

One thousand nine hundred and twenty-two (1,922)

votes were given for **(W) MICHAEL R. DORE** for Lieutenant Governor

One thousand one hundred and sixty-seven (1,167)

votes were given for **(L) JOHN M. REDA** for Lieutenant Governor

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

In Testimony Whereof, we, JAMES T. VAUGHN, JR. and RICHARD R. COOCH constituting the Superior Court for New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this 4th day of November, A.D. 2004.

James T. Vaughn, Jr. President Judge

Richard R. Cooch Resident Judge

THE STATE OF DELAWARE

KENT COUNTY, ss

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

Twenty Nine Thousand, Two Hundred Thirty-Four (29,234)

votes were given for **(D) JOHN C. CARNEY, JR.** for Lieutenant Governor

Twenty One Thousand, Nine Hundred and Thirty Four (21,934)

votes were given for **(R) JAMES P. URSOMARSO** for Lieutenant Governor

One Thousand, Two hundred and Nine (1,209)

votes were given for **(W) MICHAEL R. DORE** for Lieutenant Governor

Two Hundred and Thirty (230)

votes were given for **(L) JOHN M. REDA** for Lieutenant Governor

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

IN TESTIMONY WHEREOF, We WILLIAM L. WITHAM, JR. and FRED S. SILVERMAN constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the Superior Court to be hereunto affixed at the Court House in said County, on this 4th day of November, A.D. 2004.

William L. Witham, Jr. Judge

Fred S. Silverman Judge

The State Of Delaware

Sussex County, ss

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

Forty-one Thousand and Eighty-five (41,085) votes were given for

**(D) JOHN C. CARNEY, JR.** for Lieutenant Governor

Thirty-one Thousand Six Hundred and Sixty-seven (31,667) votes were given for **(R) JAMES P. URSOMARSO** for Lieutenant Governor

One Thousand and Three (1,003) votes were given for

**(W) MICHAEL R. DORE** for Lieutenant Governor

Two Hundred and Forty-Nine (249) votes were given for

**(L) JOHN M. REDA** for Lieutenant Governor

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

In Testimony Whereof, we, T. HENLEY GRAVES and E. SCOTT BRADLEY, constituting the Superior Court for Sussex County, who have met and ascertained the state of election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the Superior Court to be hereunto affixed at the Court House in said County, on this 5th day of November, A.D. 2004.

T. Henley Graves, Resident Associate Judge

E. Scott Bradley, Associate Judge

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

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

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

At 2:48 p.m. Senator McDowell moved that the Joint Session adjourn and the two Houses separate to reconvene in their respective Chambers. There was no objection.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:48 P.M.: Representatives Plant, Stone, Ulbrich & Wagner.

Mr. Speaker Spence called the House to order at 2:42 p.m. on January 18, 2005.

The Chief Clerk read the following communication into the record:

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: Representative Vincent Lofink  
DATE: January 13, 2005  
RE: Absence from Session

Please be advised that it is necessary for me to be absent today due to personal business. Thank you for your understanding.

The Majority Leader moved to adjourn at 2:43 p.m., thereby ending the current legislative day. The House reconvened at 2:44 p.m.

**4th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session  
January 18, 2005**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Atkins & Keeley – 2.

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.

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

Mr. Speaker Spence introduced a guest.

Representative Ewing requested and was granted personal privilege of the floor to introduce guests.

Representative Wagner made an announcement.

Representative Roy requested and was granted personal privilege of the floor to introduce Michel Robitaille, Delegate, Générale Du Québec and Nicole McKinnon, Director, Gouvernement Du Québec, Délégation Générale Du Québec, Governmental Relations and Academic Affairs, Mid-Atlantic Region.

Mr. Speaker Spence introduced guests.

Representative Smith deferred to Representative Ennis.

Representative Ennis requested and was granted privilege of the floor to present a House Tribute to Ashley Fletcher, Miss Delaware Teen USA.

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

Mr. Speaker Spence made comments.

The Majority Leader moved to recess to the call of the Chair at 2:56 p.m.

Mr. Acting Speaker Roy called the House to order at 2:05 p.m. on January 19, 2005.

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

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

**5th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session  
January 19, 2005**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Plant – 1.

A prayer was offered by Representative Bruce C. Ennis, Twenty-Eighth Representative District.

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

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

The following prefiled legislation was introduced:

**HB 15 - ATKINS & REPRESENTATIVES EWING, SPENCE & SENATOR ADAMS - HOUSE ADMINISTRATION** - An Act to Amend Title 21 of the Delaware Code Relating to Motor Carrier Safety.

**HB 16 - EWING & SENATOR VAUGHN; REPRESENTATIVES BUCKWORTH, ENNIS, SCHWARTZKOPF, WILLIAMS - HOUSE ADMINISTRATION** - An Act to Amend Title 21 of the Delaware Code Relating to Special License Plates for Graduates of the FBI National Academy.

**HB 17 - ENNIS & REPRESENTATIVE WAGNER & SENATOR VAUGHN; REPRESENTATIVES EWING, LEE, SCHWARTZKOPF, VANSANT, WILLIAMS - HOUSE ADMINISTRATION** - An Act to Amend Chapter 59 of Title 29 of the Delaware Code Relating to Leave Regulations for Exempt Positions.

**HB 18 - ENNIS & SENATOR VAUGHN & SENATOR SIMPSON & SENATOR BLEVINS & REPRESENTATIVE LEE & REPRESENTATIVE OUTTEN - HOUSE ADMINISTRATION** - An Act to Amend Title 16 of the Delaware Code Relating to Ambulance Attendants.

**HB 19 - BOOTH & SENATOR SIMPSON - HOUSE ADMINISTRATION** - An Act to Amend Chapter 57, Volume 170, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the City of Lewes", to Increase the Maximum Amount to be Raised From Taxes on Real Estate and Improvements from One Million Five Hundred Thousand Dollars (\$1,500,000.00) to Three Million Dollars (\$3,000,000.00). (2/3 bill)

**HB 20 - ROY & SENATOR MCBRIDE - HOUSE ADMINISTRATION** - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**HB 21 - EWING & SENATOR ADAMS & SENATOR DELUCA - HOUSE ADMINISTRATION** - An Act to Amend Chapter 237, Volume 51, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Bridgeville", to Provide for Municipal Tax Increment Financing and to Provide for Municipal Special Development Districts. (2/3 bill)

Representative Cathcart requested that he be marked present.

Representative Lee deferred to Representative Booth. Representative Booth made an announcement. Representative McWilliams requested that she be marked present.

Representative Lee brought the following prefiled **Consent Calendar #2** before the House for consideration.

**HR 5 – ULBRICH – Extending the Reporting Date of the Charter School Standards and Licensing Task Force.**

**HR 6 – WAGNER – Extending the Reporting Date of the Commuter Rail Task Force.**

**HCR 4 – VALIHURA & SENATOR HENRY – Extending the Reporting Date of the Juvenile Justice Review Task Force.**

**Consent Calendar #2** was adopted by voice vote and **HR 5 & HR 6** were declared passed and **HCR 4** was sent to the Senate for concurrence.

Mr. Acting Speaker appointed Representative Buckworth as Acting Speaker.

Representative Lee deferred to Representative Roy.

Representatives Caulk & Lavelle requested that they be marked present.

Representative Roy moved to lift **HB 11** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Roy brought **HB 11**, jointly sponsored by Senator Adams & Senator DeLuca & Representatives Cathcart, Hudson, Lavelle, Lofink, Miro, Stone & Wagner & Senators Still & McBride, before the House for consideration.



**HB 11 - AN ACT TO AMEND TITLE 30, CHAPTER 55 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES TAXES. (F/N)**

Representative Roy introduced and brought **HA 1 to HB 11** before the House for consideration. Representative Roy made comments. **HA 1** was adopted by voice vote. Representative Roy made comments.

The roll call on **HB 11 w/HA 1** was taken and revealed:

YES: 30.

ABSENT: Representatives DiPinto, Fallon, Gilligan, Hudson, Keeley, Plant, Smith, Spence, Stone, VanSant & Williams - 11.

Therefore, having received a constitutional majority, **HB 11 w/HA 1** was sent to the Senate for concurrence.

Representatives Lofink, Maier & Outten requested that they be marked present during the roll call.

Representatives Lee & Maier made announcements.

The Majority Whip moved to recess to the call of the Chair at 2:21 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:21 P.M.: Representatives DiPinto, Fallon, Smith, Spence & VanSant.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 1:50 p.m. on January 25, 2005.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 1 w/SA 1 & SCR 2** and requests the concurrence of the House; **HCR 1** and is returning same to the House.

Representative Hudson requested that she be marked present for the current Legislative Day.

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

HOUSE ADMINISTRATION: **HB 12 - 3M; HB 13 - 3M; HB 14 - 3M; HB 16 - 3M; HB 21 - 3M.**

Representatives McWilliams & Fallon requested that they be marked present for the current Legislative Day.

Representative Smith introduced and brought **SCR 2**, jointly sponsored by Senator Adams & Senator McDowell and Senators DeLuca, Still & Sorenson & Representatives Spence, Lee, Gilligan & VanSant, before the House for consideration.

**SCR 2 - PROVIDING THAT A JOINT SESSION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES BE CONVENED FOR THE PURPOSE OF RECEIVING THE ANNUAL STATE OF THE STATE ADDRESS BY THE HONORABLE RUTH ANN MINNER, GOVERNOR OF THE STATE OF DELAWARE.**

**SCR 2** was adopted by voice vote and was returned to the Senate.

Representatives Keeley, Williams & Stone requested that they be marked present for the current Legislative Day.

Representative Wagner made an announcement.

The Majority Leader moved to adjourn at 1:54 p.m., thereby ending the current legislative day. The House reconvened at 1:55 p.m.

**6th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session  
January 25, 2005**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Joseph W. Booth, Thirty-Seventh Representative District.

Mr. Speaker Spence 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 22 - SCHWARTZKOPF & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Title 14 of the Delaware Code Relating to the Procedures for Termination of Services of Professionals.**

**HB 23 - SCHWARTZKOPF & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Chapter 48 of Title 21 of the Delaware Code Relating to Child Safety Restraints.**

**HB 24 - ROY; REPRESENTATIVES HUDSON, MIRO, GILLIGAN, VANSANT, ENNIS; SENATORS BLEVINS, SOKOLA, BONINI - HOUSE ADMINISTRATION - An Act to Amend Title 11 of the Delaware Code Relating to Crimes and Criminal Procedure.**

**SB 1 w/SA 1 - VAUGHN; SENATORS ADAMS, COOK, MCBRIDE; REPRESENTATIVES ENNIS, EWING - HOUSE ADMINISTRATION - An Act to Amend Titles 19 and 29 of the Delaware Code to Affirmatively Re-establish and Continue the Functions of the Unemployment Insurance Appeal Board.**

The Majority Leader moved to recess for the Joint Session and for caucus at 1:57 pm.

## JOINT SESSION – SENATE CHAMBER

The Sergeant-at-Arms announced the arrival of Members of the House for the Joint Session.

The Members of the House of Representatives were admitted and seated. At the invitation of the Lieutenant Governor, Representative Spence and Senator Adams joined him on the podium.

The Sergeant-at-Arms announced the arrival of the members of the Judiciary who were admitted and seated.

The Sergeant-at-Arms announced the arrival of the Statewide elected officials and the presidents of Delaware State University and Delaware Technical and Community College who were admitted and seated.

The Sergeant-at-Arms announced the arrival of the Governor's cabinet officials who were admitted and seated.

The Lieutenant Governor welcomed all to the Senate Chamber.

At 2:10 p.m., Senator McDowell moved that the Senate and the House meet in Joint Session for the purpose of hearing an address from the Honorable Ruth Ann Minner, Governor of the State of Delaware. There was no objection.

Senator McDowell moved that the Lieutenant Governor, as President of the Senate, preside over the Joint Session. There was no objection.

Senator McDowell moved that the Secretary of the Senate and the Chief Clerk of the House act as Secretaries to the Joint Session. There was no objection.

Senator McDowell moved that the Lieutenant Governor appoint a committee of four to escort the Governor of the State of Delaware to the Joint Session. There was no objection and the President appointed Senator Margaret R. Henry (Spokesperson), Senator Gary F. Simpson, Representative Peter C. Schwartzkopf and Representative Donna D. Stone to form the committee to escort the Governor to the Joint Session.

The Lieutenant Governor declared a temporary recess to await the arrival of the Governor during which he introduced guests.

The Joint Session reconvened at 2:13 p.m.

The Sergeant-at-Arms announced the arrival of the escort party with Governor Minner. They were admitted.

Senator Henry introduced Governor Ruth Ann Minner to the Joint Session.

The Lieutenant Governor welcomed the Governor.

The Governor addressed the members of the General Assembly as follows:

Good afternoon to Lieutenant Governor Carney, President pro Tem Adams, Speaker Spence, members of the 143rd General Assembly, members of the judiciary, to my cabinet, to my State employees, our distinguished guests, my family and all Delawareans...

A few weeks ago, after taking the oath of office for my last time, I took the oath that all of us recite each time we're sworn in and I told you that the next four years for me would be about sowing seeds for our state's future.

I talked about engaging in endeavors that I would not see fully realized. And I shared a quote from the late Archbishop Oscar Romero: "We plant seeds that one day will grow. We water seeds already planted, knowing that they hold future promise."

Today, I am proud to share some of the finer details of the broader portrait I painted last week, a picture of the future of Delaware where schools, our health, our environment, our economy and our government are better than they are now, better than they've ever been and I'm eager to get started.

So let me begin where the future of our state begins: in our schools. The schools of our state is one of emerging excellence and more and more students meeting higher standards year after year.

This month, Education Week gave Delaware an A-minus for its standards and accountability efforts, among the best in the country. Our rating recognizes the work that governors, that members of the General Assembly, that educators, that parents have done to put high standards in place for what we want our children to know and fair measures for assuring they have met those standards.

As I said last week, we must complete the process of education reform. It was begun more than a decade ago. Now that schools and students are being held accountable for their performance, it's time for teachers to be held accountable as well.

I'll work with the educators of our state and finally design a system that is fair, but we cannot delay any longer. I plan to have an educator accountability system in place in time for the start of the 2005-2006 school year.

But, as we expect more of our educators, we also will do more for them. The Teacher Corps I propose and that the General Assembly funded on a pilot basis brought 10 teachers, bright young people who have committed to teach in our Delaware public schools in exchange for their tuition. With us today is one of those future teachers, Robyn Rubolin, a student at the University of Delaware who hopes to teach special education. Thank you and welcome to the Delaware General Assembly.

In the budget I propose this week, I will ask that we expand the Delaware Teacher Corps from the current 10 teachers to 50 students in our colleges.

Part of Delaware's accountability system is under scrutiny, the three-tier diploma. Originally a legislative compromise under a previous administration, the three-tier diploma satisfies no one, neither

those who want an assurance that the diploma holder has mastered certain skills, nor those who worry that the tiers unfairly brand students who they believe work hard.

A panel of national experts assembled by the General Assembly, the educators and me will give us their view in February. And I will not prejudge their decisions but I will say this: A Delaware diploma should signify that the person holding it has mastered the knowledge and skills needed in college and in work. Any change we make should move us toward that goal.

Part of the improving of knowledge and skills of Delaware students is providing extra help for the students when they need it. That was an idea behind placing reading resource teachers in every elementary school. Now thousands of Delaware students are getting the help they need in the most basic skill, and the positive effect is rippling up through the grades and across other subjects.

But, as you know, I'm concerned about other areas as well. We all know that many skills most in demand in the 21st century economy are in the fields of science and technology. And we know that mathematics is the key to science. But our state test scores show that this is an area where we need to continue to work, especially in the middle schools. Our students are making the transition from math to algebra. They need help.

Therefore, I will propose that we begin placing math specialists in the middle schools in the upcoming school year. These teachers will provide the extra time and extra attention that some students need to master math skills. I will propose funding 22 math specialists. As in the early stages of the reading resource teachers, we will place those specialists in the 22 schools that scored the lowest on our math scores in our State test.

I have proposed that we will implement full-day kindergarten across the state by 2008, and the budget I present will include significant steps toward that goal.

I have come to a conclusion though that full-day kindergarten should be voluntary when implemented, but I am confident that the vast majority of the state's parents and students will take this expanded opportunity to prepare for a lifetime of learning.

I've always believed that both adults and children must be inspired when they have a goal for which to reach. More and more young people each year obtain the goal of going to college, but not all of them do. The knowledge and skills that higher education offer not only produce better people, but produce a better state, a better nation. It is time for Delaware to help more children achieve that goal.

Building on the concepts of Senator Harris McDowell and Representative Nancy Wagner, I will advocate as they have in this Hall for a long time and will propose the creation of a program to guarantee a college education for those who want it and work for it is there. Our promise to our children should be: if you do well in school, we will pay for you to obtain a college degree.

Modeled after programs like Georgia's HOPE Scholarship, I propose to work with the education community and the General Assembly to create the Delaware "Student Excellence Equals Degrees" Scholarship.

The Delaware SEED Scholarship will be based on two principles. First, that the level of achievement necessary to access this scholarship be tied to attaining our standards. And second, that the scholarships be geared toward achieving an associate degree from our state's most affordable and accessible higher education institution: Delaware Technical and Community College.

I look forward to forging Delaware SEED Scholarships to provide focus for our children's middle and high school years and a solid step toward their futures.

My belief in the potential for a child's education is the result of my having to obtain my own the hard way. An inspiring education system is the most important seed we can sow for our state's future. Please join me as we make efforts to move forward.

I spoke last week of making Delaware healthier, and we're doing that.

Our fight against Delaware's high cancer rate will be one of my legacies to the state. Doctors tell me they see fewer and fewer cases of cancer, lung disease, asthma and heart conditions related to secondhand smoke, thanks to the Clean Indoor Air Act. The unprecedented program we started last year has provided cancer treatment to 23 individuals who otherwise couldn't afford it. One of those is here today: Emma Fulton.

A Screening For Life test in September determined that Emma had colon cancer. She underwent surgery in December, paid for with a new state program. Emma, today shows no signs of cancer. She credits our new program and the screening nurse, Karen Savin, who Emma says saved her life. Karen is also here today. Thank you Karen and congratulations, Emma. Keep up the good health.

For Emma and thousands of others, we must continue to follow the blueprint for reducing cancer drawn by the Delaware Advisory Council on Cancer Incidence and Mortality. My proposed budget will include full funding for the Year Three recommendation of the council's report.

And as we work to improve our state's cancer rate, we face another area of health care where we struggle to understand what is occurring: and that is the infant mortality.

Last June, I created a task force on infant mortality to investigate why, at a time when prenatal care in our state is going up, the death rate for infant mortality has gone up as well. I recently received the task force interim report, indicating that the problems and the solutions to this challenge are multifaceted.

After receiving input from more than 3,000 Delawareans, the task force, in much the same way the cancer council did, has identified 121 priorities. Reducing infant mortality is important in Delaware. Over next two months, the task force members will provide specific action steps and costs to implement these priorities. And I look forward to sharing and implementing them with you.

The cost of health insurance saves every Delaware family and it affects them. Some Delaware families must simply go without. Others can pay for it, but at a great stress to the family's budget. Many businesses are being forced to cut back on hiring because of double-digit increases in health care. The cost of health insurance is rapidly becoming a crisis in our state.

There are many ideas on how to deal with this issue. I believe the best approach we can take is to increase the purchasing power of Delaware health insurance consumers by creating a statewide purchasing pool. It will give individuals and small businesses in Delaware the same bargaining power and risk-spreading that big companies have. My hope is that this will result in more affordable health insurance premiums across the board for Delawareans.

It's an issue that transcends party lines. A bipartisan group of elected officials, my office and a number of other interested stakeholders is discussing legislation that would create such a statewide purchasing pool. I look forward to seeing this legislation, and I will do everything I can to see that it becomes law this year.

In order to make good decisions in life, it's important to have good information. It applies to health care too. When someone in Delaware must decide what course of medical treatment to take and where to take it, when businesses and government must make decisions about health care policy in light of the spiraling cost, they need good information. But right now, that information isn't available.

I will propose legislation requiring that hospitals and similar institutions to maintain and disclose valuable data on treatment and cost. This initiative will ensure that the state and its citizens are better informed consumers and allow us to find more ways to improve delivery of health care and benefit all Delawareans.

By fighting cancer, infant mortality, by working to control the cost of health care and allowing more informed choices to be made about that care, we will move toward the goal I have set for healthier Delaware.

Benjamin Franklin said there were only two things certain in life: death and taxes. I'd like to add another certainty: trash. And while some in this room might want to discuss reducing taxes, I want to talk about reducing trash.

It's well known that Delaware lags behind the rest of our region in the amount of material that we recycle. Our low recycling rate is not a meaningless statistic; it directly relates to our quality of life because the more trash we send to the landfills, the larger and less manageable our landfills will be.

The recent issues at Cherry Island landfill near Wilmington bring the problem to the forefront: do we continue at a pace that will require a current nuisance to grow bigger and bigger or do we make a choice that will reduce the impact and extend the life of what we currently have? I believe the wise answer is very clear.

A few days ago, the Recycling Public Advisory Council, after years of study and debate, endorsed a plan increasing Delaware's residential recycling rate from a meager 4 percent to 30 percent. I wholeheartedly endorse the 30 percent.

The council has presented the General Assembly and me with draft legislation to implement their recommendations. Their recommendations provide a strong and thorough starting point. Over the next six weeks, my staff will meet with interested parties with the intention of preparing legislation for introduction soon after the General Assembly returns from their break in March.

Increasing the recycling in Delaware is an idea whose time has come and, if put off, it may not come again. It is the right, it is the responsible thing to do and I ask those of you with an open mind to help me propose the most responsible way to do it.

In this address four years ago, I announced a new strategy to control growth and sprawl called Livable Delaware. Today, the principle behind Livable Delaware – that we should collectively plan where we grow and grow only where we plan – has been widely embraced.

This year I will propose strengthening and expanding Livable Delaware to aggressively protect our water quality and other natural resources that are endangered by sprawling development. We must enforce the state's investment strategies. We developed those strategies with the counties and the municipalities to manage how and where we grow. I will ask you to join me to support legislation that recognizes the safeguards, the natural qualities that make Delaware truly unique before those beautiful places are gone forever.

As we all know, the issue of flooding and damage and potential danger that it causes is one that is especially pressing. I believe that decades of development decisions created the situation that we face now and we must act quickly to reduce the potential for disastrous flooding and to take steps to prevent residents and governments from facing that in the future.

I have created the Surface Water Management Task Force to recommend changes to any state or local laws and policies that are worsening rather than reducing our flooding issues. It may also propose new

policies to comply with state and federal water quality requirements and study the cost of potential sources of funding for a statewide plan to minimize flooding and drainage problems.

This group met for the first time last Friday, but they'll report back to me by April 1 so the General Assembly and I can address the flooding issues facing our state before June 30.

The pressing situations of recycling, growth and flooding are ones that have gone unaddressed for too long, but I intend to deal with them so that they are less of a concern for future generations. They are part of my plan to sow the seeds of a better future for Delaware and Delaware's environment and people.

As I stand before you today, Delaware continues to have one of the strongest economies in the country, with one of the lowest unemployment rates among the 50 states, nearly a point-and-a-half below the national rate.

Last February, I announced my New Economy Initiative, a plan to put \$46 million dollars of state, federal and private money into boosting our state's economy. By the time the General Assembly approved the initiative in June, Citizens Bank had added another \$14 million in matching low-interest loans to the package.

New Economy Initiative investments have recently begun, with grants that are expected to add \$13 million dollars to the gross state product.

But there's more that we can do to keep Delaware's economy strong. The strongest in the nation is my vision. In order to do that, we must help our business owners control their cost as well.

I want 2005 to be the year that Delaware finally addresses the difficult issue of controlling the cost of workmen's compensation insurance. Lower workmen's compensation rates will reduce the cost of doing business here and lead to more and higher-paying jobs.

To help increase confidence in our Industrial Accident Board, which makes worker compensation decisions, I will issue an executive order creating an Industrial Accident Board Screening Committee.

The committee, modeled on our nationally known Judicial Nominating Commission, will screen the names of applicants to the IAB and send me only a small number of qualified names to consider for nomination. It is my hope that this Committee, over time, will do the same thing for the IAB that it's done for our courts: make the Delaware IAB one of the nation's most respected.

This must also be a year when we deal with the issue of high medical costs in workmen's compensation cases. There are many people who have a stake in this issue: the employers, organized labor, all workers, physicians, attorneys, and many more. To get it resolved will require some serious discussions, but I want the discussions to end and to produce legislation that can be passed this legislative session.

I will propose legislation designed to deal with the issue of medical costs in workers compensation in the coming weeks. But I have no pride of ownership. The General Assembly can pass my legislation, or come up with a better solution. But the issue must be addressed and it must be addressed now.

Getting the most bang for our buck in government is one of the keys to my philosophy of governing. While I've changed many areas of state government for the better, it seems there is always more we can do. This year, I want to focus on many incentives that we provide to employers in our state.

From the Blue Collar tax credit program right on down. Many of our employment and training incentives are fractured, confusing, in amounts too small to make a difference and, as a result, are unused. I will propose this year that many of our employment and training incentives be combined and streamlined to make them more useful for our corporate citizens and more of a boost to our state's economy.

Continued wise investment in our private sector by state government and wiser investment of our employee incentives will sow the seeds for a brighter economic incentive for Delaware.

In addition to the agenda I have laid out from schools, health, environment and the economy, there are other issues I wish to touch on today. Some of these will be part of my budget proposal, some of them will be part of my legislative agenda, which I will unveil when the General Assembly returns in March.

The safety of our citizens and the emergency responders who serve them continue to be one of my highest priorities. In my first term, we worked together to fix the 800-megahertz radio system, making it one of the most comprehensive in the nation. But our commitment to firefighters, law enforcement officers and emergency medical workers was not that we would stop there. The bond bill I present Thursday includes \$19 million for what we have termed the "next generation" of 800-megahertz, a multi-year effort to expand in-street and in-building coverage and to upgrade the now decade-old 800 megahertz system that we have.

Once again, I call upon the General Assembly to pass legislation banning discrimination on sexual orientation. I ask that the measure be given a chance for a debate and a vote, and that the debate be based on the content and purpose of the bill itself, not on rumors or theories about what might come next.

I will present to the legislature bills aimed at reducing the anonymous political attack that we now see in every election, attacks funded by special interests hiding behind innocuous sounding names. I ask that you help me reform our campaign finance system by requiring that any organization running advertisements that are substantially funded by just one or two special interest groups list those groups in their ads.

Once again, I will ask the legislature to ban open containers of alcohol from the passenger compartments of vehicles. In addition to making our roads safer, this measure will prevent the loss of \$3 million dollars for highway construction.

We, of course, owe a continuing debt to those serving our nation overseas. Two Delaware National Guard members are with us today. Master Sergeant Robert Stone of the 166<sup>th</sup> Airlift Wing is a Chaplain's



Assistant. Stationed in Iraq for more than a year, he provided moral support for our troops in a combat zone, many times under fire.

First Sergeant Larry Pelkey was the Detachment Sergeant for the Delaware Army National Guard's 249<sup>th</sup> Engineer and also served in Baghdad for a year. A state employee with the Division of Facilities Management, Larry helped to build infrastructure and restore water and power to numerous homes, businesses and schools. For their actions, Master Sergeant Stone and First Sergeant Pelkey each were awarded the Bronze Star for meritorious service. Please join me in saluting and thanking them. My legislative agenda this year will include items that continue to ensure those who serve as citizen-soldiers overseas and their families do not have to worry about losing livelihoods.

Last week, I proposed to you a reorganization of state government, centralizing many of my administrative and support functions in one agency. It is an effort to both save money and make government more efficient. I ask that the General Assembly pass legislation making this change on an interim basis as soon as possible and that the members support the permanent change as a part of the budget that will be passed in June.

Finally, my proposed budget will contain the next steps in our continuing effort to address the issues of staffing in our state's correctional system. It will include funding to increase security and to increase pay for correctional officers. I know these issues will be carefully considered.

Last week in my inaugural address, I spoke of sowing seeds for Delaware's future. The items I discuss today are progress toward the vision I presented to the people of Delaware.

I ask you to consider each of these initiatives on their merits and, hopefully, favorably. But some of the goals I have will take all four years of my term to fulfill. I intend to work on them right up until January 20, 2009.

The inaugural prayer service last week included a story from the Jewish Talmud about a man planting carob trees. A passerby asked the man why he would plant such trees, since they take 70 years to bear fruit. The man said, "When I was born into this world, I found many carob trees planted by my father and grandfather. Just as they planted trees for me, I am planting trees for my children and grandchildren so they will be able to eat the fruit of these trees."

My goal this year and for the next four years is to sow seeds that will bear fruit and the lives of Delawareans long after all of us are gone. I believe the initiatives I have announced today further that goal, and I look forward to.

Thank you.

Lieutenant Governor Carney thanked the Governor and requested that the duly appointed committee reassemble to escort the Governor back to her Executive Office.

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

The Secretary of the Senate, Bernard J. Brady, reported that he and the Chief Clerk had compared their Journals and found them to agree.

Senator McDowell moved that the Joint Session be adjourned at 2:53 p.m. and that the two Houses separate to reconvene in their respective Chambers. There was no objection.

The House reconvened at 4:40 p.m. with Representative Roy as Acting Speaker.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought **HB 21**, jointly sponsored by Senator Adams & Senator DeLuca, before the House for consideration.

**HB 21 - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE", TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND TO PROVIDE FOR MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS. (2/3 bill)**

Representative Ewing made comments.

The roll call on **HB 21** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 21** was sent to the Senate for concurrence.

Representatives Caulk, Ennis, Lavelle, Lofink, Plant & Miro requested that they be marked present during the roll call.

Representative Buckworth requested and was granted privilege of the floor for himself and Representative Caulk to present a House Tribute to All American football player Rocky Myers who addressed the House.

Representative Oberle introduced **HB 26**, cosponsored by Representatives Roy, Ennis, Hall-Long, Maier & Wagner & Senators Cloutier, Connor, Sokola & Sorenson.

**HB 26 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE HOSPITAL INFECTIONS DISCLOSURE ACT.**

Mr. Acting Speaker assigned **HB 26** to the House Administration Committee.

Representative Smith deferred to Representative Spence.

Representative Spence moved to suspend the rules which interfere with introduction of and action on **HB 28**. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Spence introduced and brought **HB 28**, jointly sponsored by Senator Henry & Representatives Smith, Cathcart, DiPinto, Lofink, Oberle, George, Johnson, Longhurst, Mulrooney, Plant & Williams & Senators McBride, Peterson, Vaughn, Amick & Connor & cosponsored by Representative Keeley, before the House for consideration.

**HB 28 - AN ACT PERMITTING THE COLONIAL SCHOOL DISTRICT TO CONVEY TO THE CITY OF WILMINGTON THE BUILDING AT 3000 NORTH CLAYMONT STREET, WILMINGTON, DELAWARE. (3/4 bill)**

Representative Spence made comments.

The roll call on **HB 28** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **HB 28** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Thornburg.

Representative Thornburg brought **HB 14**, jointly sponsored by Senator Cook, before the House for consideration.

**HB 14 - AN ACT TO AMEND CHAPTER 171, VOLUME 58, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF CHESWOLD, TO PROVIDE FOR THE ELIMINATION OF THE ONE YEAR WAITING PERIOD FOR A FORMER COUNCIL MEMBER TO BE EMPLOYED BY THE TOWN OF CHESWOLD. (2/3 bill)**

Representative Thornburg made comments.

The roll call on **HB 14** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 14** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle requested and was granted personal privilege of the floor to make comments regarding **HB 26**.

Representative Smith deferred to Representative Stone.

Representative Stone moved to suspend the rules which interfere with action on **HB 13**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Stone brought **HB 13**, jointly sponsored by Representative Cathcart & Senator Bunting & Senator Still & Representatives Atkins, Buckworth, Caulk, DiPinto, Ewing, George, Hall-Long, Keeley, Lofink, Maier, Miro, Plant, Valihura, Wagner & Williams & Senators Henry & Sokola & cosponsored by Representative Oberle, before the House for consideration.

**HB 13 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT AND REEMPLOYMENT RIGHTS AND CERTAIN OTHER RIGHTS FOR MEMBERS OF THE UNIFORMED MILITARY SERVICES.**

Representative Stone made comments.

The roll call on **HB 13** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 13** was sent to the Senate for concurrence.

The Majority Leader moved to recess for caucus at 5:15 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 5:25 p.m.

Representative Smith deferred to Representative Lavelle.

Representative Lavelle moved to suspend the rules which interfere with introduction of and action on **HJR 2**. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Lavelle introduced and brought **HJR 2**, jointly sponsored by Representative Caulk & Representative Atkins & Representative Booth & Representative Buckworth & Representative Carey & Representative Cathcart & Representative DiPinto & Representative Ennis & Representative Fallon & Representative Hocker & Representative Hudson & Representative Lee & Representative Maier & Representative Miro & Representative Outten & Representative Roy & Representative Spence & Representative Stone & Representative Thornburg & Representative Ulbrich & Representative Wagner & Senator Bonini & Senator Cloutier & Senator Connor & Senator Copeland & Senator Peterson & Senator Simpson & Senator Sokola, before the House for consideration.

**HJR 2 - REJECTING IN ITS ENTIRETY THE REPORT OF THE DELAWARE COMPENSATION COMMISSION.**

Representatives Lavelle & Valihura made comments.

The roll call on **HJR 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HJR 2** was sent to the Senate for concurrence.



Representative Smith moved to suspend the rules which interfere with introduction of and action on **HB 29**. The motion was seconded by Representative Roy and adopted by voice vote.

Representative Smith introduced and brought **HB 29**, jointly sponsored by Representative Gilligan & Senator DeLuca & Senator Still & Representatives Cathcart, DiPinto, Hudson, Lavelle, Lofink, Maier, Miro, Spence, Ulbrich & Valihura & Senators McDowell, Blevins, Henry & Sokola, before the House for consideration.

**HB 29 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY EXECUTIVE AND COUNTY DEPARTMENTS.**

Representatives Smith, Gilligan, Oberle & Smith made comments.

The roll call on **HB 29** was taken and revealed:

YES: 39.

NOT VOTING: Representatives Lofink & Roy - 2.

Therefore, having received a constitutional majority, **HB 29** was sent to the Senate for concurrence.

Mr. Speaker Spence introduced a guest.

Representative Smith moved to suspend the rules which interfere with introduction of and action on **HB 31**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith introduced and brought **HB 31**, jointly sponsored by Senator Vaughn & Senator Adams & Representative Spence & Representative Lee & Senator Still & Representative Gilligan & Senator Cook & Senator DeLuca & Representative VanSant & Representatives Atkins, Booth, Buckworth, Carey, Cathcart, Caulk, DiPinto, Ewing, Fallon, Hocker, Hudson, Lavelle, Lofink, Maier, Miro, Oberle, Outten, Roy, Stone, Thornburg, Ulbrich, Valihura, Wagner & Williams & Senators Bonini, Bunting, Marshall, Simpson & Venables, before the House for consideration.

**HB 31 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE CASE OF WARD T. EVANS V. STATE OF DELAWARE, 2004 WL 2743546 (DEL. SUPR.) AND GENERALLY THE INTERPRETATION AND CONSTRUCTION OF DELAWARE LAWS BY DELAWARE JUDICIAL OFFICERS.**

Representative Smith made comments. Representative Smith requested and was granted privilege of the floor for Stanley W. Taylor, Jr., Commissioner, Department of Correction. Representatives Smith, Valihura, Wagner & George made comments. Representative Smith requested and was granted privilege of the floor for Lorenzo B. Whaley & Greg K. Whaley, violent crime victims. Representatives Ewing, Williams & Smith made comments.

Representative Smith deferred to Representative George.

Representative George introduced and brought **HA 1 to HB 31** before the House for consideration. Representatives George & Smith made comments. Representative Oberle rose on a point of order. Mr. Speaker concurred. Representatives Smith, Valihura & George made comments. **HA 1** was defeated by voice vote.

Representative Valihura & Mr. Speaker Spence made comments.

The roll call on **HB 31** was taken and revealed:

YES: 40.

ABSENT: Representative Roy - 1.

Therefore, having received a constitutional majority, **HB 31** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on **HB 32**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Oberle introduced and brought **HB 32**, jointly sponsored by Representative Spence & Representatives DiPinto & Williams & Senators DeLuca & Vaughn & cosponsored by Representative Lofink, before the House for consideration.

**HB 32 - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO HOME RULE.**

Representatives Oberle, Plant, Williams, Valihura, Plant & Johnson made comments.

The roll call on **HB 32** was taken and revealed:

YES: 36.

NO: Representatives Keeley & Plant - 2.

ABSENT: Representatives Hudson, Roy & Smith - 3.

Therefore, having received a constitutional majority, **HB 32** was sent to the Senate for concurrence.

Representative Smith made an announcement.

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

Mr. Speaker Spence called the House to order at 2:10 p.m. on January 26, 2005.

House Committee assignments were announced by the Speaker as follows:

**AGRICULTURE:** Representative Pamela J. Thornburg - Chair; Representative John C. Atkins; Representative Joseph W. Booth; Representative V. George Carey - Vice-chair; Representative G. Wallace Caulk, Jr; Representative Gerald W. Hocker; Representative William R. Outten; Representative Bethany A. Hall-Long; Representative Michael P. Mulrooney.

**APPROPRIATIONS:** Representative Joseph G. DiPinto – Chair; Representative Gerald A. Buckworth; Representative Tina Fallon; Representative Stephanie A. Ulbrich; Representative Peter C. Schwartzkopf; Representative Dennis P. Williams; Representative Joseph W. Booth (Alternate); Representative Joseph E. Miro (Alternate); Representative Donna D. Stone (Alternate); Representative Pamela J. Thornburg (Alternate); Representative Nancy H. Wagner (Alternate).

**BUSINESS/CORPORATIONS/COMMERCE:** Representative Joseph E. Miro - Chair; Representative Gerald W. Hocker - Vice-chair; Representative Deborah D. Hudson; Representative Gregory F. Lavelle; Representative Donna D. Stone; Representative Stephanie A. Ulbrich; Representative Helene M. Keeley; Representative Valerie J. Longhurst; Representative Diana M. McWilliams; Representative Hazel D. Plant.

**CAPITAL INFRASTRUCTURE:** Representative Roger P. Roy - Chair; Representative V. George Carey; Representative Vincent A. Lofink; Representative William A. Oberle, Jr.; Representative Bruce C. Ennis; Representative Helene M. Keeley; Representative Richard C. Cathcart (Alternate); Representative Gregory F. Lavelle (Alternate); Representative Joseph E. Miro (Alternate); Representative Donna D. Stone (Alternate); Representative Michael P. Mulrooney (Alternate).

**CORRECTIONS:** Representative John C. Atkins - Chair; Representative Nancy H. Wagner - Vice-chair; Representative Gerald A. Buckworth; Representative William R. Outten; Representative Melanie G. Marshall; Representative James J. Johnson; Representative Helene M. Keeley.

**ECONOMIC DEVELOPMENT, BANKING & INSURANCE:** Representative Donna D. Stone - Chair; Representative Gregory F. Lavelle - Vice-chair; Representative V. George Carey; Representative Tina Fallon; Representative Gerald W. Hocker; Representative Deborah D. Hudson; Representative Robert J. Valihura, Jr.; Representative Pamela J. Thornburg; Representative Helene M. Keeley; Representative Valerie J. Longhurst; Representative Hazel D. Plant; Representative John J. Viola.

**EDUCATION:** Representative Nancy H. Wagner - Chair; Representative Stephanie A. Ulbrich - Vice-chair; Representative Joseph W. Booth; Representative Richard C. Cathcart; Representative Pamela S. Maier; Representative Joseph E. Miro; Representative Melanie George Marshall; Representative Bethany A. Hall-Long; Representative Diana M. McWilliams; Representative Michael P. Mulrooney; Representative Teresa L. Schooley.

**ENERGY:** Representative Robert J. Valihura, Jr. – Chair; Representative Stephanie A. Ulbrich – Vice-chair; Representative John C. Atkins; Representative Vincent A. Lofink; Representative Joseph E. Miro; Representative Roger P. Roy; Representative Donna D. Stone; Representative Pamela J. Thornburg; Representative Bruce C. Ennis; Representative Bethany A. Hall-Long; Representative Helene M. Keeley; Representative Hazel D. Plant; Representative Teresa L. Schooley.

**ETHICS:** Representative Wayne A. Smith - Chair; Representative Clifford G. Lee; Representative Terry R. Spence; Representative Robert F. Gilligan; Representative John F. VanSant.

**GAMING AND PARI-MUTELS:** Representative Vincent A. Lofink - Chair; Representative John C. Atkins - Vice-chair; Representative Joseph G. DiPinto; Representative Deborah D. Hudson; Representative William A. Oberle, Jr.; Representative William R. Outten; Representative Pamela J. Thornburg; Representative Nancy H. Wagner; Representative Robert F. Gilligan; Representative Helene M. Keeley; Representative Hazel D. Plant; Representative John F. VanSant.

**HEALTH & HUMAN DEVELOPMENT:** Representative Pamela S. Maier - Chair; Representative Joseph E. Miro - Vice-chair; Representative Joseph W. Booth; Representative G. Wallace Caulk, Jr.; Representative Stephanie A. Ulbrich; Representative Melanie George Marshall; Representative Bethany A. Hall-Long; Representative Diana M. McWilliams; Representative Teresa L. Schooley.

**HOMELAND SECURITY:** Representative Joseph E. Miro – Chair; Representative Pamela S. Maier – Vice-chair; Representative John C. Atkins; Representative J. Benjamin Ewing; Representative Deborah D. Hudson; Representative Clifford G. Lee; Representative Terry R. Spence; Representative Nancy H. Wagner; Representative Melanie George Marshall; Representative James J. Johnson; Representative Peter C. Schwartzkopf; Representative Dennis P. Williams.

**HOUSE ADMINISTRATION:** Representative Wayne A. Smith – Chair; Representative Clifford G. Lee; Representative Terry R. Spence; Representative Robert F. Gilligan; Representative John F. VanSant.

**HOUSING & COMMUNITY AFFAIRS:** Representative Gregory F. Lavelle – Chair; Representative Donna D. Stone – Vice-chair; Representative Gerald W. Hocker; Representative Deborah D. Hudson; Representative Pamela J. Thornburg; Representative Robert J. Valihura, Jr.; Representative James J. Johnson; Representative Helene M. Keeley; Representative Hazel D. Plant; Representative John J. Viola.

**JUDICIARY:** Representative Robert J. Valihura, Jr. – Chair; Representative Nancy H. Wagner – Vice-chair; Representative Deborah D. Hudson; Representative Gregory F. Lavelle; Representative Donna D. Stone; Representative Melanie G. Marshall; Representative James J. Johnson; Representative Helene M. Keeley.

**LABOR:** Representative William A. Oberle, Jr. – Chair; Representative Vincent A. Lofink – Vice-chair; Representative Gerald A. Buckworth; Representative Terry R. Spence; Representative James J. Johnson; Representative Michael P. Mulrooney; Representative Hazel D. Plant; Representative John J. Viola.

**MANUFACTURED HOUSING (SUBCOMMITTEE):** Representative Robert J. Valihura, Jr. – Chair; Representative Donna D. Stone – Vice-chair; Representative Gerald W. Hocker; Representative

Deborah D. Hudson; Representative Gregory F. Lavelle; Representative Pamela J. Thornburg; Representative Bruce C. Ennis; Representative Peter C. Schwartzkopf.

**NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT:** Representative Joseph W. Booth – Chair; Representative Gerald W. Hocker – Vice-chair; Representative John C. Atkins; Representative V. George Carey; Representative G. Wallace Caulk, Jr.; Representative William R. Outten; Representative Pamela J. Thornburg; Representative Bethany A. Hall-Long; Representative Valerie J. Longhurst; Representative Diana M. McWilliams; Representative Michael P. Mulrooney.

**POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY/JOINT SUNSET:** Representative William A. Oberle, Jr. – Chair; Representative Robert J. Valihura, Jr. – Vice-chair; Representative Deborah D. Hudson; Representative Michael P. Mulrooney; Representative John J. Viola.

**PUBLIC SAFETY:** Representative J. Benjamin Ewing – Chair; Representative John C. Atkins – Vice-chair; Representative Gerald A. Buckworth; Representative William R. Outten; Representative Melanie George Marshall; Representative James J. Johnson; Representative Helene M. Keeley.

**REVENUE & FINANCE:** Representative Deborah D. Hudson – Chair; Representative Robert J. Valihura, Jr. – Vice-chair; Representative Tina Fallon; Representative Gerald W. Hocker; Representative Gregory F. Lavelle; Representative Donna D. Stone; Representative Pamela J. Thornburg; Representative Helene M. Keeley; Representative Valerie J. Longhurst; Representative Hazel D. Plant; Representative John J. Viola.

**RULES:** Representative Vincent A. Lofink – Chair; Representative Clifford G. Lee; Representative William A. Oberle, Jr.; Representative Wayne A. Smith; Representative Terry R. Spence; Representative Robert F. Gilligan; Representative John F. VanSant.

**TELECOMMUNICATION, INTERNET & TECHNOLOGY:** Representative Roger P. Roy – Chair; Representative Deborah D. Hudson – Vice-chair; Representative Donna D. Stone; Representative Robert F. Gilligan; Representative James J. Johnson.

**TOURISM:** Representative Deborah D. Hudson – Chair; Representative Tina Fallon – Vice-chair; Representative Joseph W. Booth; Representative Gerald A. Buckworth; Representative V. George Carey; Representative Donna D. Stone; Representative Nancy H. Wagner; Representative Valerie J. Longhurst; Representative Peter C. Schwartzkopf.

**TRANSPORTATION, LAND USE AND INFRASTRUCTURE:** Representative Richard C. Cathcart – Chair; Representative Gregory F. Lavelle – Vice-chair; Representative G. Wallace Caulk, Jr.; Representative Pamela S. Maier; Representative Bruce C. Ennis; Representative Teresa L. Schooley.

**VETERANS AFFAIRS:** Representative Richard C. Cathcart – Chair; Representative V. George Carey; Representative John C. Atkins; Representative Joseph W. Booth; Representative Clifford G. Lee; Representative William R. Outten; Representative Terry R. Spence; Representative Donna D. Stone; Representative Stephanie A. Ulbrich; Representative Bruce C. Ennis; Representative Robert F. Gilligan; Representative James J. Johnson; Representative Michael P. Mulrooney; Representative Hazel D. Plant; Representative Peter C. Schwartzkopf; Representative John J. Viola.

Mr. Speaker Spence reassigned **HB 2 & HB 22** to the Education Committee, **HB 23** to the Public Safety Committee, **HB 24** to the Telecommunication Internet & Technology Committee, **HB 26** to the Health & Human Development Committee, **HB 27** to the Public Safety Committee, **HB 30** to the Education Committee & **HB 33** to the Policy Analysis & Government Accountability Committee.

The Majority Leader moved to adjourn at 2:14 p.m., thereby ending the current legislative day. The House reconvened at 2:15 p.m.

## **7th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session January 26, 2005**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Cathcart – 1.

A prayer was offered by Representative Pamela J. Thornburg, Twenty-Ninth Representative District.

Mr. Speaker Spence & Representative Wagner led those present in a pledge of allegiance to the American Flag.

The following prefiled legislation was introduced:

**HB 2 - MAIER & REPRESENTATIVE OBERLE & SENATOR SIMPSON;**  
**REPRESENTATIVES ATKINS, BOOTH, BUCKWORTH, CATHCART, DIPINTO, HOCKER,**  
**HUDSON, LAVELLE, LEE, LOFINK, MIRO, OUTTEN, ULBRICH, VALIHURA; SENATORS AMICK,**  
**COPELAND, BUNTING, PETERSON, SOKOLA, VENABLES - HOUSE ADMINISTRATION - An Act**  
**to Amend Title 14 of the Delaware Code Relating to the State High School Diploma Requirements.**

**HB 27 - ROY - HOUSE ADMINISTRATION - An Act to Amend Title 21 of the Delaware Code**  
**Relating to Stopping, Standing and Parking.**

**HB 30 - WILLIAMS; REPRESENTATIVES DIPINTO, ENNIS, GEORGE, HALL-LONG,**  
**JOHNSON, LONGHURST, MCWILLIAMS, MIRO, PLANT, SCHOOLEY, VIOLA, WAGNER -**

HOUSE ADMINISTRATION - An Act to Amend Title 14 and 29 of the Delaware Code Relating to the Donated Leave Program.

**HB 33** - MIRO & SENATOR DELUCA; REPRESENTATIVES SPENCE, LEE, BUCKWORTH, CAREY, CAULK, DIPINTO, EWING, FALLON, HOCKER, HUDSON, MAIER, STONE, WAGNER, GILLIGAN, HALL-LONG, PLANT, SCHOOLEY, SCHWARTZKOPF, WILLIAMS - HOUSE ADMINISTRATION - An Act to Amend Title 24 of the Delaware Code Relating to Pharmacies.

**SB 9** - VENABLES & REPRESENTATIVE ROY; SENATORS BLEVINS, COOK, DELUCA, CONNOR, SIMPSON; REPRESENTATIVES CAREY, LOFINK, OBERLE, ENNIS, KEELEY, CATHCART, LAVELLE, MIRO, STONE, MULROONEY - HOUSE ADMINISTRATION - An Act to Amend the Fiscal Year 2005 Bond and Capital Improvements Act and to Amend Title 21 of the Delaware Code Relating to Motor Vehicle Records. (3/4 bill)

**SJR 2** - BUNTING; SENATORS BLEVINS, COOK, HENRY, PETERSON, SOKOLA, BONINI, CONNOR, COPELAND, VENABLES; REPRESENTATIVES HOCKER, OUTTEN, BOOTH, THORNBURG - HOUSE ADMINISTRATION - Rejecting the Report of the Delaware Compensation Commission.

Representative Oberle requested that he be marked present.

Representative Smith made an announcement.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with action on **SB 9**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Hudson requested that she be marked present.

Representative Roy brought **SB 9**, jointly sponsored by Senator Venables & Senators Blevins, Cook, DeLuca, Connor, Simpson & Representatives Carey, Lofink, Oberle, Ennis, Keeley, Cathcart, Lavelle, Miro, Stone & Mulrooney, before the House for consideration.

**SB 9** - AN ACT TO AMEND THE FISCAL YEAR 2005 BOND AND CAPITAL IMPROVEMENTS ACT AND TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE RECORDS. (3/4 bill)

Representative Roy moved to place **SB 9** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representatives Keeley & Lavelle requested that they be marked present.

Representative Roy made comments.

Mr. Speaker Spence reassigned **HB 24** to the Business/Corporations & Commerce Committee.

The Majority Leader moved to recess for caucus at 2:26 p.m.

The House reconvened at 3:15 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 **SJR 2, SB 9, SCR 3, SB 4, SB 5 & SB 6** and requests the concurrence of the House.

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

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #6

DATE: January 26, 2005

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                                                               | Date       | Type | Description                                                            |
|----------|-----------------------------------------------------------------------|------------|------|------------------------------------------------------------------------|
| H143-123 | Plant                                                                 | 12/31/2004 | T    | Lillian & Willie McBride, Jr. - 50th Wedding Anniversary               |
| H143-124 | Wagner                                                                | 1/14/2005  | T    | Hank Draper - Retirement - DelDOT                                      |
| H143-125 | Caulk                                                                 | 1/26/2005  | T    | Leon Harper - Retirement - DelDOT                                      |
| H143-126 | Spence                                                                | 1/7/2005   | T    | Mildred & Harry Crystal - 60th Wedding Anniversary                     |
| H143-127 | Atkins                                                                | 12/30/2004 | T    | Alice & Norman Betts - 50th Wedding Anniversary                        |
| H143-128 | Lee                                                                   | 1/4/2005   | T    | Honorable George Parish - Sussex Clerk of the Peace                    |
|          | Cosponsors: Reps. Atkins, Booth, Carey, Fallon, Hocker & Schwartzkopf |            |      |                                                                        |
| H143-129 | Hudson                                                                | 1/3/2005   | T    | Jeff Lawson - Principal of the Year                                    |
| H143-130 | Stone                                                                 | 1/3/2005   | M    | Peter P. DeMarie                                                       |
| H143-131 | Ulbrich                                                               | 1/3/2005   | M    | David A. VanHorn, Jr.                                                  |
| H143-132 | Hudson                                                                | 12/5/2004  | T    | James & Beverly Miller - 50th Wedding Anniversary                      |
| H143-133 | Wagner                                                                | 12/17/2004 | T    | Myrtle Harrington - 100th Birthday                                     |
| H143-134 | Williams                                                              | 1/1/2005   | T    | Sgt. Porfirio Alequine - Promotion –                                   |
|          | cosponsor: Rep. Keeley                                                |            |      | Wilmington Police                                                      |
| H143-135 | Thornburg                                                             | 1/6/2005   | M    | Patricia Kay Queen-Simmons                                             |
| H143-136 | Cathcart                                                              | 1/14/2005  | T    | Dr. William Lybarger - Retirement - 26 Years - Department of Education |
| H143-137 | Carey                                                                 | 1/12/2005  | T    | Doris Willis - 90th Birthday                                           |

|              |            |            |   |                                                                 |
|--------------|------------|------------|---|-----------------------------------------------------------------|
| H143-138     | Smith      | 1/1/2005   | T | Brad Hopkins/Retirement/River& Bay Authority                    |
| H143-139     | Roy        | 10/9/2004  | T | Kimberly Shrouds & James Tobin, Jr. – Marriage                  |
| H143-140     | Carey      | 1/21/2005  | T | Rebecca Elliott - Retirement - 42+ Years – DelDOT               |
| H143-141     | Wagner     | 1/8/2005   | M | Elsie McAteer                                                   |
| H143-142     | Wagner     | 1/15/2005  | T | Verna Patterson - 90th Birthday                                 |
| H143-143     | Fallon     | 1/17/2005  | T | Otelia & John Oliver - Martin Luther King Award                 |
| H143-144     | Hocker     | 1/14/2005  | T | Vickie Loria - 4 Years - Bethany-Fenwick<br>Chamber of Commerce |
| H143-145     | McWilliams | 12/25/2004 | T | Ed & Greta Rice - 65th Wedding Anniversary                      |
| H143-146     | Gilligan   | 12/31/2004 | T | Rose Marie & Cliff Smith - 50th Wedding Anniversary             |
| T- Tribute   |            |            |   |                                                                 |
| M - Memoriam |            |            |   |                                                                 |

Representative Smith deferred to Representative Thornburg. Representative Thornburg requested and was granted privilege of the floor for Janice Pendleton representing O.A.A.S.I.S. Representative Smith deferred to Representative Lee. Mr. Speaker Spence resumed the Chair. Representative Lee requested and was granted privilege of the floor to present a House Tribute to Representative William R. Outten. Representative Smith deferred to Representative Stone. Representative Stone requested and was granted privilege of the floor to present House Tributes to Representative Deborah D. Hudson and Representative Gerald A. Buckworth.

Representative Smith brought the following prefiled **Consent Calendar #3** before the House for consideration.

**HCR 3 – BOOTH & SENATOR SIMPSON – Extending the Reporting Date for the Consumer and Commercial Home Inspector Task Force.**

**HCR 5 – MAIER & SENATOR SOKOLA – Extending the Reporting Date of the Truancy Task Force.**

**HCR 6 – MAIER & SENATOR SOKOLA – Establishing the Compulsory Education Age Task Force.**

**HCR 7 – HALL-LONG; REPRESENTATIVE MAIER; SENATOR BLEVINS – Creating the Week of January 23-29, 2005 Certified/Nurse Anesthetist Appreciation Week.**

**SCR 3 – SORENSON ON BEHALF OF ALL SENATORS & REPRESENTATIVE MIRO ON BEHALF OF ALL REPRESENTATIVES – Honoring the Memory and Celebrating the Life of Genevieve Walton Gore.**

Representative Smith requested that **HCR 7** be removed from **Consent Calendar #3**.

**Consent Calendar #3** was adopted by voice vote and **HCR 3, HCR 5 & HCR 6** were sent to the Senate for concurrence and **SCR 3** was returned to the Senate.

Representative Miro requested that he be marked present.

Representative Smith moved to place **HCR 7** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representatives Plant, Ulbrich & Maier requested that they be marked present. Representative DiPinto requested and was granted personal privilege of the floor to introduce guests. Representative Smith made comments. Representative Spence introduced a guest. Representative Maier introduced guests.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 3:20 p.m.

The House reconvened at 3:35 p.m.

Representative Smith deferred to Representative Roy.

Representative Roy moved to lift **SB 9** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Roy brought **SB 9**, jointly sponsored by Senator Venables & Senators Blevins, Cook, DeLuca, Connor, Simpson & Representatives Carey, Lofink, Oberle, Ennis, Keeley, Cathcart, Lavelle, Miro, Stone & Mulrooney, before the House for consideration.

**SB 9 - AN ACT TO AMEND THE FISCAL YEAR 2005 BOND AND CAPITAL IMPROVEMENTS ACT AND TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE RECORDS. (3/4 bill)**

Representative Roy deferred to Representative Smith.

Representative Smith requested and was granted privilege of the floor for Jennifer Wagner-Davis, Director, Office of Management and Budget. Representatives Smith, DiPinto & Wagner made comments. Representative Smith requested and was granted privilege of the floor for Russell T. Larson, Controller General. Representative Roy made comments.

The roll call on **SB 9** was taken and revealed:

YES: 38.

ABSENT: Representatives Cathcart, Caulk & Ewing - 3.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **SB 9** was returned to the Senate.

Representative Booth made an announcement.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 3:45 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:14 p.m. on January 27, 2005.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 22** and requests the concurrence of the House; **HB 28**, **HB 11 w/HA 1**, **HCR 4** & **HB 31** and is returning same to the House.

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

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

HOUSE ADMINISTRATION: **HB 15** – 5M; **HB 17** – 5M; **HB 18** – 5M; **HB 19** – 4M; **HB 20** – 5M.

Representative Smith deferred to Representative Schwartzkopf.

Representative Schwartzkopf requested that **HB 23** be stricken.

The Majority Leader moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

### **8th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session January 27, 2005**

The Assistant Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Buckworth & Roy -2.

The House observed a moment of silence in memory of Carlton Blendt, Jr. at the request of Representative Ennis.

A prayer was offered by Representative Vincent A. Lofink, Twenty-Seventh Representative District.

Mr. 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 34** - BUCKWORTH & SENATOR MCBRIDE; REPRESENTATIVES SPENCE, EWING, HALL-LONG, SCHWARTZKOPF; SENATOR STILL - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Special License Plates. (3/5 bill)

**HB 37** - WAGNER - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road. (2/3 bill)

**HB 38** - KEELEY & REPRESENTATIVE SMITH; REPRESENTATIVE SPENCE; SENATORS BLEVINS, HENRY - CORRECTIONS - An Act to Amend Title 11 of the Delaware Code Relating to a Program for Continuous Remote Alcohol Monitoring.

**HJR 3** - BOOTH & SENATOR VENABLES; REPRESENTATIVES SPENCE, LEE, ATKINS, BUCKWORTH, CAREY, HOCKER, HUDSON, LAVELLE, MAIER, MIRO, OBERLE, OUTTEN, STONE, ENNIS, JOHNSON, KEELEY, MULROONEY, PLANT, SCHWARTZKOPF; SENATORS BUNTING, SIMPSON - HEALTH & HUMAN DEVELOPMENT - Requiring the Department of Health and Social Services to Update and Re-base Medicaid Inpatient Reimbursement Rates.

**HA 1 to HB 24** - ROY - Placed with the Bill.

**SB 4** - VAUGHN & REPRESENTATIVE HALL-LONG - HOUSE ADMINISTRATION - An Act to Amend Chapter 128, Volume 33, Laws of Delaware as Amended, Entitled "An Act to Re-incorporate the Town of Middletown, to Clarify Certain Provisions Regarding Indebtedness and Debt Limits by the Town. (2/3 bill)

**SB 5** - ADAMS & REPRESENTATIVE CAREY - HOUSE ADMINISTRATION - An Act to Amend an Act Being Chapter 326, Volume 71, Laws of Delaware, as Amended Entitled an Act to Reincorporate the Town of Milton, the Charter of the Town of Milton, Relating to a Town Manager and to Annexation Agreements and Amount of Indebtedness. (2/3 bill)

**SB 6** - SIMPSON & REPRESENTATIVE BOOTH - HOUSE ADMINISTRATION - An Act to Amend Chapter 170, Volume 57, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the City of Lewes", to Amend Section 29, "Enumeration of Powers", Subsection 30, to Increase the Maximum Amount to be Raised from Taxes on Real Estate and Improvements from One Million Five Hundred Thousand Dollars (\$1,500,000.) to Three Million Dollars (\$3,000,000.). (2/3 bill)

**SB 22** - BUNTING & REPRESENTATIVE BOOTH; SENATOR VENABLES & REPRESENTATIVES ATKINS, HOCKER - APPROPRIATIONS - An Act Permitting the Indian River School District to Transfer Certain Major Capital School Construction Funds. (3/4 bill)

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: Gerald A. Buckworth  
State Representative – 34th District  
DATE: January 27, 2005



RE: Absence from Session

Please be advised that it is necessary for me to be absent today because of prior family business.  
Thank you for your understanding.

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: Representative Roger Roy  
DATE: January 27, 2005  
RE: Absence from Session

Please be advised that it is necessary for me to be absent today due to professional business. Thank you for your understanding.

Representative Miro & Mr. Acting Speaker made comments.

Representative Hall-Long moved to lift **HCR 7** from the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Hall-Long brought **HCR 7**, cosponsored by Representative Maier and Senator Blevins, before the House for consideration.

**HCR 7 - CREATING THE WEEK OF JANUARY 23-29, 2005 CERTIFIED/NURSE ANESTHETIST APPRECIATION WEEK.**

Representative Hall-Long made comments and introduced a guest.

**HCR 7** was adopted by voice vote and was sent to the Senate for concurrence.

Mr. Acting Speaker made comments.

Representative Lee brought the following prefiled **Consent Calendar #4** before the House for consideration.

**HR 7 – CAREY & REPRESENTATIVE HOCKER & REPRESENTATIVE THORNBURG –**  
Establishing the Tax Ditch Recordation Task Force.

**HCR 8 – MCWILLIAMS; REPRESENTATIVE SPENCE; SENATOR MCDOWELL;**  
**REPRESENTATIVE SMITH –** Providing for a Special Disposition Process to be Followed by the Delaware Department of Transportation Regarding the Transfer of the Historical Property Known as the Weldin House.

**HCR 9 –MAIER ON BEHALF OF ALL REPRESENTATIVES & SENATOR BLEVINS ON**  
**BEHALF OF ALL SENATORS –** Establishing the Month of February 2005 as National Parent Leadership Month in Delaware.

**Consent Calendar #4** was adopted by voice vote and **HR 7** was declared passed and **HCR 8 & HCR 9** were sent to the Senate for concurrence.

Representative Hall-Long made comments.

The Majority Whip moved to recess for caucus at 2:27 p.m.

The House reconvened at 4:44 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SCR 4** and requests the concurrence of the House.

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

**BUSINESS/CORPORATIONS/COMMERCE: HB 24 – 3F,3M.**

Mr. Acting Speaker made an announcement.

Representatives Plant, Keeley, Hudson, Ulbrich, Valihura & Atkins requested that they be marked present

Representative Smith moved to suspend the rules which interfere with action on **SB 5**. The motion was properly seconded and adopted by voice vote.

Representative Smith brought **SB 5**, sponsored by Senator Adams & Representative Carey, before the House for consideration.

**SB 5 - AN ACT TO AMEND AN ACT BEING CHAPTER 326, VOLUME 71, LAWS OF DELAWARE, AS AMENDED ENTITLED AN ACT TO REINCORPORATE THE TOWN OF MILTON, THE CHARTER OF THE TOWN OF MILTON, RELATING TO A TOWN MANAGER AND TO ANNEXATION AGREEMENTS AND AMOUNT OF INDEBTEDNESS. (2/3 bill)**

Representative Smith made comments.

The roll call on **SB 5** was taken and revealed:

YES: 36.

ABSENT: Representatives Buckworth, George, Roy, Spence & Wagner - 5.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 5** was returned to the Senate.

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

Representative Lee deferred to Representative Booth.

Representative Booth moved to suspend the rules which interfere with action on **SB 6**. The motion was properly seconded and adopted by voice vote.



Representative Booth brought **SB 6**, jointly sponsored by Senator Simpson before the House for consideration.

**SB 6** - AN ACT TO AMEND CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES", TO AMEND SECTION 29, "ENUMERATION OF POWERS", SUBSECTION 30, TO INCREASE THE MAXIMUM AMOUNT TO BE RAISED FROM TAXES ON REAL ESTATE AND IMPROVEMENTS FROM ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000.) TO THREE MILLION DOLLARS (\$3,000,000.). (2/3 bill)

Representative Booth made comments.

The roll call on **SB 6** was taken and revealed:

YES: 39.

ABSENT: Representatives Buckworth & Roy - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 6** was returned to the Senate.

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

Representative Booth requested that **HB 19** be stricken.

The Majority Leader moved to recess for caucus at 4:55 p.m.

The House reconvened at 5:30 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 14, HB 21, HB 29, HCR 3, HCR 5, HCR 7, HCR 8 & HCR 9** and is returning same to the House.

Representative Smith moved to suspend the rules which interfere with introduction of and action on **HB 43**. The motion was properly seconded and adopted by voice vote.

Representative Smith introduced and brought **HB 43**, jointly sponsored by Representative Spence & Senator Vaughn & Senator Bonini, before the House for consideration.

**HB 43** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE INVOLUNTARY CIVIL COMMITMENT OF SEXUALLY VIOLENT PERSONS.

Representative Smith made comments and requested and was granted privilege of the floor for Carl Danberg, Chief Deputy Attorney General. Representatives Smith, Wagner, George & Gilligan made comments.

The roll call on **HB 43** was taken and revealed:

YES: 37.

NOT VOTING: Representatives Ennis & George - 2.

ABSENT: Representatives Buckworth & Roy - 2.

Therefore, having received a constitutional majority, **HB 43** was sent to the Senate for concurrence.

Representative Smith introduced **HB 36**, sponsored by Representative Oberle & Representative Ulbrich & Representative Schwartzkopf & Senator Henry & Representatives DiPinto, Hudson, George, Gilligan, Keeley, McWilliams, Schooley, Viola & Williams & Senators Bunting, McDowell & Sokola, before the House for consideration.

**HB 36** - AN ACT TO AMEND TITLES 6, 9, 18, 19, 25 AND 29 OF THE DELAWARE CODE RELATING TO DISCRIMINATION EMPLOYMENT, PUBLIC WORKS CONTRACTING, HOUSING, EQUAL ACCOMMODATIONS AND THE INSURANCE BUSINESS.

Mr. Acting Speaker assigned **HB 36** to the Labor Committee.

Representative Lee deferred to Representative Atkins.

Representative Atkins brought **HB 15**, jointly sponsored by Representative Ewing & Senator Adams & cosponsored by Representative Spence, before the House for consideration.

**HB 15** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR CARRIER SAFETY.

Representative Smith moved to place **HB 15** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Smith moved to suspend the rules which interfere with action on **SJR 2**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **SJR 2**, jointly sponsored by Senator Bunting & Senators Blevins, Cook, Henry, Peterson, Sokola, Bonini, Connor, Copeland & Representatives Atkins, Booth, Buckworth, Carey, Cathcart, Caulk, DiPinto, Ewing, Fallon, Hocker, Hudson, Lavelle, Lee, Lofink, Maier, Miro, Outten, Roy, Smith, Spence, Stone, Thornburg, Ulbrich, Valihura & Wagner, before the House for consideration.

**SJR 2** - REJECTING THE REPORT OF THE DELAWARE COMPENSATION COMMISSION.

Representative Smith deferred to Representative Valihura. Representative Valihura introduced and brought **HA 1 to SJR 2**, jointly sponsored by Representative George, before the House for consideration. Representative Valihura made comments.

The roll call on **HA 1 to SJR 2** was taken and revealed:

YES: 33.

NO: Representatives Booth, Caulk, Lavelle, Maier, Miro & Thornburg - 6.

ABSENT: Representatives Buckworth & Roy - 2.

Therefore, having received a constitutional majority, **HA 1 to SJR 2** was declared passed.

Representative Caulk made comments.

The roll call on **SJR 2 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Buckworth & Roy - 2.

Therefore, having received a constitutional majority, **SJR 2 w/HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Smith deferred to Representative Lee.

Representative Lee requested and was granted privilege of the floor for to present a House Tribute to Patrick Vanderslice, House Attorney.

Representative Smith deferred to Representative Ulbrich.

Representatives Smith & Williams made comments.

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

Representative Ulbrich brought **SB 1 w/SA 1**, sponsored by Senator Vaughn & Senators Adams, Cook & McBride & Representatives Ennis & Ewing, before the House for consideration.

**SB 1 - AN ACT TO AMEND TITLES 19 AND 29 OF THE DELAWARE CODE TO AFFIRMATIVELY RE-ESTABLISH AND CONTINUE THE FUNCTIONS OF THE UNEMPLOYMENT INSURANCE APPEAL BOARD.**

Representative Ulbrich introduced and brought **HA 1 to SB 1**, jointly sponsored by Representatives Hudson & Valihura, before the House for consideration. Representatives Ulbrich & Viola made comments. **HA 1** was adopted by voice vote. Representative Ulbrich made comments.

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

YES: 37.

ABSENT: Representatives Buckworth, Caulk, Lavelle & Roy - 4.

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

Representative Lee deferred to Representative Booth.

Representative Booth moved to suspend the rules which interfere with action on **SB 22**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Booth brought **SB 22**, jointly sponsored by Senator Bunting & Senator Venables & Representatives Atkins & Hocker, before the House for consideration.

**SB 22 - AN ACT PERMITTING THE INDIAN RIVER SCHOOL DISTRICT TO TRANSFER CERTAIN MAJOR CAPITAL SCHOOL CONSTRUCTION FUNDS. (3/4 bill)**

Representative Booth made comments.

The roll call on **SB 22** was taken and revealed:

YES: 36.

ABSENT: Representatives Buckworth, Caulk, Miro, Roy & Spence - 5.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **SB 22** was returned to the Senate.

Representative Smith deferred to Representative Maier.

Representative Maier introduced and brought **SCR 4**, sponsored on behalf of All Representatives & jointly sponsored by Senator Sokola on behalf of All Senators, before the House for consideration.

**SCR 4 - COMMENDING ALL THOSE INVOLVED WITH THE "MIRACLE WORKERZ" ORGANIZATION FOR THEIR OUTSTANDING EFFORTS AND RECOGNIZING MARCH 6, 2005 AS "MIRACLE WORKERZ DAY" IN THE STATE OF DELAWARE.**

Representative Maier made comments.

**SCR 4** was adopted by voice vote and was returned to the Senate.

Representative Smith moved to suspend the rules which interfere with action on **SB 4**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **SB 4**, sponsored by Senator Vaughn & Representative Hall-Long, before the House for consideration.

**SB 4 - AN ACT TO AMEND CHAPTER 128, VOLUME 33, LAWS OF DELAWARE AS AMENDED, ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF MIDDLETOWN, TO CLARIFY CERTAIN PROVISIONS REGARDING INDEBTEDNESS AND DEBT LIMITS BY THE TOWN. (2/3 bill)**

The roll call on **SB 4** was taken and revealed:

YES: 37.

ABSENT: Representatives Buckworth, Caulk, Roy & Spence - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 4** was returned to the Senate.

The Majority Leader moved to recess to the call of the Chair at 6:20 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:17 p.m. on March 15, 2005.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 24** and requests the concurrence of the House.

The Majority Leader moved to adjourn at 2:18 p.m., thereby ending the current legislative day. The House reconvened at 2:19 p.m.

**9th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session  
March 15, 2005**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Cathcart & Schooley – 2.

A prayer was offered by Representative Deborah D. Hudson, Twelfth Representative District.

Mr. Speaker Spence 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:

February 4, 2005

**HB 35** - GILLIGAN & SENATOR ADAMS; REPRESENTATIVE VANSANT; SENATORS MCDOWELL, DELUCA, COOK - APPROPRIATIONS - An Act Making Appropriations for the Expense of the State Government for the Fiscal Year Ending June 30, 2006; Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds; and Amending Certain Pertinent Statutory Provisions.

**HB 39** - GEORGE; REPRESENTATIVES EWING, HALL-LONG, LONGHURST, MCWILLIAMS, SCHOOLEY; SENATOR HENRY - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Unfair Practices in Insurance.

**HB 40** - OBERLE; REPRESENTATIVES ATKINS, BOOTH, ENNIS, SCHWARTZKOPF; SENATORS VENABLES, SIMPSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Taxes.

**HB 41** - OBERLE & REPRESENTATIVE CAULK; REPRESENTATIVES DIPINTO, HUDSON, THORNBURG, VALIHURA, KEELEY, WILLIAMS - GAMING & PARIMUTUELS - An Act to Amend Title 29 of the Delaware Code Relating to the Lottery. (2/3 bill)

**HB 42** - OBERLE & REPRESENTATIVE ULBRICH; REPRESENTATIVES BUCKWORTH, CAREY, DIPINTO, EWING, HOCKER, HUDSON, MAIER, MIRO, WAGNER, VANSANT, ENNIS, HALL-LONG, KEELEY, SCHWARTZKOPF, VIOLA; SENATORS BLEVINS, AMICK - BUSINESS/CORPORATIONS/COMMERCE - An Act to Amend Title 4, Delaware Code, Pertaining to Possession and Consumption of Alcohol by Underage Persons.

**HB 44** - SPENCE & REPRESENTATIVE OBERLE & REPRESENTATIVE LEE & REPRESENTATIVE CATHCART; REPRESENTATIVES ATKINS, BOOTH, LOFINK, MIRO, STONE, WAGNER, HALL-LONG, VIOLA; SENATORS BUNTING, HENRY, VAUGHN, STILL, SORENSON, BONINI, CLOUTIER, CONNOR, COPELAND - PUBLIC SAFETY - An Act to Amend Title 11 of the Delaware Code Relating to Law Enforcement Administration.

**HB 45** - SPENCE & REPRESENTATIVE OBERLE; REPRESENTATIVES ATKINS, BOOTH, EWING, LOFINK, WAGNER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 31 of the Delaware Code Relating to the State Public Assistance Code.

**HB 46** - MIRO & SENATOR DELUCA; REPRESENTATIVE EWING - CORRECTIONS - An Act to Amend Title 11 of the Delaware Code Relating to Sentencing.

**HB 47** - ULBRICH & SENATOR SOKOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Curriculum Standards and the Powers and Duties of the Department of Education.

**HB 48** - VALIHURA & SENATOR CLOUTIER; REPRESENTATIVES BOOTH, BUCKWORTH, CAREY, CATHCART, CAULK, DIPINTO, EWING, FALLON, HOCKER, HUDSON, LAVELLE, LEE, MAIER, MIRO, OUTTEN, SMITH, SPENCE, STONE, ULBRICH, WAGNER; SENATORS BONINI, CONNOR, COPELAND, PETERSON, SIMPSON, SOKOLA, SORENSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Compensation Commission.

**HB 49** - WAGNER & SENATOR SOKOLA; REPRESENTATIVE LAVELLE - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road.

**HB 50** - WAGNER & SENATOR BLEVINS - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Pharmacy.

**HB 51** - WAGNER & SENATOR BLEVINS; REPRESENTATIVE WILLIAMS - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Practice of Pharmacy.

**HB 52** - SPENCE & REPRESENTATIVE DIPINTO & SENATOR MCDOWELL & SENATOR SOKOLA & SENATOR AMICK; REPRESENTATIVES LEE, BOOTH, BUCKWORTH, HUDSON, MIRO, OBERLE, ULBRICH, WAGNER, ENNIS, HALL-LONG, LONGHURST, MULROONEY, SCHOOLEY, VIOLA, WILLIAMS; SENATORS DELUCA, BUNTING, HENRY, MCBRIDE - EDUCATION - An Act to Amend Chapter 13, Title 14 of the Delaware Code Relating to Salaries and Working Conditions of School Employees.

**HB 53** - WAGNER & SENATOR SOKOLA; REPRESENTATIVES SPENCE, LEE, BUCKWORTH, CAREY, CATHCART, CAULK, DIPINTO, EWING, HOCKER, MIRO, OBERLE, STONE, ULBRICH, ENNIS, HALL-LONG, KEELEY, MCWILLIAMS, MULROONEY, PLANT, SCHOOLEY, SCHWARTZKOPF - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Education.

**HB 54** - WAGNER & SENATOR SOKOLA; REPRESENTATIVES SPENCE, SMITH, LEE, BUCKWORTH, CAREY, CATHCART, EWING, FALLON, HOCKER, LOFINK, MIRO, OBERLE, OUTTEN, STONE, THORNBURG, ULBRICH, ENNIS, GEORGE, HALL-LONG - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Business Tax Credits and Deductions.

**HB 55** - LAVELLE & SENATOR SOKOLA; REPRESENTATIVES DIPINTO, HUDSON, SMITH, VALIHURA, SENATOR COPELAND, SORENSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to the County Auditor.

**HB 56** - HUDSON & SENATOR DELUCA; REPRESENTATIVES SPENCE, SMITH, DIPINTO, LAVELLE, MIRO, OBERLE, ROY, VALIHURA; SENATORS ADAMS, COPELAND - REVENUE & FINANCE - An Act to Amend Chapter 23, Volume 72, Laws of Delaware, and Title 30 of the Delaware Code Relating to Credit for Research and Development Expenses.

**HB 57** - CAREY & SENATOR SIMPSON - TRANSPORTATION; LAND USE AND INFRASTRUCTURE - An Act to Authorize and Approve the Transfer of Certain Real Property from the Cape Henlopen School District to Carey Communities, Inc., and the Town of Milton.

**HB 58** - WAGNER & REPRESENTATIVE ENNIS & REPRESENTATIVE KEELEY & SENATOR PETERSON; REPRESENTATIVES LEE, EWING, HOCKER, MIRO, OBERLE, OUTTEN, STONE, ENNIS, JOHNSON, KEELEY, MCWILLIAMS; SENATOR PETERSON - LABOR - An Act to Amend Chapter 59 of Title 29 of the Delaware Code Relating to Grievances.

**HB 59** - SPENCE & REPRESENTATIVE OBERLE & REPRESENTATIVE LEE; REPRESENTATIVES ATKINS, BOOTH, CATHCART, ENNIS, EWING, HALL-LONG, LOFINK, MIRO, THORNBURG, VANSANT, WAGNER - PUBLIC SAFETY - An Act to Amend Title 11 of the Delaware Code Relating to Law Enforcement Administration.

**HA 1 to HB 2** - OBERLE & REPRESENTATIVE MAIER - Placed with the Bill.

**HA 2 to HB 2** - SMITH - Placed with the Bill.

**SB 24** - COOK & REPRESENTATIVE DIPINTO; SENATORS ADAMS, MCDOWELL, DELUCA, BUNTING, HENRY, MCBRIDE, PETERSON, SOKOLA, VAUGHN, SORENSON, CLOUTIER; REPRESENTATIVES SMITH, GILLIGAN, VANSANT - APPROPRIATIONS - An Act to Provide for the Interim Management of Certain State Agencies Pending Further Administrative Reorganization.

February 15, 2005

**HB 60** - BOOTH & SENATOR SIMPSON; REPRESENTATIVES ATKINS, BUCKWORTH, CATHCART, CAULK, ENNIS, HALL-LONG, HOCKER, LEE, MAIER, MULROONEY, WAGNER; SENATORS BUNTING, SOKOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Pertaining to School Nurses.

**HB 61** - BOOTH & SENATOR BUNTING; REPRESENTATIVES ATKINS, DIPINTO, ENNIS, EWING, OBERLE, PLANT, THORNBURG, WILLIAMS - APPROPRIATIONS - An Act to Amend Title 29 of the Delaware Code Relating to Transportation of State Employees.

March 2, 2005

**HS 1 for HB 36** - OBERLE & REPRESENTATIVE ULBRICH & REPRESENTATIVE SCHWARTZKOPF & SENATOR HENRY; REPRESENTATIVES DIPINTO, HUDSON, GEORGE, GILLIGAN, KEELEY, MCWILLIAMS, SCHOOLEY, VIOLA, WILLIAMS; SENATORS BUNTING, MCDOWELL, SOKOLA - LABOR - An Act to Amend Titles 6, 9, 18, 19, 25 and 29 of the Delaware Code Relating to Discrimination Employment, Public Works Contracting, Housing, Equal Accommodations and the Insurance Business.

**HB 62** - SMITH & SENATOR COOK - REVENUE & FINANCE - An Act to Amend Title 29 of the Delaware Code Relating to the State Lottery.

**HB 63** - MIRO & SENATOR SOKOLA; REPRESENTATIVES DIPINTO, EWING, GILLIGAN, HUDSON, LAVELLE, LEE, LOFINK, SMITH, SPENCE, VALIHURA, WAGNER; SENATOR SIMPSON - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Learner's Permits.

**HB 64** - SMITH - HOUSE ADMINISTRATION - An Act to Amend Title 1 of the Delaware Code Relating to Certain Legal Holidays.

**HB 65** - WAGNER & REPRESENTATIVE BUCKWORTH; REPRESENTATIVES THORNBURG, STONE, ENNIS; SENATORS VAUGHN, COOK - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Sewers.

**HB 66** - BOOTH & SENATOR VENABLES; REPRESENTATIVES ATKINS, BUCKWORTH, CATHCART, CAULK, FALLON, GEORGE, HOCKER, MIRO, OBERLE, SMITH, STONE, VALIHURA; SENATORS COPELAND, SIMPSON - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 29 of the Delaware Code Relating to Health Care Insurance.

**HA 1 to HB 39** - SCHOOLEY - Placed with the Bill.

Representative Hall-Long requested that she be marked present. Representative Ewing made comments. Representative Maier introduced a guest. Mr. Speaker Spence reassigned **HB 52** to the Appropriations Committee. Mr. Speaker Spence reassigned **HB 62** to the Gaming & Parimutuels Committee. Representatives Keeley, Lofink & DiPinto requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:25 p.m.

The House reconvened at 4:20 p.m. with Representative Roy as Acting Speaker.

Representative Roy requested that he be marked present.

Representative Smith brought **HB 24**, sponsored by Representative Roy & Representatives Hudson, Miro, Gilligan, VanSant & Ennis & Senators Blevins, Sokola & Bonini, before the House for consideration.

**HB 24** – AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE.

Representative Smith moved to place **HB 24** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representatives Oberle & Miro requested that they be marked present.

Representative Oberle introduced and brought **HR 24**, jointly sponsored by Representative Spence on behalf of All Representatives, before the House for consideration.

**HR 24** - CONGRATULATING CHIEF CLERK JOANN HEDRICK FOR RECEIVING THE NATIONAL CONFERENCE OF STATE LEGISLATURES' LEGISLATIVE STAFF ACHIEVEMENT AWARD.

WHEREAS, in 1979, Representative William A. Oberle had the foresight to bring on board JoAnn Hedrick to fill a much needed secretarial position in the House Republican Caucus; and

WHEREAS, Representative Roger Roy, having never met JoAnn, wanted to know if she was a registered Republican, thus eliciting the response from the then-Majority Leader, John Burris, "I don't care if she is a registered Communist, the question is, can she type?", and

WHEREAS, JoAnn Hedrick was actually a registered Democrat at that time, but fortunately she did indeed know how to type, and more importantly understood the now outdated WANG computer system; and

WHEREAS, shortly thereafter, JoAnn realized that she was truly a Republican and registered as such; and

WHEREAS, in 1982, the Republicans lost the majority and JoAnn took a temporary leave of absence that ended in 1984 when the Republicans regained the majority in the House of Representatives; and

WHEREAS, then-Speaker of the House, Charles "Chuck" Hebner recognized her talents and professionalism and recommended JoAnn for the Chief Clerk position, whereupon she was duly voted in; and

WHEREAS, for the last 20 years JoAnn Hedrick has served as Chief Clerk of the House of Representatives with the utmost dedication and devotion, always putting the organization first, which has often meant putting in many late night hours; and

WHEREAS, in addition to her many duties as Chief Clerk of the Delaware House of Representatives, for the past two decades JoAnn Hedrick has served diligently on the American Society of Legislative Clerks and Secretaries (ASLCS), an association of her peers, and is currently the organization's president-elect; and

WHEREAS, the ASLCS is a unique component of the National Conference of State Legislatures (NCSL), through which JoAnn has formed and maintained many bonds and true friendships throughout the years; and

WHEREAS, JoAnn Hedrick also serves on the NCSL Executive Committee and the NCSL Legislative Staff Coordinating Committee; and

WHEREAS, it is because of her timeless dedication and outstanding efforts with the Delaware Legislature, ASLCS and NCSL that JoAnn Hedrick was chosen to receive the prestigious Legislative Staff Achievement Award; and

WHEREAS, the Delaware House of Representatives is truly fortunate to have such an exceptional member of our staff who has served this legislative body with the utmost professionalism and care.

NOW, THEREFORE:

BE IT RESOLVED that the House of Representatives of the 143rd General Assembly of the State of Delaware congratulates JoAnn Hedrick for receiving the Legislative Staff Achievement Award from the National Conference of State Legislatures.

BE IT FURTHER RESOLVED that we thank JoAnn Hedrick for her loyalty and dedication to her profession which has served as an inspiration to many throughout the years, and will continue to do so.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be presented to JoAnn Hedrick.

Representative Oberle made comments.

Representative Williams requested that he be marked present.

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

**HR 24** was adopted by voice vote.

Representative Smith deferred to Representative Lavelle.

Representative Lavelle made comments regarding **HR 24**.

Representative Lavelle moved to suspend the rules which interfere with introduction of and action on **HS 1 for HB 12**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Lavelle introduced and brought **HS 1 for HB 12**, jointly sponsored by Representative Smith & Representative Valihura & Senator Blevins & Senator Sokola & Representatives Cathcart, DiPinto, Gilligan, Hudson, Roy & Ulbrich & Senators Amick & Copeland & cosponsored by Senator Sorenson, before the House for consideration.

**HB 12 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO VACANCIES ON NEW CASTLE COUNTY COUNCIL.**

Representatives Lavelle & Gilligan made comments.

The roll call on **HS 1 for HB 12** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Schooley - 2.

Therefore, having received a constitutional majority, **HS 1 for HB 12** was sent to the Senate for concurrence.

Representatives Caulk & Ulbrich requested that they be marked present during the roll call.

Representative Lavelle made a comment.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought **HB 16**, jointly sponsored by Senator Vaughn & Representatives Buckworth, Ennis, Schwartzkopf & Williams, before the House for consideration.

**HB 16 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES FOR GRADUATES OF THE FBI NATIONAL ACADEMY.**

Representative Ewing made comments.

The roll call on **HB 16** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Schooley - 2.

Therefore, having received a constitutional majority, **HB 16** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ennis.

Representative Ennis brought **HB 17**, jointly sponsored by Representative Wagner & Senator Vaughn & Representatives Ewing, Lee, Schwartzkopf, VanSant & Williams, before the House for consideration.

**HB 17 - AN ACT TO AMEND CHAPTER 59 OF TITLE 29 OF THE DELAWARE CODE RELATING TO LEAVE REGULATIONS FOR EXEMPT POSITIONS.**

Representative Ennis made comments.

The roll call on **HB 17** was taken and revealed:

YES: 37.

ABSENT: Representatives Cathcart, Oberle, Schooley & Smith - 4.

Therefore, having received a constitutional majority, **HB 17** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Ennis.

Representative Ennis introduced a guest.

Representative Ennis brought **HB 18**, jointly sponsored by Senator Vaughn & Senator Simpson & Senator Blevins & Representative Lee & Representative Outten, before the House for consideration.

**HB 18 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO AMBULANCE ATTENDANTS.**

Representative Ennis made comments.

The roll call on **HB 18** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Schooley - 2.

Therefore, having received a constitutional majority, **HB 18** was sent to the Senate for concurrence.

Representative Smith requested and was granted personal privilege of the floor to make comments regarding **HR 24**. Representatives Spence & Williams made comments. Representative Gilligan requested and was granted personal privilege of the floor to make comments.

The Reading Clerk read the following communications into the record:

February 14, 2005

LEGISLATIVE ADVISORY #1

Governor Ruth Ann Minner signed the following legislation on the date indicated: 1/20/05 - **HJR 1**; 2/1/05 – **HB 31**; 2/7/05 – **SB 5, SB 6, SB 9, HB 11 aab HA 1 & HB 28**; 2/9/05 – **HB 14, HB 21, HB 29, SB 4 & SB 22**.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Peter Schwartzkopf, do hereby request that my name be removed as cosponsor of **HB 26**.

Date: March 15, 2005

Signed: Peter Schwartzkopf

MEMORANDUM

TO: Speaker Terry R. Spence  
FROM: Rep. Richard C. Cathcart  
DATE: March 15, 2005  
SUBJECT: Absence from Session

Please excuse Rep. Richard Cathcart from session today, March 15, 2005 due to a family emergency.

MEMORANDUM

TO: Rep. Terry R. Spence  
Speaker of the House  
FROM: Rep. Teresa Schooley  
DATE: March 15, 2005  
RE: Absence from Session

I will be unable to attend today's session due to illness. Thank you for your understanding.

Mr. Acting Speaker made an announcement and introduced a guest.

Representative Smith deferred to Representative Atkins.

Representative Atkins moved to suspend the rules which interfere with lifting **HB 15** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Atkins brought **HB 15**, jointly sponsored by Representative Ewing & Senator Adams & cosponsored by Representative Spence, before the House for consideration.

**HB 15 – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR CARRIER SAFETY.**

Representative Atkins introduced and brought **HA 1 to HB 15** before the House for consideration. Representative Atkins made a comment. **HA 1** was adopted by voice vote. Representative Atkins made comments.

The roll call on **HB 15 w/HA 1** was taken and revealed:

YES: 36.

NOT VOTING: Representative Outten - 1.

ABSENT: Representatives Cathcart, Caulk, Fallon & Schooley - 4.

Representative Outten announced that he did not vote on **HB 15 w/HA 1** because of a possible conflict of interest.

Therefore, having received a constitutional majority, **HB 15 w/HA 1** was sent to the Senate for concurrence.

The Majority Whip moved to recess to the call of the Chair at 5:05 p.m.

Mr. Acting Speaker Roy called the House to order at 2:10 p.m. on March 16, 2005.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 1 w/SA 1, HA 1 & SA 3 & SB 18 w/SA 1** and requests the concurrence of the House.

Representative Oberle made an announcement.

Representative Oberle introduced **HB 80**, jointly sponsored by Representative Ulbrich & Representative Maier & Representative Smith & Representatives DiPinto, Hudson, Lavelle, Lofink & Spence.

**HB 80 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STATE HIGH SCHOOL DIPLOMA REQUIREMENTS**

Mr. Acting Speaker assigned **HB 80** to the Education Committee.

The Majority Leader moved to adjourn at 2:12 p.m., thereby ending the current legislative day. The House reconvened at 2:13 p.m.

**10th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session  
March 16, 2005**

The Chief Clerk called the roll:

Members Present: 37.

Members Absent: Representatives Atkins, Cathcart, Caulk & McWilliams – 4.

A prayer was offered by Representative Bethany A. Hall-Long, Eighth Representative District.

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

Mr. Acting Speaker introduced a guest.



The following prefiled legislation was introduced:

**HB 67** - MAIER & SENATOR BLEVINS; REPRESENTATIVES BOOTH, BUCKWORTH, CAREY, EWING, FALLON, HALL-LONG, HOCKER, HUDSON, LEE, MIRO, SCHOOLEY, SMITH, SPENCE, STONE, THORNBURG, ULBRICH, VIOLA, WAGNER; SENATORS CONNOR, SOKOLA, STILL - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Dental Examiners.

**HB 68** - HUDSON & SENATOR COPELAND; REPRESENTATIVE VALIHURA; SENATORS SIMPSON, COOK, DELUCA, HENRY, SOKOLA - GAMING & PARIMUTUELS - An Act to Amend Title 3, Chapter 101 of the Delaware Code Relating to Thoroughbred Racing.

**HB 70** - LAVELLE & SENATOR COPELAND - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to License Plates. (3/4 bill)

**HB 71** - OBERLE & REPRESENTATIVE ULBRICH & SENATOR MCBRIDE; REPRESENTATIVES HUDSON, MULROONEY, VALIHURA, VIOLA; SENATORS BONINI, COPELAND, PETERSON, SOKOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Delaware Advisory Council on Career Education.

**HB 72** - OBERLE & REPRESENTATIVE ULBRICH & SENATOR MCBRIDE; REPRESENTATIVES HUDSON, MULROONEY, VALIHURA, VIOLA; SENATORS BONINI, COPELAND, PETERSON, SOKOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Titles 16 and 24 of the Delaware Code Relating to Nursing Homes and Nursing Home Administrators.

**HB 73** - OBERLE & REPRESENTATIVE ULBRICH & SENATOR MCBRIDE; REPRESENTATIVES HUDSON, MULROONEY, VALIHURA, VIOLA; SENATORS BONINI, COPELAND, PETERSON, SOKOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 and Title 29 of the Delaware Code Relating to Real Estate Appraisers.

**HB 74** - OBERLE & REPRESENTATIVE ULBRICH & SENATOR MCBRIDE; REPRESENTATIVES HUDSON, MULROONEY, VALIHURA, VIOLA; SENATORS BONINI, COPELAND, PETERSON, SOKOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Titles 11, 16 and 29 of the Delaware Code Relating to the Board of Pension Trustees.

**HB 75** - ULBRICH & SENATOR MCBRIDE; REPRESENTATIVES HUDSON, MULROONEY, VALIHURA, VIOLA; SENATORS BONINI, COPELAND, SOKOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 16 and Title 24 of the Delaware Code Relating to the Medical Practices Act.

**HB 76** - STONE & SENATOR COOK; REPRESENTATIVES BUCKWORTH, ENNIS, OUTTEN, THORNBURG, WAGNER; SENATORS BONINI, STILL - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Limitations Upon Taxing Power.

**HB 77** - HUDSON & SENATOR MCBRIDE; REPRESENTATIVES SMITH, BOOTH, FALLON, LAVELLE, MIRO, VANSANT, ENNIS, PLANT; SENATORS HENRY, COPELAND - HOUSE ADMINISTRATION - An Act Amending Title 29, Delaware Code Relating to Designating the Stonefly (order Plecoptera) as the State Macroinvertebrate.

**HB 78** - ROY & REPRESENTATIVE SMITH & SENATOR VAUGHN - BUSINESS/CORPORATIONS/COMMERCE - An Act to Amend Title 26, Delaware Code, Relating to the Public Service Commission and the Assessment Public Utilities and Cable Television Systems Pay. (3/5 bill)

**HB 79** - ROY & SENATOR MCBRIDE - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 25 of the Delaware Code to Provide for Real Property Electronic Recording.

**HA 1 to HB 54** - WAGNER - Placed with the Bill.

**SB 1 w/SA 1 & 3 & HA 1** - VAUGHN; SENATORS ADAMS, COOK, MCBRIDE; REPRESENTATIVES ENNIS, EWING - LABOR - An Act to Amend Titles 19 and 29 of the Delaware Code to Affirmatively Re-establish and Continue the Functions of the Unemployment Insurance Appeal Board.

**SB 18 w/SA 1** - MCBRIDE & SENATOR BLEVINS; REPRESENTATIVES DIPINTO & MAIER; REPRESENTATIVES HUDSON & HALL-LONG; SENATORS MCDOWELL & STILL - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Delaware Prescription Drug Payment Program.

Mr. Acting Speaker introduced a guest.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #7

DATE: March 16, 2005

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      | Date       | Type | Description                                        |
|----------|--------------|------------|------|----------------------------------------------------|
| H143-147 | Schwartzkopf | 12/2/2004  | T    | Luise & Chandler Davies - 60th Wedding Anniversary |
| H143-148 | Booth        | 1/8/2005   | T    | Doris Ann & Earl Lingo - 50th Wedding Anniversary  |
| H143-149 | Gilligan     | 10/22/2004 | T    | Betty & Harry Dunbar - 50th Wedding Anniversary    |

|          |           |           |   |                                                                       |
|----------|-----------|-----------|---|-----------------------------------------------------------------------|
| H143-150 | Atkins    | 1/10/2005 | M | Leven Thomas Shockley                                                 |
| H143-151 | Smith     | 1/13/2005 | T | Quintin Anthony Brown - Eagle Scout                                   |
| H143-152 | Ulbrich   | 12/8/2004 | M | Nellie M. Rapp                                                        |
| H143-153 | Wagner    | 1/31/2005 | T | Denise Chirillo & Ronald Letterman - Marriage                         |
| H143-154 | Booth     | 2/5/2005  | T | Chief Joseph Pepper - Georgetown Fire Department - Outstanding Member |
| H143-155 | Lofink    | 1/3/2005  | T | Frances Ann Smith - 71st Birthday                                     |
| H143-156 | Spence    | 3/17/2005 | T | Michael Lawson - Promotion to Sergeant – Capitol Police               |
| H143-157 | Spence    | 1/19/2005 | T | William Outten - Fireman of the Year – Harrington Fire Company        |
| H143-158 | Caulk     | 1/22/2005 | T | South Bowers Volunteer Fire Co. - 75th Anniversary                    |
| H143-159 | Carey     | 1/22/2005 | T | Second Street Players - 25th Anniversary                              |
| H143-160 | Thornburg | 1/24/2005 | T | Kent County Cooperative Extension Service – 90th Anniversary          |
| H143-161 | Maier     | 1/14/2005 | T | Robert Barrish - Retirement - DNREC - 16 Years                        |
| H143-162 | Buckworth | 1/25/2005 | T | Rocky Myers - Gagliardi Trophy - Football Player of the Year          |
| H143-163 | Carey     | 1/15/2005 | T | Noble Prettyman - Martin Luther King Community Recognition Award      |
| H143-164 | Buckworth | 1/8/2005  | T | Donald & Audrey Witmer - 50th Wedding Anniversary                     |
| H143-165 | Fallon    | 1/23/2005 | M | Louis H. Callaway                                                     |
| H143-166 | Fallon    | 1/17/2005 | T | Dr. James Rupp - Many Years of Practicing Obstetrics and Gynecology   |
| H143-167 | Johnson   | 1/27/2005 | T | Rev. Maurice Moyer - Outstanding Work for Civil Rights                |
| H143-168 | Ewing     | 2/19/2005 | T | Brud & Wanda Davis - 50th Wedding Anniversary                         |

#### HOUSE TRIBUTE ANNOUNCEMENT #8

DATE: March 16, 2005

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     | Date       | Type | Description                                                              |
|----------|-------------|------------|------|--------------------------------------------------------------------------|
| H143-169 | Ewing       | 1/19/2005  | M    | Norman Powell                                                            |
| H143-170 | Stone       | 1/25/2005  | T    | Honorable Deborah Hudson - Distinguished Legislative Service Award       |
| H143-171 | Stone       | 1/8/2005   | T    | James Marvel - Top Responder - Little Creek Volunteer Fire Company       |
| H143-172 | Stone       | 1/31/2005  | T    | Harriet Rench - Retirement - Family Court - 20 Years                     |
| H143-173 | Maier       | 1/18/2005  | M    | LaVerne Zimmerschied                                                     |
| H143-174 | Longhurst   | 2/19/2005  | T    | Paul Burge - 60 Years of Service - Christiana Fire Company               |
| H143-175 | Hudson      | 12/23/2004 | M    | Steven J. Rothschild                                                     |
| H143-176 | DiPinto     | 1/24/2005  | T    | Central YMCA - 75th Anniversary                                          |
| H143-177 | Gilligan    | 1/27/2005  | T    | Nancy Charron - Dedicated Service - House Democratic Caucus              |
| H143-178 | Lee         | 1/27/2005  | T    | Patrick Vanderslice - Pro Bono Service Award – Service to Children Award |
| H143-179 | Hocker      | 1/15/2005  | T    | Frank & Sharleen Cappella - 50th Wedding Anniversary                     |
| H143-180 | Maier       | 1/23/2005  | M    | Samuel L. Thaw                                                           |
| H143-181 | Hocker      | 1/15/2005  | T    | Mayor Joseph McHugh - Retirement - Bethany Beach - 12 Years              |
| H143-182 | Lee         | 1/27/2005  | T    | Dr. Richard Long - Veterinarian of the Year                              |
| H143-183 | Miro; Stone | 1/29/2005  | M    | Nancy W. Bakerian                                                        |
| H143-184 | Ewing       | 2/1/2005   | T    | Ronald Jefferson - Hole-in-One                                           |
| H143-185 | Ennis       | 2/5/2005   | T    | Mary Jane Behrens - 80th Birthday                                        |
| H143-186 | Ennis       | 2/18/2005  | T    | Hazel M. L. Calvert - 95th Birthday                                      |
| H143-187 | Oberle      | 1/26/2005  | M    | Douglas J. Dagg                                                          |

# HOUSE TRIBUTE ANNOUNCEMENT #9

DATE: March 16, 2005

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                         | Date      | Type | Description                                                                        |
|----------|---------------------------------|-----------|------|------------------------------------------------------------------------------------|
| H143-188 | Oberle                          | 1/19/2005 | M    | Marie Fallers Short                                                                |
| H143-189 | Wagner                          | 1/30/2005 | M    | Viola E. Scrivens                                                                  |
| H143-190 | Wagner                          | 1/29/2005 | M    | Joseph Bedford                                                                     |
| H143-191 | Booth                           | 1/15/2005 | T    | Eddie Creadick - 50 Years - Lewes Fire Department                                  |
| H143-192 | Booth                           | 1/15/2005 | T    | Caddie Joseph/Lifetime Achievement - Lewes Fire Dept.                              |
| H143-193 | Booth                           | 1/15/2005 | T    | Alfred Joseph/Lifetime Achievement/Lewes Fire Dept.                                |
| H143-194 | Booth                           | 1/15/2005 | T    | Ralton Dennis/Louis Rickard's Award/Lewes Fire Dept.                               |
| H143-195 | Outten                          | 2/12/2005 | T    | Carl Legates, Sr./50 Years/Farmington Fire Department                              |
| H143-196 | Cathcart                        | 1/22/2005 | M    | Carlton Blendt, Jr.                                                                |
|          | cosponsor: Rep. Ennis           |           |      |                                                                                    |
| H143-197 | Miro                            | 2/5/2005  | T    | Chinese American Community Center - Chinese New Year                               |
| H143-198 | Ulbrich                         | 1/28/2005 | M    | Mary Davis Rankin                                                                  |
| H143-199 | Stone                           | 2/2/2005  | M    | Robert E. Quillen, Sr.                                                             |
|          | cosponsor: Rep. Wagner          |           |      |                                                                                    |
| H143-200 | Stone                           | 2/2/2005  | M    | John B. Manahan                                                                    |
| H143-201 | Thornburg                       | 2/8/2005  | T    | Myrtle & Herbert Clendaniel - 50th Wedding Anniversary                             |
| H143-202 | Spence                          | 2/7/2005  | T    | Rick Jensen - Top Radio Talk Show Host                                             |
| H143-203 | Spence                          | 1/10/2005 | T    | Honorable Dale Wolf - Josiah Marvel Cup                                            |
|          | cosponsors: All Representatives |           |      |                                                                                    |
| H143-204 | Atkins                          | 3/12/2005 | T    | Brenda Foskey - Outstanding Dedication – Auxiliary of the Veterans of Foreign Wars |
| H143-205 | Booth                           | 3/12/2005 | T    | Eddie & Karen Lambden - 25th Wedding Anniversary                                   |
| H143-206 | Carey                           | 2/2/2005  | M    | Lance Corporal Richard Chad Clifton                                                |
| H143-207 | Wagner                          | 2/6/2005  | M    | Samuel A. Neal                                                                     |
|          | cosponsors: All Representatives |           |      |                                                                                    |
| H143-208 | George                          | 1/26/2005 | M    | Ivy M. Forbes                                                                      |
| H143-209 | Roy                             | 1/19/2005 | T    | Katherine Majewski - Legislative Essay Winner                                      |
| H143-210 | Ennis                           | 3/2/2005  | T    | Myrtle I. Tush - 100th Birthday                                                    |
| H143-211 | McWilliams                      | 1/25/2005 | T    | First Sergeant Larry Pelkey - Bronze Star                                          |

# HOUSE TRIBUTE ANNOUNCEMENT #10

DATE: March 16, 2005

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             | Date       | Type | Description                                              |
|----------|---------------------|------------|------|----------------------------------------------------------|
| H143-212 | Outten              | 1/12/2005  | T    | Sandra Krugh - Teacher of the Year - Lake Forest Schools |
| H143-213 | Fallon              | 2/26/2005  | T    | Cub Scout Pack #249 - 50th Anniversary                   |
| H143-214 | Booth               | 2/15/2005  | T    | Zwaanendael Club - 100th Anniversary                     |
| H143-215 | Roy                 | 3/1/2005   | T    | Ian Flanagan - Eagle Scout                               |
| H143-216 | Roy                 | 2/10/2005  | T    | Erin Arruda & John Timmer - Marriage                     |
| H143-217 | Smith               | 2/10/2005  | T    | Jason Barrowclough - Eagle Scout                         |
| H143-218 | Gilligan            | 11/13/2004 | T    | Jean & John Kempinski - 50th Wedding Anniversary         |
| H143-219 | Mulrooney           | 1/22/2005  | T    | Carolyn & Francis Lucia - 50th Wedding Anniversary       |
| H143-220 | Maier               | 3/16/2005  | T    | Kimberly Schafer - Outstanding Student Teacher           |
| H143-221 | Spence              | 3/24/2005  | T    | Honorable Jim Black - 70th Birthday                      |
| H143-222 | Buckworth           | 2/9/2005   | M    | Norma Jean Downham                                       |
| H143-223 | Smith               | 2/11/2005  | T    | Stacy Griggs - Service to Democracy                      |
|          | cosponsor: Rep. Lee |            |      |                                                          |
| H143-224 | Smith               | 2/11/2005  | T    | Paul Pomeroy - Service to Democracy                      |
|          | cosponsor: Rep. Lee |            |      |                                                          |
| H143-225 | Smith               | 2/11/2005  | T    | Mary Spicer - Service to Democracy                       |
|          | cosponsor: Rep. Lee |            |      |                                                          |
| H143-226 | Smith               | 2/11/2005  | T    | James Stockwell - Service to Democracy                   |
|          | cosponsor: Rep. Lee |            |      |                                                          |
| H143-227 | Smith               | 2/11/2005  | T    | Phil Simpkins - Service to Democracy                     |
|          | cosponsor: Rep. Lee |            |      |                                                          |
| H143-228 | Booth               | 2/5/2005   | T    | Robert Rogers, Jr. - Lifetime Fireman of the Year        |
| H143-229 | Booth               | 2/5/2005   | T    | Charles Stevenson - Fireman of the Year                  |
| H143-230 | Atkins              | 2/11/2005  | T    | Tradina Snead - Heroic Response - Home Healthcare        |
| H143-231 | George              | 2/10/2005  | M    | Casimer J. Chiczewski                                    |

|          |                       |           |   |                         |
|----------|-----------------------|-----------|---|-------------------------|
| H143-232 | Wagner                | 2/13/2005 | M | Lucretia Caroline Leone |
|          | cosponsor: Rep. Stone |           |   |                         |
| H143-233 | Wagner                | 2/15/2005 | M | Timothy Knox            |
| H143-234 | Wagner                | 2/15/2005 | M | Harold C. Austin        |
|          | cosponsor: Rep. Stone |           |   |                         |

#### HOUSE TRIBUTE ANNOUNCEMENT #11

DATE: March 16, 2005

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                            | Date       | Type | Description                                                                            |
|----------|------------------------------------|------------|------|----------------------------------------------------------------------------------------|
| H143-235 | Oberle                             | 2/11/2005  | M    | Ruth E. Woods                                                                          |
|          | cosponsors: Reps. Lofink & VanSant |            |      |                                                                                        |
| H143-236 | Caulk                              | 4/10/2005  | T    | Clay Thomas Maloney - Eagle Scout                                                      |
| H143-237 | Ewing                              | 2/18/2005  | T    | John Mills - Environmental Stewardship Award                                           |
| H143-238 | Ulbrich                            | 2/13/2005  | M    | George Edward Gordon                                                                   |
| H143-239 | Stone                              | 3/5/2005   | T    | Kelly Tongol & Douglas Van Sant, Jr. – Marriage                                        |
| H143-240 | Carey                              | 2/23/2005  | T    | Bernice Edwards - Distinguished Alumni –<br>DelTech - Owens Campus                     |
| H143-241 | Atkins                             | 2/23/2005  | T    | Gail Jones - Distinguished Alumni - DelTech –<br>Owens Campus                          |
| H143-242 | Miro                               | 2/23/2005  | T    | Keith Lamb - Distinguished Alumni - DelTech –<br>Owens Campus                          |
| H143-243 | Hudson                             | 2/8/2005   | T    | Alyssa Molin - Prudential Spirit of Community Award                                    |
| H143-244 | Longhurst                          | 12/3/2004  | T    | Corinne & Albert McMullin - 60th Wedding Anniversary                                   |
| H143-245 | Ennis                              | 2/20/2005  | M    | Erica C. Deputy                                                                        |
|          | cosponsor: Rep. Ewing              |            |      |                                                                                        |
| H143-246 | Hocker                             | 9/1/2005   | T    | Marie Knox - 90th Birthday                                                             |
| H143-247 | Hocker                             | 3/3/2005   | T    | Marjorie Knox - 90th Birthday                                                          |
| H143-248 | Stone                              | 2/25/2005  | T    | Mahendra Parikh, M. D. & Bharati Parikh - 15th<br>Anniversary - Mid-Delaware Imaging   |
| H143-249 | Buckworth                          | 2/19/2005  | M    | Elizabeth Phillips Draper                                                              |
| H143-250 | Buckworth                          | 2/21/2005  | M    | Frederick R. Dawson                                                                    |
| H143-251 | Ewing                              | 2/28/2005  | T    | Mary Ricketts Johnson - 97th Birthday                                                  |
| H143-252 | Wagner                             | 2/12/2005  | T    | Michael J. Harrington, Sr. - Frank Dimondi Award                                       |
| H143-253 | Valihura                           | 3/10/2005  | T    | Joey Sung - Eagle Scout                                                                |
| H143-254 | Valihura                           | 3/8/2005   | T    | Rotary Club of Brandywine - 50th Anniversary                                           |
|          | cosponsors: Reps. Lavelle & Smith  |            |      |                                                                                        |
| H143-255 | George                             | 2/28/2005  | T    | Doris Perry - Kidney Donor                                                             |
| H143-256 | Ennis                              | 12/31/2004 | T    | Howard Fortner, III - Smyrna Police - 28+ Years                                        |
| H143-257 | Fallon                             | 3/2/2005   | T    | Seaford Wastewater Treatment Facility –<br>Operations and Maintenance Excellence Award |
| H143-258 | Booth                              | 3/2/2005   | T    | Selhem Saliba - Women's Day Celebration Honoree                                        |

#### HOUSE TRIBUTE ANNOUNCEMENT #12

DATE: March 16, 2005

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                         | Date      | Type | Description                                              |
|----------|---------------------------------|-----------|------|----------------------------------------------------------|
| H143-259 | Fallon                          | 3/2/2005  | T    | Valerie Biden Owens - Women's Day Celebration Honoree    |
| H143-260 | Stone                           | 2/10/2005 | M    | Gerald J. Thibodeau                                      |
| H143-261 | Buckworth                       | 2/5/2005  | T    | Donna & Dick Chappell - 50th Wedding Anniversary         |
| H143-262 | Carey                           | 3/5/2005  | T    | Carlisle Fire Co. Ladies Auxiliary - 40th Anniversary    |
| H143-263 | Buckworth                       | 2/26/2005 | M    | Louis J. Pisapia                                         |
| H143-264 | Wagner                          | 1/23/2005 | T    | Lisa Maciejewski & Joseph Caputo, III – Marriage         |
| H143-265 | DiPinto                         | 3/19/2005 | T    | Julia Reynolds & Vincent Maximo - Marriage               |
| H143-266 | Wagner                          | 2/19/2005 | T    | Melanie Settle & Leslie Settle - Marriage                |
| H143-267 | Hudson                          | 2/8/2005  | T    | Joseph Rago, Jr. - Apprehension of Bank Robbery Suspect  |
| H143-268 | DiPinto                         | 3/2/2005  | T    | David W. Singleton - Commitment to Public Service        |
| H143-269 | Booth                           | 3/8/2005  | T    | Betty Goldbach - DeVries Women's Woman in History        |
| H143-270 | Oberle                          | 3/11/2005 | T    | Harold Stafford - Retirement - 31 Years – Public Service |
|          | cosponsors: All Representatives |           |      |                                                          |
| H143-271 | Buckworth                       | 3/5/2005  | T    | Edwin Englehart - Citizen of the Year - Dover Elks       |
| H143-272 | Ulbrich                         | 2/28/2005 | M    | James B. Owens                                           |
| H143-273 | Carey                           | 3/5/2005  | T    | Brenda Kelly - Honored by Ellendale Community            |
| H143-274 | Carey                           | 3/5/2005  | T    | Sherry White - Honored by Ellendale Community            |

|          |       |           |   |                                                                     |
|----------|-------|-----------|---|---------------------------------------------------------------------|
| H143-275 | Carey | 3/5/2005  | T | Honorable Gary Simpson - Honored by Ellendale Community Association |
| H143-276 | Carey | 3/5/2005  | T | Reverend Calvin Price - Honored by Ellendale Community Association  |
| H143-277 | Carey | 3/5/2005  | T | Leon Collins - Honored by Ellendale Community                       |
| H143-278 | Carey | 3/5/2005  | T | Loretta Benson - Honored by Ellendale Community                     |
| H143-279 | Carey | 3/5/2005  | T | Minister John Benson - Honored by Ellendale Community               |
| H143-280 | Carey | 3/5/2005  | T | David Baker - Honored by Ellendale Community                        |
| H143-281 | Carey | 3/05/2005 | T | Lawrence Lank - Honored by Ellendale Community                      |
| H143-282 | Carey | 3/5/2005  | T | Delores Price - Honored by Ellendale Community                      |
| H143-283 | Carey | 3/5/2005  | T | Barbara Harmon - Honored by Ellendale Community                     |

T – Tribute

M- Memoriam

Representatives Ennis, Oberle & Maier requested that they be marked present. Representative Keeley requested and was granted personal privilege of the floor to introduce a guest. Representative Smith deferred to Representative Carey. Representative Carey requested and was granted privilege of the floor to present a House Tribute to Sheena Benton, Miss Delaware USA 2005. Ms. Benton addressed the House.

Mr. Acting Speaker appointed Representative Buckworth as Acting Speaker.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: Speaker Terry R. Spence  
 FROM: Rep. Richard C. Cathcart  
 DATE: March 16, 2005  
 SUBJECT: Absence from Session

Please excuse Rep. Richard Cathcart from session today, Wednesday, March 16, 2005 due to a family emergency.

Representative Roy requested and was granted privilege of the floor to present a House Tribute congratulating Rebecca Byrd & Christopher Portante on the occasion of their marriage which was accepted by Rebecca's father, Robert Byrd. Representative Smith made a comment. Representative Gilligan requested that he be marked present.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:29 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:29 P.M.: Representatives Spence & Ulbrich.

Mr. Acting Speaker Roy called the House to order at 2:20 p.m. on March 17, 2005.

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

BUSINESS/CORPORATIONS/COMMERCE: **HB 42** - 6M.

EDUCATION: **HB 22** - 8M; **HB 60** - 8M.

HOUSE ADMINISTRATION: **HB 64** - 3M.

LABOR: **HS 1/HB 36** - 1F,4M,2U.

PUBLIC SAFETY: **HB 44** - 4M; **HB 59** - 4M; **HB 63** - 4M; **HB 27** - 4M; **HB 34** - 1F,3M.

REVENUE & FINANCE: **HB 56** - 9F.

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

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SCR 5** and requests the concurrence of the House.

The Majority Leader moved to adjourn at 2:22 p.m., thereby ending the current legislative day. The House reconvened at 2:23 p.m.

**11th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session  
 March 17, 2005**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Cathcart – 1.

Representative Gilligan made comments.

A prayer was offered by Representative Robert F. Gilligan, Nineteenth Representative District.

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

The following prefiled legislation was introduced:

**HB 69** - SCHWARTZKOPF & REPRESENTATIVE WILLIAMS & SENATOR ADAMS;  
 REPRESENTATIVES BOOTH, BUCKWORTH, DIPINTO, ENNIS, GEORGE, GILLIGAN, HALL-  
 LONG, JOHNSON, KEELEY, LONGHURST, MCWILLIAMS, MULROONEY, PLANT, SCHOOLEY,  
 ULBRICH, VANSANT, VIOLA; SENATORS BLEVINS, BUNTING, HENRY, MCBRIDE, VAUGHN,

CONNOR, STILL - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 20 Delaware Code to Create the Service Members' Life Insurance Reimbursement Fund.

**HB 81** - ATKINS & SENATOR VAUGHN; REPRESENTATIVE EWING - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to Transportation of State Employees.

**HB 82** - ATKINS & SENATOR VAUGHN; REPRESENTATIVE EWING - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Public Officers and Employees.

**HB 83** - GEORGE & SENATOR HENRY; REPRESENTATIVES ENNIS, EWING, HALL-LONG, JOHNSON, KEELEY, LEE, LOFINK, LONGHURST, MULROONEY, PLANT, SCHOOLEY, SCHWARTZKOPF, VIOLA, WILLIAMS - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Prohibited Hunting and Trapping Devices and Methods. (2/3 bill)

**HB 84** - WILLIAMS & SENATOR HENRY; REPRESENTATIVES BUCKWORTH, ENNIS, GEORGE, HALL-LONG, JOHNSON, KEELEY, PLANT, SPENCE - JUDICIARY - An Act to Amend Chapter 90 of Title 11 of the Delaware Code Pertaining to Compensation for Innocent Victims of Crime.

**HA 1 to HB 80** - MIRO - Placed with the Bill.

Representative Oberle made a comment.

Representative Thornburg requested that she be marked present.

Mr. Acting Speaker assigned **HB 44**, **HB 56**, **HB 59**, **HB 60** & **HB 64** to the Appropriations Committee.

Representatives Lee, Miro & Plant requested that they be marked present.

Representative Maier requested and was granted privilege of the floor to introduce guests.

Representative Smith deferred to Representative Keeley.

Representative Keeley requested and was granted privilege of the floor for herself and Representative DiPinto to present House Tributes to Christian Conaty & Matthew Vasco. Representative Keeley made comments. Representative Spence announced that a House Tribute will also be presented to Presley Conaty. Representative Miro requested and was granted personal privilege of the floor to make comments. Representatives Ewing, DiPinto, Atkins & Keeley made comments.

Representative Smith deferred to Representative Spence.

Representative Spence requested and was granted privilege of the floor to present a House Tribute to Michael J. Lawson, Capitol Police, on the occasion of his promotion to Sergeant. Mr. Speaker Spence presented a gift to Sergeant Lawson.

The Majority Leader moved to recess for caucus at 2:45 p.m.

The House reconvened at 4:40 p.m.

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

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: Speaker Terry R. Spence

FROM: Rep. Richard C. Cathcart

DATE: March 17, 2005

SUBJECT: Absence from Session

Please excuse Rep. Richard Cathcart from session today, Thursday, March 17, 2005 due to a family emergency.

Mr. Speaker Spence resumed the Chair.

Representative Carey requested that **HB 57** be stricken.

Representative Williams requested that he be marked present.

Representative Smith deferred to Representative Hudson.

Representative Hudson moved to suspend the rules which interfere with action on **HB 68**. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Hudson brought **HB 68**, jointly sponsored by Senator Copeland & Representative Valihura & Senator Simpson & cosponsored by Senators Cook, DeLuca, Henry & Sokola, before the House for consideration.

**HB 68** - AN ACT TO AMEND TITLE 3, CHAPTER 101 OF THE DELAWARE CODE RELATING TO THOROUGHbred RACING.

Representative Hudson made comments.

The roll call on **HB 68** was taken and revealed:

YES: 39.

ABSENT: Representatives Cathcart & Maier - 2.

Therefore, having received a constitutional majority, **HB 68** was sent to the Senate for concurrence.

Representatives Lofink, Ulbrich, Lavelle & Caulk requested that they be marked present during the roll call.

Representative Lee deferred to Representative Miro.



Representative Miro brought **HB 63**, jointly sponsored by Senator Sokola & Representatives DiPinto, Ewing, Hudson, Lavelle, Lee, Lofink, Smith, Valihura & Wagner & Senator Simpson & cosponsored by Representatives Gilligan & Spence, before the House for consideration.

**HB 63 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LEARNER'S PERMITS.**

Representative Miro made comments.

The roll call on **HB 63** was taken and revealed:

YES: 40.

ABSENT: Representative Cathcart - 1.

Therefore, having received a constitutional majority, **HB 63** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth brought **HB 34**, jointly sponsored by Senator McBride & Representatives Spence, Ewing, Hall-Long & Schwartzkopf & Senator Still, before the House for consideration.

**HB 34 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES. (3/5 bill)**

Representative Buckworth made comments.

The roll call on **HB 34** was taken and revealed:

YES: 40.

ABSENT: Representative Cathcart - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 34** was sent to the Senate for concurrence.

Mr. Speaker Spence made comments.

The Majority Leader moved to recess at 4:56 p.m.

The House reconvened at 5:16 pm.

Representative Smith deferred to Representative Keeley.

Representative Keeley introduced **HB 90**, jointly sponsored by Senator Blevins & Representatives Maier, Schooley & Viola & Senators DeLuca, Henry, McDowell & Sokola.

**HB 90 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO UNFAIR INSURANCE BUSINESS PRACTICES AND APPLICABLE PENALTIES.**

Mr. Speaker Spence assigned **HB 90** to the Economic Development/Banking & Insurance Committee.

Representative Smith deferred to Representative Maier.

Representative Maier moved to suspend the rules which interfere with introduction of and action on **HS 1 for HB 2**. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Maier introduced and brought **HS 1 for HB 2**, jointly sponsored by Representative Oberle & Representative Wagner & Representative Smith & Representative Booth & Representative Miro & Representative Ulbrich & Senator Simpson & Representatives Atkins, Buckworth, Carey, Cathcart, DiPinto, Ewing, Fallon, Hall-Long, Hocker, Hudson, Lavelle, Lee, Lofink, McWilliams, Outten, Roy, Schooley, Spence, Stone, Thornburg & Valihura & Senators Amick, Blevins, Bonini, Cloutier, Connor, Copeland, Peterson, Sokola, Sorenson & Still & cosponsored by Senator Bunting, before the House for consideration.

**HB 2 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE HIGH SCHOOL DIPLOMA REQUIREMENTS.**

Representatives Maier, Wagner & George made comments. Representative Wagner requested and was granted privilege of the floor for Ted Segletes, Paralegal, Legislative Council. Representative George made comments. Representative Maier requested and was granted privilege of the floor for Susan Haberstroh, Executive Assistant to the Secretary, Department of Education. Representatives George, Maier, Hall-Long, Wagner, Gilligan & Smith made comments.

The roll call on **HS 1 for HB 2** was taken and revealed:

YES: 40.

ABSENT: Representative Cathcart - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 2** was sent to the Senate for concurrence.

Representative Maier made a comment.

Representative Smith deferred to Representative Oberle.

Representative Oberle made an announcement.

Representative Oberle brought **HS 1 for HB 36**, jointly sponsored by Representative Ulbrich & Representative Schwartzkopf & Senator Henry & Representatives DiPinto, Hudson, George, Gilligan, Keeley, McWilliams, Schooley, Viola & Williams & Senators Bunting, McDowell & Sokola, before the House for consideration.

**HB 36 - AN ACT TO AMEND TITLES 6, 9, 18, 19, 25 AND 29 OF THE DELAWARE CODE RELATING TO DISCRIMINATION EMPLOYMENT, PUBLIC WORKS CONTRACTING, HOUSING, EQUAL ACCOMMODATIONS AND THE INSURANCE BUSINESS.**

Representative Oberle made comments.



Representative Oberle moved to place **HS 1 for HB 36** on the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

Mr. Speaker Spence made comments.

Representative Smith deferred to Representative Wagner.

Representative Wagner made comments.

Representative Wagner introduced **HJR 4**, jointly sponsored by Senator Sokola.

**HJR 4 - ESTABLISHING A TASK FORCE TO REVIEW THE BEST PRACTICES OF EDUCATIONAL ASSESSMENTS.**

Mr. Speaker Spence assigned **HJR 4** to the Education Committee.

Representative Lavelle, Mr. Speaker Spence & Representative Gilligan made comments.

The Majority Leader moved to recess to the call of the Chair at 5:46 p.m.

Mr. Acting Speaker Roy called the House to order at 2:05 p.m. on March 22, 2005.

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.

**12th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session  
March 22, 2005**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Cathcart – 1.

A prayer was offered by Representative Gregory F. Lavelle, Eleventh Representative District.

Mr. 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 85 - WAGNER & SENATOR COOK & SENATOR VAUGHN; REPRESENTATIVES BUCKWORTH, STONE, THORNBURG, ENNIS, CAREY - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Kent County Board of Assessment.**

**HB 86 - KEELEY & REPRESENTATIVE SMITH; REPRESENTATIVE SPENCE; SENATORS BLEVINS, HENRY - CORRECTIONS - An Act to Amend Title 11 of the Delaware Code Relating to a Pilot Program for Continuous Remote Alcohol Monitoring.**

**HB 87 - WAGNER & SENATOR SOKOLA - EDUCATION - An Act to Amend Chapter 13, Volume 74, Laws of Delaware by Removing Sunset Provisions Relating to the Professional Standards Board.**

**HB 88 - BUCKWORTH & REPRESENTATIVE WAGNER & SENATOR VAUGHN; REPRESENTATIVES SCHWARTZKOPF, THORNBURG; SENATORS STILL, BONINI - PUBLIC SAFETY - An Act to Amend Title 11, Delaware Code Relating to State Police.**

**HB 89 - FALLON & SENATOR AMICK - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to the Registration of Motor Vehicles.**

**HA 1 to HB 27 - ROY - Placed with the Bill.**

**HA 1 to HS 1 for HB 36 - SMITH & REPRESENTATIVE OBERLE - Placed with the Bill.**

**HA 2 to HS 1 for HB 36 - SMITH - Placed with the Bill.**

**HA 3 to HS 1 for HB 36 - HUDSON & REPRESENTATIVE SMITH - Placed with the Bill.**

**HA 4 to HS 1 for HB 36 - HOCKER - Placed with the Bill.**

**HA 5 to HS 1 for HB 36 - SMITH - Placed with the Bill.**

**HA 6 to HS 1 for HB 36 - HOCKER - Placed with the Bill.**

**HA 7 to HS 1 for HB 36 - SMITH - Placed with the Bill.**

**HA 8 to HS 1 for HB 36 - SMITH - Placed with the Bill.**

**HA 1 to HB 38 - KEELEY - Placed with the Bill.**

**HA 1 to HB 42 - OBERLE - Placed with the Bill.**

Representative Stone requested that she 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 13** and requests the concurrence of the House; **HB 32 w/SA 1 & 2 & HB 15 w/HA 1** and is returning same to the House.

MEMORANDUM

TO: Speaker Terry R. Spence  
FROM: Rep. Richard C. Cathcart  
DATE: March 22, 2005  
SUBJECT: Absence from Session

Please excuse Rep. Richard Cathcart from session today, Tuesday, March 22, 2005 due to a death in the family.

Representatives Schooley & Wagner requested that they be marked present. Representative Smith deferred to Representative Atkins. Representative Atkins requested and was granted personal privilege of the floor to introduce a guest. Representative Smith introduced a guest. Representative Keeley requested that she

be marked present. Representative Gilligan requested and was granted personal privilege of the floor to make a comment.

The Majority Leader moved to recess for caucus at 2:13 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 4:09 p.m.

Mr. Speaker Spence reassigned **HB 77** to the Natural Resources & Environmental Control Committee.

Representatives Booth, Lee & DiPinto requested that they be marked present.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 6** and requests the concurrence of the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Thornburg, do hereby request that my name be removed as cosponsor of **HB 48**.

Date: March 15, 2005

Signed: Pamela J. Thornburg

Representatives Williams & Ulbrich requested that they be marked present. Representative Smith made an announcement. Representative Smith deferred to Representative Oberle. Representative Oberle requested that he be marked present.

Representative Oberle brought **HB 42**, jointly sponsored by Representative Ulbrich & Representatives Buckworth, Carey, DiPinto, Ewing, Hocker, Hudson, Maier, Miro, Wagner, VanSant, Ennis, Hall-Long, Keeley, Schwartzkopf, Viola & Senators Blevins & Amick, before the House for consideration.

**HB 42 - AN ACT TO AMEND TITLE 4, DELAWARE CODE, PERTAINING TO POSSESSION AND CONSUMPTION OF ALCOHOL BY UNDERAGE PERSONS.**

Representative Oberle brought **HA 1** to **HB 42** before the House for consideration. Representatives Oberle & Miro made comments. **HA 1** was adopted by voice vote. Representative Oberle introduced and brought **HA 2** to **HB 42** 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 42 w/HA 1 & 2** was taken and revealed:

YES: 40.

ABSENT: Representative Cathcart - 1.

Therefore, having received a constitutional majority, **HB 42 w/HA 1 & 2** was sent to the Senate for concurrence.

Representatives Caulk & Maier requested that they be marked present during the roll call.

Representative Smith deferred to Representative Schwartzkopf.

Representative Schwartzkopf brought **HB 22**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 22 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE PROCEDURES FOR TERMINATION OF SERVICES OF PROFESSIONALS.**

Representative Schwartzkopf made comments.

The roll call on **HB 22** was taken and revealed:

YES: 40.

ABSENT: Representative Cathcart - 1.

Therefore, having received a constitutional majority, **HB 22** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Roy.

Representative Roy brought **HB 27** before the House for consideration.

**HB 27 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO STOPPING, STANDING AND PARKING. (2/3 bill)**

Representative Roy made comments. Representative Roy brought **HA 1** to **HB 27** before the House for consideration. Representative Roy made comments. **HA 1** was adopted by voice vote.

The roll call on **HB 27 w/HA 1** was taken and revealed:

YES: 26.

NO: Representatives Caulk, George, Gilligan, Johnson, McWilliams, Mulrooney, Plant, Schooley, Schwartzkopf, Stone, Valihura, VanSant, Viola & Williams - 14.

ABSENT: Representative Cathcart - 1.

Therefore, not having received a constitutional majority of at least two-thirds Members of the House, **HB 27 w/HA 1** was declared defeated.

Mr. Speaker Spence appointed Representative Roy as Acting Speaker. Representative Booth made an announcement. Representative Smith deferred to Representative George. Representative George made an announcement. Mr. Acting Speaker appointed Representative Buckworth as Acting Speaker. Representative Smith made comments.

The Majority Leader moved to recess for caucus at 4:35 p.m.

The House reconvened at 4:51 p.m.

Representative Smith deferred to Representative Spence.

Representative Spence moved to suspend the rules which interfere with introduction of and action on **HB 93**. The motion was seconded by Representative Lavelle and adopted by voice vote.

Representative Spence introduced and brought **HB 93**, jointly sponsored by Representative Maier & Senator McBride & Senator Blevins & Representatives Smith, Lee, Atkins, Booth, Buckworth, Cathcart, Caulk, DiPinto, Ewing, Fallon, Hocker, Hudson, Lavelle, Lofink, Miro, Oberle, Outten, Roy, Stone, Thornburg, Ulbrich, Valihura, Wagner, Ennis, George, Hall-Long, Johnson, Keeley, Longhurst, McWilliams, Mulrooney, Plant, Schooley, Viola, Williams & Carey & Senators McDowell, Peterson, Still, Sorenson, Amick, Bonini, Cloutier, Connor & Copeland, before the House for consideration.

**HB 93 - AN ACT TO AMEND TITLE 31, DELAWARE CODE RELATING TO THE STATE PUBLIC ASSISTANCE CODE.**

Representatives Spence, Gilligan, Schwartzkopf, Wagner & Smith made comments.

The roll call on **HB 93** was taken and revealed:

YES: 37.

NOT VOTING: Representative Schwartzkopf - 1.

ABSENT: Representatives Cathcart, Caulk & DiPinto - 3.

Therefore, having received a constitutional majority, **HB 93** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle deferred to Representative Maier.

Representative Maier made an announcement.

Representative Oberle moved to suspend the rules which interfere with action on **HB 32 w/SA 1 & 2**. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Oberle brought **HB 32 w/SA 1 & 2**, jointly sponsored by Representative Spence & Representative DiPinto & Williams & Senators DeLuca & Vaughn & cosponsored by Representative Lofink, before the House for concurrence on **SA 1 & 2**.

**HB 32 - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO HOME RULE.**

Representative Oberle introduced and brought **HA 1 to HB 32** before the House for consideration. Representative Oberle made comments. **HA 1** was adopted by voice vote. Representatives Oberle, Valihura, Plant & Spence made comments.

The roll call on **HB 32 w/SA 1 & 2 & HA 1** was taken and revealed:

YES: 35.

NO: Representatives Johnson, Keeley & Plant - 3.

ABSENT: Representatives Cathcart, Caulk & DiPinto - 3.

Therefore, having received a constitutional majority, **HB 32 w/SA 1 & 2 & HA 1** was sent to the Senate for concurrence on **HA 1**.

Representative Lofink made an announcement.

Representatives Oberle, Valihura, Plant & Spence made comments.

Representative Wagner requested that **HB 87** be stricken.

Representative Wagner moved to suspend the rules which interfere with introduction of and action on **HB 94**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Wagner introduced and brought **HB 94**, jointly sponsored by Senator Sokola, before the House for consideration.

**HB 94 - AN ACT TO AMEND CHAPTER 13, VOLUME 74, LAWS OF DELAWARE BY REVISING THE SUNSET PROVISION RELATING TO THE PROFESSIONAL STANDARDS BOARD.**

Representative Wagner made comments.

The roll call on **HB 94** was taken and revealed:

YES: 35.

ABSENT: Representatives Cathcart, Caulk, DiPinto, Lavelle, Plant & Spence - 6.

Therefore, having received a constitutional majority, **HB 94** was sent to the Senate for concurrence.

Representative Wagner introduced a guest.

The Majority Leader moved to recess to the call of the Chair at 5:26 p.m.

Mr. Acting Speaker Roy called the House to order at 2:15 p.m. on March 23, 2005.

The Majority Leader moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

### **13th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session March 23, 2005**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Caulk & Gilligan – 2.

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

Mr. 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 91 - CAREY & SENATOR SIMPSON - TRANSPORTATION; LAND USE AND INFRASTRUCTURE** - An Act to Authorize and Approve the Transfer of Certain Real Property from the Cape Henlopen School District to Carey Communities, Inc., and the Town of Milton, and the Transfer of Certain Real Property from Carey Communities, Inc. to the Cape Henlopen School District.

**HB 92 - VALIHURA & SENATOR SOKOLA - JUDICIARY** - An Act to Amend Chapter 23, Title 11 of the Delaware Code Relating to Seizures and Forfeitures in Criminal Cases.

**HA 9 to HS 1 for HB 36 - OBERLE** - Placed with the Bill.

**HA 10 to HS 1 for HB 36 - OBERLE** - Placed with the Bill.

**HA 1 to HB 79 - ROY** - Placed with the Bill.

**SB 13 - MARSHALL & REPRESENTATIVE LOFINK - PUBLIC SAFETY** - An Act to Amend Title 21 of the Delaware Code Relating to Exemption of Motor Vehicles Owned by Educational Foundations from Registration Fees and from Requirements Applicable to Motor Vehicle Dealers.

Mr. Acting Speaker introduced a guest.

Representative DiPinto requested that he be marked present.

Representative Smith made comments.

Representative Smith deferred to Representative Ewing.

Representative Ewing moved to suspend the rules which interfere with introduction of and action on

**HJR 5**. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Lee requested that he be marked present.

Representative Ewing introduced and brought **HJR 5**, jointly sponsored by Senator Venables & Representatives Spence & Atkins & cosponsored by Representative Lofink, before the House for consideration.

**HJR 5 - CALLING ON THE FEDERAL COURTS TO ORDER RESUMPTION OF HYDRATION AND NUTRITION TO TERRY SCHIAVO OF FLORIDA.**

Representative Ewing made comments and requested and was granted privilege of the floor for Senator Robert Venables. Representatives Ewing, George, Williams, Keeley & Hall-Long made comments.

Representatives Schwartzkopf, Fallon & Spence requested that they be marked present.

Representative VanSant made comments.

Representative Oberle requested that he be marked present.

Representatives Atkins & Ewing made comments.

The roll call on **HJR 5** was taken and revealed:

YES: Representatives Atkins, Booth, Buckworth, Carey, DiPinto, Ewing, Hocker, Hudson, Lee, Lofink, Maier, Smith, Spence & Mr. Acting Speaker Roy - 14.

NO: 5.

NOT VOTING: Representatives Cathcart, Ennis, George, Hall-Long, Johnson, Longhurst, Oberle, Outten, Schooley, Schwartzkopf & Thornburg - 11.

ABSENT: Representatives Caulk, Fallon, Gilligan, Lavelle, Miro, Mulrooney, Stone, Ulbrich, Valihura, Viola & Wagner - 11.

Therefore, not having received a constitutional majority, **HJR 5** was declared defeated.

Representatives Oberle & Ewing made comments regarding **HJR 5**.

Representative Spence requested and was granted privilege of the floor for Morton Kimmel, Chairman, Blue/Gold Basketball Board of Trustees; Mark Pruitt, Sr. representing Delaware Basketball Coach's Association and Coaches Richard Risgo, John Henry Watson, Jr., Michael Wagner & R. Patrick Kelly. Representatives Spence & Booth made comments. The basketball players announced their names and schools for the record. Representative Spence made comments.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 20 w/SA 1** and requests the concurrence of the House.

TO: Rep. Terry R. Spence  
Speaker of the House  
FROM: Rep. Robert F. Gilligan  
DATE: March 23, 2005  
RE: Absence from Session

I will be unable to attend session on Wednesday, March 23, 2005 due to personal reasons. Thank you for your consideration of this matter.

Representative Lee deferred to Representative Keeley. Representative Keeley requested and was granted privilege of the floor to present a House Tribute to Dr. Susanna Lee, representing Jobs for Delaware Graduates, who addressed the House. Delaware Career Association State Officers Kevin Mullen, President, Candie Quick, Reporter and Diana Rivera, Community Service Officer addressed the House. Representative Wagner requested that she be marked present. Representatives Wagner & Keeley made comments. Representative Ulbrich requested that she be marked present. Representative Lee deferred to Representative Maier. Representative Maier requested and was granted privilege of the floor for herself and

Representative George to present a House Tribute to Dr. Art Rolnick, Director, Federal Reserve Bank of Minneapolis, who addressed the House.

Representative Stone requested that she be marked present.

Representative Lee deferred to Representative Hocker.

Representative Hocker introduced **HB 97**, jointly sponsored by Representative Booth & Senator Bunting & Representatives Spence, Lee, Atkins, Buckworth, Carey, DiPinto, Ewing, Fallon, Hudson, Miro, Oberle, Stone, Thornburg, Ulbrich, Valihura, Wagner, Gilligan, VanSant, Hall-Long, Schwartzkopf & Williams & Senators Still, Amick, Cloutier, Copeland & Simpson.

**HB 97 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAXES.**

Mr. Acting Speaker assigned **HB 97** to the Revenue & Finance Committee.

Representative Lee brought the following prefiled **Consent Calendar #5** before the House for consideration.

**HR 8 – ROY & REPRESENTATIVE GILLIGAN ON BEHALF OF ALL REPRESENTATIVES –** Recognizing Local Businessman Joe Sheridan of Sheridan Ford Sales of Wilmington for His \$10,000 Contribution to the Elsmere Community Athletic Association Which Found Itself in Financial Trouble.

**HCR 10 – BUCKWORTH & SENATOR STILL –** Celebrating and Honoring the 200th Anniversary of Camden Friends Meeting in Kent County, Delaware.

**HCR 11 – SMITH & SENATOR PETERSON –** Endorsing the “AKC Canine Good Citizen Program” and Supporting Its Effort to Promote Responsible Dog Ownership in the State of Delaware.

**HCR 12 – MIRO & SENATOR SORENSON; REPRESENTATIVES SPENCE, SMITH; SENATOR SOKOLA –** A Resolution Recognizing the Resourceful Use of Technology in Delaware’s K-5 Classrooms.

**SCR 6 – SIMPSON & SENATOR ADAMS & SENATOR BONINI ON BEHALF OF ALL SENATORS; REPRESENTATIVE OUTTEN ON BEHALF OF ALL REPRESENTATIVES –** Recognizing and Commending the Establishment of April 11, 2005 as “Rainbow Blue Day” in Delaware.

**Consent Calendar #5** was adopted by voice vote and **HR 8** was declared passed, **HCR 10**, **HCR 11** & **HCR 12** were sent to the Senate for concurrence & **SCR 6** was returned to the Senate.

The Majority Whip moved to recess for committee meetings and to the call of the Chair at 3:16 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Member was marked present by the Chief Clerk after the House recessed at 3:16 P.M.: Representative Viola.

Mr. Acting Speaker Roy called the House to order at 2:10 p.m. on March 24, 2005.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SS1/SB 25 w/SA 1** & **SJR 1** and requests the concurrence of the House.

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

GAMING & PARIMUTUELS: **HB 62** - 7M.

PUBLIC SAFETY: **HB 70** - 5M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 51** - 3M.

CORRECTIONS: **HB 46** - 4M,1U.

EDUCATION: **HJR 4** - 7M; **HB 30** - 7M; **HB 47** - 7M; **HB 71** - 7M; **HB 53** - 7M.

HOUSE ADMINISTRATION: **HB 48** - 4M.

HOUSING & COMMUNITY AFFAIRS: **HB 79** - 10M; **HB 76** - 10M; **HB 65** - 10M.

HEALTH & HUMAN DEVELOPMENT: **SB 18 w/SA 1** - 6M; **HJR 3** - 6M.

JUDICIARY: **HB 84** - 6M.

APPROPRIATIONS: **HB 56** - 5F.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 77** - 8M; **HB 83** - 7M,1U.

LABOR: **HB 58** - 5M.

Mr. Acting Speaker assigned **HB 30**, **HB 62** & **HJR 3** to the Appropriations Committee.

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

The Majority Leader moved to adjourn at 2:12 p.m., thereby ending the current legislative day. The House reconvened at 2:13 p.m.

#### **14th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session March 24, 2005**

The Chief Clerk called the roll:

Members Present: 41.

Representatives Buckworth, Maier & Mulrooney requested that they be marked present.

A prayer was offered by Representative John C. Atkins, Forty-First Representative District.

Mr. 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 95** - WAGNER & SENATOR HENRY; REPRESENTATIVES BUCKWORTH, EWING, VALIHURA - PUBLIC SAFETY - An Act to Amend Titles 7 and 21 of the Delaware Code Relating to Parking.

**HB 96** - ENNIS & SENATOR ADAMS & SENATOR VENABLES; REPRESENTATIVES ATKINS, CAREY, EWING, FALLON, HALL-LONG, HOCKER, KEELEY, LONGHURST, MULROONEY, OUTTEN, SPENCE, VANSANT, WAGNER, WILLIAMS - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Motorcycles.

**HB 98** - HUDSON & REPRESENTATIVE ULBRICH & SENATOR BLEVINS; REPRESENTATIVES SPENCE, LAVELLE, MAIER, VALIHURA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Parents and Children.

**HA 1 to HB 78** - ROY - Placed with the Bill.

**HJR 6** - SPENCE & REPRESENTATIVE SMITH & REPRESENTATIVE LEE & REPRESENTATIVE GILLIGAN & REPRESENTATIVE VANSANT & SENATOR ADAMS & SENATOR MCDOWELL & SENATOR DELUCA & SENATOR STILL & SENATOR SORENSON - HEALTH & HUMAN DEVELOPMENT - Recognizing the Selfless Dedication of the American Red Cross in Delaware Over the Last Century.

**SB 20 w/SA 1** - SOKOLA & REPRESENTATIVE STONE; SENATORS BLEVINS, DELUCA, AMICK & REPRESENTATIVE LAVELLE - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Titles 18 and 21 of the Delaware Code to Increase Enforcement of Delaware's Uninsured Motorist Laws

**SS 1 for SB 25 w/SA 1** - COOK & REPRESENTATIVE HUDSON; SENATORS ADAMS, SIMPSON; REPRESENTATIVES SMITH, DIPINTO, GILLIGAN - REVENUE & FINANCE - An Act to Amend Title 12 of the Delaware Code Relating to Escheats.

**SJR 1** - VENABLES; SENATORS BUNTING, CONNOR, SORENSON; REPRESENTATIVES BOOTH, HOCKER, HUDSON, SPENCE - EDUCATION - Directing the Department of Education and the Department of Safety and Homeland Security to Update and Revise Existing School Safety Emergency Procedures in Light of the Increased Threat of Terrorist Attacks in Delaware.

Representative Ewing requested that he be marked present.

The House observed a moment of silence in memory of Delaware State Police Retired Staff Captain William E. Thorpe, III at the request of Representative Ewing.

Representative Smith deferred to Representative Spence.

Representative Spence brought **HJR 6**, jointly sponsored by Representative Smith & Representative Lee & Representative Gilligan & Representative VanSant & Senator Adams & Senator McDowell & Senator DeLuca & Senator Still & Senator Sorenson, before the House for consideration.

**HJR 6** - RECOGNIZING THE SELFLESS DEDICATION OF THE AMERICAN RED CROSS IN DELAWARE OVER THE LAST CENTURY.

WHEREAS, for 100 years the mission of the American Red Cross in Delaware has been to help prevent, and to prepare for and respond to, personal and community-wide disasters; and

WHEREAS, over the years, thousands of Red Cross volunteers have dedicated themselves to helping those affected by emergencies, large and small, and have been involved in activities such as training in community preparedness skills, providing Armed Services personnel with communication capabilities in time of personal emergency, and offering financial assistance in times of family crisis; and

WHEREAS, as a result of these years of service and the dedication of its volunteers, the American Red Cross remains at the forefront in identifying and responding to the needs of disaster victims; and

WHEREAS, since 1905 the American Red Cross in Delaware has helped countless victims cope with personal and community-wide disasters, including recovery from fires and providing shelter from hurricanes, floods, storms and other natural and man-made disasters; and

WHEREAS, since 1905 the American Red Cross has provided services such as emergency communication, counseling, referral services and financial assistance to members of the Armed Forces, including National Guard units, their families, and veterans seven days a week and 24 hours a day; and

WHEREAS, for the last 100 years the American Red Cross in Delaware provided health and safety courses and training in life-saving skills to promote preparedness and healthy living in our communities; and

WHEREAS, recognizing that suffering knows no borders, the American Red Cross in Delaware provides assistance during international emergencies, such as the recent devastating tsunami in South Asia and has also spearheaded a campaign to immunize millions of African children against measles, a disease nearly forgotten in America, but a deadly killer in other parts of the world; and

WHEREAS, the Red Cross Program "Together, We Prepare" empowers individuals and families to protect themselves by taking five simple steps – make a plan, build a kit, get trained, volunteer and give blood thereby making Delaware's communities safer.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives and the Senate of the 143rd General Assembly of the State of Delaware, with the approval of the Governor, that March 2005 is hereby declared American Red Cross Month to recognize a Centennial of Red Cross services to Delawareans.



BE IT FURTHER RESOLVED that the members of the 143rd Delaware General Assembly, on the Twenty-Fourth day in the Month of March in the Year Two-Thousand and Five, call upon all Delaware residents to become partners in preparedness with the local American Red Cross, and we applaud and recognize the selfless dedication of the American Red Cross in Delaware over the last Century.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be presented to the American Red Cross in Delaware.

Representative Spence moved to suspend the rules which interfere with action on **HJR 6**. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Spence requested and was granted privilege of the floor for Margi Prueitt, Director, American Red Cross in Delaware. Representative Spence introduced guests. Representative Fallon requested that she be marked present and made comments. Representatives Ulbrich, Gilligan, Lofink, Keeley, George & Miro requested that they be marked present. Representative Gilligan made comments. Representative Spence made a comment.

The roll call on **HJR 6** was taken and revealed:

YES: 32.

ABSENT: Representatives Caulk, Hudson, Keeley, Lavelle, Lee, Oberle, Plant, Viola & Wagner - 9.

Therefore, having received a constitutional majority, **HJR 6** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Valihura.

Representative Valihura moved to restore **HB 27 w/HA 1**. The motion was seconded by Representative Booth adopted by voice vote.

**HB 27- AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO STOPPING, STANDING AND PARKING. (2/3 bill)**

Representative Valihura moved to place **HB 27 w/HA 1** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Smith deferred to Representative Booth.

Representative Booth introduced and brought **HCR 13**, jointly sponsored by Senator Blevins, before the House for consideration.

**HCR 13 - DESIGNATING MARCH, 2005 AS THE BRAIN INJURY AWARENESS MONTH.**

Representative Booth made comments.

**HCR 13** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Booth requested and was granted privilege of the floor for Eve Tolley, President, Brain Injury Association of Delaware.

The Majority Leader moved to recess for caucus at 2:40 pm.

The House reconvened at 4:19 p.m.

Mr. Speaker Spence resumed the Chair.

Representatives Oberle & Lee requested that they be marked present.

Representative Smith deferred to Representative Oberle.

Mr. Speaker Spence made an announcement.

Representative Oberle moved to lift **HS 1 for HB 36** from the Speaker's Table. The motion was seconded by Representative Hudson and adopted by voice vote.

Representative Oberle brought **HS 1 for HB 36**, jointly sponsored by Representative Ulbrich & Representative Schwartzkopf & Senator Henry & Representatives DiPinto, Hudson, George, Gilligan, Keeley, McWilliams, Schooley, Viola & Williams & Senators Bunting, McDowell & Sokola, before the House for consideration.

**HB 36 - AN ACT TO AMEND TITLES 6, 9, 18, 19, 25 AND 29 OF THE DELAWARE CODE RELATING TO DISCRIMINATION EMPLOYMENT, PUBLIC WORKS CONTRACTING, HOUSING, EQUAL ACCOMMODATIONS AND THE INSURANCE BUSINESS.**

Representative Oberle made comments. Representative Oberle deferred to Representative Smith. Representative Smith made comments. Representative Smith brought **HA 1 to HS 1 for HB 36**, jointly sponsored by Representative Oberle, before the House for consideration. Representatives Smith & Oberle made comments. **HA 1** was adopted by voice vote. Representative Oberle deferred to Representative Smith. Representative Smith brought **HA 2 to HS 1 for HB 36** before the House for consideration. Representatives Smith & Oberle made comments.

The roll call on **HA 2 to HS 1 for HB 36** was taken and revealed:

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

Representative Roy requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Roy, Oberle & Gilligan made comments.

YES: Representatives Atkins, Booth, Buckworth, Carey, DiPinto, Ewing, Fallon, Hocker, Hudson, Lavelle, Lee, Maier, Miro, Outten, Roy, Smith, Stone, Thornburg, Valihura & Spence - 20.

NO: 16.

NOT VOTING: Representatives Cathcart, Ennis, Lofink & Wagner - 4.

ABSENT: Representative Caulk - 1.

Therefore, not having received a constitutional majority, **HA 2 to HS 1 for HB 36** was declared defeated.



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

Representative Oberle deferred to Representative Hudson.

Representative Hudson brought **HA 3 to HS 1 for HB 36**, jointly sponsored by Representative Smith, before the House for consideration. Representatives Hudson, Oberle, Smith, Wagner, Hocker, Hudson & Oberle made comments. Representative Oberle requested and was granted privilege of the floor for Ron Smith, House Attorney.

Representatives Oberle, Smith, DiPinto, Oberle & Smith made comments. Representative Wagner requested and was granted privilege of the floor for Ron Smith, House Attorney. Representative Wagner made comments.

The roll call on **HA 3 to HS 1 for HB 36** was taken and revealed:

YES: 24.

NO: Representatives Johnson, Keeley, Longhurst, McWilliams, Mulrooney, Oberle, Plant, Schooley, Schwartzkopf, Ulbrich, VanSant, Viola & Williams - 13.

NOT VOTING: Representative George, Gilligan & Hall-Long - 3.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **HA 3 to HS 1 for HB 36** was declared passed.

Representative Hocker brought **HA 4 to HS 1 for HB 36** before the House for consideration.

Representatives Hocker, Oberle, Keeley, Smith, Wagner & Hocker made comments. Mr. Speaker Spence appointed Representative Buckworth as Acting Speaker. Representatives Oberle, George, Hocker, DiPinto, Keeley, Maier & Hocker made comments.

The roll call on **HA 4 to HS 1 for HB 36** was taken and revealed:

YES: Representatives Atkins, Booth, Carey, Ewing, Fallon, Hocker, Hudson, Lee, Miro, Outten, Roy, Smith, Spence, Thornburg & Buckworth - 15.

NO: 23.

NOT VOTING: Representative Lofink & Wagner - 2.

ABSENT: Representative Caulk - 1.

Therefore, not having received a constitutional majority, **HA 4 to HS 1 for HB 36** was declared defeated.

Representative Smith brought **HA 5 to HS 1 for HB 36** before the House for consideration.

Mr. Speaker Spence resumed the Chair.

Representatives Smith & Oberle made comments. Representative Oberle requested and was granted privilege of the floor for Deborah Gottschalk, representing the Community Legal Aid Society, Inc. Representatives Oberle & Smith made comments. Representative Oberle requested and was granted privilege of the floor for Drewry Fennell, representing the American Civil Liberties Association of Delaware. Representatives Oberle, Smith, Wagner, Valihura, Oberle, Wagner & Smith made comments. Representative Cathcart rose on a point of order. Mr. Speaker concurred. Representatives Smith & Schwartzkopf made comments. Representative Smith requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Oberle, Smith, Wagner & Valihura made comments. Representative Smith moved to place **HA 5** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Stone made comments.

Representative Hocker brought **HA 6 to HS 1 for HB 36** before the House for consideration.

Representatives Hocker, Oberle & Ulbrich made comments.

The roll call on **HA 6 to HS 1 for HB 36** was taken and revealed:

YES: Representatives Atkins, Booth, Carey, Ewing, Fallon, Hocker, Lee, Outten, Smith, Thornburg & Spence - 11.

NO: 24.

ABSENT: Representatives Buckworth, Caulk, Hall-Long, Lavelle, Plant & Roy - 6.

Therefore, not having received a constitutional majority, **HA 6 to HS 1 for HB 36** was declared defeated.

Representative Oberle moved to recess for caucus at 6:22 p.m.

The House reconvened at 6:48 p.m.

Representative Smith made an announcement.

Representative Smith requested that **HA 7 to HS 1 for HB 36** be stricken.

Representative Smith made comments and requested that **HA 8 to HS 1 for HB 36** be stricken.

Mr. Speaker Spence made comments.

Representative Oberle brought **HA 9 to HS 1 for HB 36** before the House for consideration.

Representative Smith introduced and brought **HA 1 to HA 9 to HS 1 for HB 36** before the House for consideration. Representative Smith requested that **HA 1** be stricken. Representative Oberle introduced and brought **HA 2 to HA 9 to HS 1 for HB 36** before the House for consideration. Representative Oberle made comments. **HA 2** was adopted by voice vote. Representative Oberle made comments. **HA 9 w/HA 2** was adopted by voice vote.

Representative Oberle brought **HA 10 to HS 1 for HB 36** before the House for consideration. Representative Oberle made comments. **HA 10** was adopted by voice vote. Representative Buckworth introduced and brought **HA 11 to HS 1 for HB 36** before the House for consideration. Representatives Buckworth, Oberle & Smith made comments.

The roll call on **HA 11 to HS 1 for HB 36** was taken and revealed:

YES: 35.

NO: Representatives Johnson, Keeley, McWilliams, Schooley & Williams - 5.

ABSENT: Representative Roy - 1.

Therefore, having received a constitutional majority, **HA 11 to HS 1 for HB 36** was declared passed.

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

Representative Smith introduced and brought **HA 12 to HS 1 for HB 36** before the House for consideration. Representatives Smith, Oberle & Schwartzkopf made comments. **HA 12** was adopted by voice vote. Representatives Oberle & Wagner made comments.

The roll call on **HS 1 for HB 36 w/HA 1, 3, 9, HA 2 to HA 9, HA 10, 11 & 12** was taken and revealed:

YES: 22.

NO: Representatives Atkins, Booth, Buckworth, Carey, Caulk, Ennis, Ewing, Fallon, Hocker, Lavelle, Lee, Lofink, Outten, Smith, Stone, Thornburg, Valihura & Spence - 18.

ABSENT: Representative Roy - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 36 w/HA 1, 3, 9, HA 2 to HA 9, HA 10, 11 & 12** was sent to the Senate for concurrence.

The House observed a moment of silence in memory of Marie Workman, mother of Janice Donovan, at the request of Mr. Speaker Spence.

Mr. Speaker Spence made an announcement.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 68, HB 94, HB 63 w/SA 1, HCR 13 & HJR 6** and is returning same to the House.

Representative Hudson introduced **HB 99**, jointly sponsored by Senator Cook & Representatives Atkins, Buckworth, Carey, Cathcart, DiPinto, Ennis, Ewing, Fallon, George, Gilligan, Hall-Long, Hocker, Johnson, Keeley, Lavelle, Lee, Lofink, Longhurst, Maier, McWilliams, Miro, Mulrooney, Oberle, Outten, Plant, Roy, Schooley, Schwartzkopf, Smith, Spence, Stone, Thornburg, Ulbrich, Valihura, VanSant, Viola, Wagner & Williams & All Senators.

**HB 99 – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE REALTING TO LINE OF DUTY DEATH BENEFITS.**

Mr. Speaker Spence assigned **HB 99** to the Economic Development, Banking & Insurance Committee.

Mr. Speaker Spence & Representative Gilligan made comments.

The Majority Whip moved to recess to the call of the Chair at 7:15 p.m.

Mr. Acting Speaker Buckworth called the House to order at 2:20 p.m. on April 12, 2005.

The Majority Leader moved to adjourn at 2:21 p.m., thereby ending the current legislative day. The House reconvened at 2:22 p.m.

### **15th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session April 12, 2005**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Atkins & Ewing – 2.

A prayer was offered by Representative V. George Carey, Thirty-Sixth Representative District.

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

The following out of session prefiled legislation was introduced:

April 8, 2005

**HB 100 - KEELEY & REPRESENTATIVE WAGNER; SENATOR HENRY - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Concerning Camera Enforcement of Traffic Light Signals.**

**HB 102 - SCHWARTZKOPF; REPRESENTATIVES CAREY, KEELEY; SENATOR BUNTING - TRANSPORTATION; LAND USE AND INFRASTRUCTURE - An Act to Amend Titles 9 and 17 of the Delaware Code Relating to Design and Construction Standards for Certain Roads and Streets in Sussex County.**

**HA 2 to HB 27 - ROY - Placed with the Bill.**

**HA 1 to HB 46 - SCHOOLEY & REPRESENTATIVES SCHWARTZKOPF, MCWILLIAMS, ENNIS, KEELEY, PLANT, HALL-LONG - Placed with the Bill.**

**HA 1 to HB 47 - ULBRICH - Placed with the Bill.**

**HJR 7 – SMITH; REPRESENTATIVES VALIHURA, MCWILLIAMS & SENATOR MCDOWELL - HOUSE ADMINISTRATION - Extending the Reporting Date of the Philadelphia International Airport Air Traffic and Quality of Life Issues Action Group.**

Representative Smith made comments.

Representatives Hudson, Cathcart, Fallon, Hall-Long, Mulrooney, Ennis & Wagner requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:27 p.m.

Representative Oberle requested that he be marked present.

The House reconvened at 4:36 p.m. with Representative Oberle as Acting Speaker.

The Reading Clerk read the following communications into the record:

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: John C. Atkins  
Representative – Forty-First Representative District  
RE: Absence from Session  
DATE: April 12, 2005

Please be advised that I will be unable to attend session Tuesday, April 12, 2005 since I will be attending to personal business.

Thank you for your consideration in this matter.

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: J. Benjamin Ewing  
Representative - Thirty-Fifth Representative District  
RE: Absence from Session  
DATE: April 12, 2005

Please be advised that I will be unable to attend session Tuesday, April 12, 2005 since I will be attending to personal business.

Thank you for your consideration in this matter.

March 31, 2005

**LEGISLATIVE ADVISORY #2**

Governor Ruth Ann Minner signed the following legislation on the date indicated: 3/23/05 - **HB 15 aab HA 1**; 3/28/05 – **HJR 6**; 3/30/05 – **HB 68 & HB 94**.

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

Representatives Roy, Caulk, Miro, Williams, Lofink, Lee & Ulbrich requested that they be marked present.

Representative Smith deferred to Representative Miro.

Representative Miro brought **HB 46**, jointly sponsored by Senator DeLuca & Representative Ewing, before the House for consideration.

**HB 46 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SENTENCING.**

Representative Miro brought **HA 1 to HB 46**, sponsored by Representatives Schooley, Schwartzkopf, McWilliams, Ennis, Keeley, Plant & Hall-Long, before the House for consideration. Representative Miro deferred to Representative Schooley. Representative Schooley requested that **HA 1** be stricken. Representative Miro made comments. Representative Lavelle requested that he be marked present.

The roll call on **HB 46** was taken and revealed:

YES: 38.

ABSENT: Representatives Atkins, Ennis & Ewing - 3.

Therefore, having received a constitutional majority, **HB 46** was sent to the Senate for concurrence.

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

Representative Smith requested and was granted personal privilege of the floor to make comments. Representative Spence made comments. Representative Buckworth requested and was granted personal privilege of the floor to introduce a guest. Representative Cathcart requested and was granted personal privilege of the floor to make an announcement.

Representative Smith deferred to Representative Schooley.

Representative Schooley made an announcement.

Representative Smith made announcements.

Representative Cathcart introduced **HB 105**, jointly sponsored by Senator McDowell & Representatives Spence, Carey, DiPinto, Hocker, Hudson, Lofink, Maier, Miro, Oberle, Stone, Ulbrich, Valihura & Wagner & Senators Bunting, Venables, Sorenson, Cloutier & Connor & cosponsored by Representative Ewing & Senator Sokola.

**HB 105 - AN ACT TO AMEND TITLE 6 AND TITLE 7 OF THE DELAWARE CODE RELATING TO METHYL TERTIARY-BUTYL ETHER.**

Mr. Acting Speaker assigned **HB 105** to the Natural Resources & Environmental Management Committee.

Representative Smith deferred to Representative Stone.

Representative Stone brought **HB 76**, jointly sponsored by Senator Cook & Representatives Buckworth, Ennis, Outten, Thornburg & Wagner & Senators Bonini & Still, before the House for consideration.

**HB 76 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO LIMITATIONS UPON TAXING POWER.**

Representative Stone made comments.

The roll call on **HB 76** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Ewing - 2.

Therefore, having received a constitutional majority, **HB 76** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 65**, jointly sponsored by Representative Buckworth & Representatives Thornburg, Stone & Ennis & Senators Vaughn & Cook, before the House for consideration.

**HB 65 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SEWERS.**

Representative Wagner made comments.

The roll call on **HB 65** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Ewing - 2.

Therefore, having received a constitutional majority, **HB 65** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Roy.

Mr. Speaker Spence resumed the Chair.

Representative Roy moved to lift **HB 27 w/HA 1** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Roy brought **HB 27 w/HA 1** before the House for consideration.

**HB 27 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO STOPPING, STANDING AND PARKING. (2/3 bill)**

Representative Roy made a comment.

Representative Roy brought **HA 2 to HB 27** before the House for consideration. Representative Roy made a comment. **HA 2** was adopted by voice vote. Representatives Lavelle, Ennis & Roy made comments.

The roll call on **HB 27 w/HA 1 & 2** was taken and revealed:

YES: Representatives Booth, Buckworth, Carey, Caulk, DiPinto, Ennis, Fallon, Gilligan, Hall-Long, Hocker, Hudson, Keeley, Lavelle, Lee, Lofink, Maier, Miro, Outten, Roy, Smith, Thornburg, Ulbrich & Spence - 23.

NO: 14.

NOT VOTING: Representatives Oberle & Wagner - 2.

ABSENT: Representatives Atkins & Ewing - 2.

Therefore, not having received a constitutional majority of at least two-thirds Members of the House, **HB 27 w/HA 1 & 2** was declared defeated.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **HB 71**, jointly sponsored by Representative Ulbrich & Senator McBride & Representatives Hudson, Mulrooney, Valihura & Viola & Senators Bonini, Copeland, Peterson & Sokola, before the House for consideration.

**HB 71 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE ADVISORY COUNCIL ON CAREER EDUCATION.**

Representative Oberle introduced and brought **HA 1 to HB 71** before the House for consideration. Representative Oberle made comments. **HA 1** was adopted by voice vote. Representative Oberle made comments.

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

YES: 39.

ABSENT: Representatives Atkins & Ewing - 2.

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

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

Mr. Acting Speaker Buckworth called the House to order at 2:10 p.m. on April 13, 2005.

Representatives Ewing & Atkins requested that they be marked present for the current Legislative Day.

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.

**16th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session  
April 13, 2005**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Stephanie A. Ulbrich, Twenty-Fifth Representative District. Mr. Acting Speaker led those present in a pledge of allegiance to the American Flag.

The following prefiled legislation was introduced:

**HB 104** - SMITH & SENATOR ADAMS - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Filing of Financial Disclosure Reports and Certain Other Documents.

**HB 106** - OBERLE & SENATOR DELUCA; REPRESENTATIVES LOFINK, MULROONEY, PLANT, VIOLA - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to State Procurement.

**HB 108** - MAIER & REPRESENTATIVE SPENCE & SENATOR PETERSON; REPRESENTATIVES SCHOOLEY, BUCKWORTH, WAGNER, HUDSON, KEELEY, GILLIGAN - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Immunizations.

**HB 109** - MAIER & SENATOR SOKOLA; REPRESENTATIVES SPENCE, BUCKWORTH, DIPINTO, HUDSON, LAVELLE, MIRO, WAGNER, GILLIGAN, SCHOOLEY; SENATORS HENRY, SORENSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Truancy.

**HA 2 to HB 78** - ROY - Placed with the Bill.

**HA 1 to HB 91** - CAREY - Placed with the Bill.

**SB 17** - MARSHALL & REPRESENTATIVES LOFINK & OBERLE & KEELEY - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Payment of Workers' Compensation Benefits.

Representative Hall-Long requested and was granted privilege of the floor for the Lake Forest Central Elementary School 6th grade Jazz Band who performed several musical numbers. The members of the band announced their names for the record. Representative Outten made comments.

Representative Smith deferred to Representative Miro.

Representative Miro requested and was granted privilege of the floor to present a House Tribute to A. Lee "Butch" Simpson, football coach, Newark High School and House Commendations to the football players. Each player announced his name for the record. Representatives Gilligan, Ulbrich, Booth, Lee, Schooley, Miro & Mr. Acting Speaker made comments.

Representative Lee deferred to Representative Wagner.

Representative Wagner requested and was granted privilege of the floor for herself and Representative Stone to present House Tributes to visitors from Argentina. Representative Miro made comments.

Representative McWilliams requested that she be marked present.

The Majority Leader moved to recess for caucus at 2:56 p.m.

The House reconvened at 3:51 p.m. with Representative Ulbrich as Acting Speaker.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 17 & SCR 7** and requests the concurrence of the House; **HCR 10, HCR 11 & HCR 12** and is returning same to the House.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HJR 4**, jointly sponsored by Senator Sokola, before the House for consideration.

**HJR 4** - ESTABLISHING A TASK FORCE TO REVIEW THE BEST PRACTICES OF EDUCATIONAL ASSESSMENTS.

Representatives Wagner & Smith made comments. Representative Oberle requested that he be marked present. Representatives Oberle, Wagner, Fallon & Booth made comments.

The roll call on **HJR 4** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HJR 4** was sent to the Senate for concurrence.

Representatives Cathcart, Caulk, DiPinto, Lavelle, Maier, Mulrooney, Plant & Spence requested that they be marked present during the roll call.

Representative Smith deferred to Representative Ewing.

Representative Ewing requested and was granted privilege of the floor to make an announcement.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 58**, jointly sponsored by Representative Ennis & Representative Keeley & Senator Peterson & Representatives Lee, Ewing, Hocker, Miro, Oberle, Outten, Stone, Johnson & McWilliams, before the House for consideration.

**HB 58** - AN ACT TO AMEND CHAPTER 59 OF TITLE 29 OF THE DELAWARE CODE RELATING TO GRIEVANCES.

Representative Wagner made a comment.

The roll call on **HB 58** was taken and revealed:

YES: 39.

ABSENT: Representatives DiPinto & Roy - 2.

Therefore, having received a constitutional majority, **HB 58** was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Valihura.

Representative Wagner made an announcement.

Representative Valihura brought **HB 48**, jointly sponsored by Senator Cloutier & Representatives Booth, Buckworth, Carey, Cathcart, Caulk, DiPinto, Ewing, Fallon, Hocker, Hudson, Lavelle, Lee, Maier, Miro, Outten, Smith, Spence, Stone, Ulbrich & Wagner & Senators Bonini, Connor, Copeland, Peterson, Simpson, Sokola & Sorenson, before the House for consideration.

**HB 48 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMPENSATION COMMISSION.**

Representatives Valihura, Gilligan, Oberle, Thornburg, Lavelle & VanSant made comments.

The roll call on **HB 48** was taken and revealed:

YES: 31.

NO: Representatives Gilligan, Keeley, Mulrooney, Oberle, Plant, Schwartzkopf, Thornburg, VanSant, Viola & Williams - 10.

Therefore, having received a constitutional majority, **HB 48** was sent to the Senate for concurrence.

Representative Smith made an announcement.

Representative Smith deferred to Representative Roy.

Representative Roy brought **HB 79**, jointly sponsored by Senator McBride, before the House for consideration.

**HB 79 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE TO PROVIDE FOR REAL PROPERTY ELECTRONIC RECORDING.**

Representative Roy made comments. Representative Roy brought **HA 1 to HB 79** before the House for consideration. Representative Roy made a comment. **HA 1** was adopted by voice vote.

The roll call on **HB 79 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 79 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Miro.

Representative Miro made a comment.

Representative Miro brought **HB 63 w/SA 1**, jointly sponsored by Senator Sokola & Representatives DiPinto, Ewing, Gilligan, Hudson, Lavelle, Lee, Lofink, Smith, Spence, Valihura & Wagner & Senator Simpson, before the House for concurrence on **SA 1**.

**HB 63 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LEARNER'S PERMITS.**

Representative Miro made a comment.

The roll call on **HB 63 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 63 w/SA 1** was sent to the Governor.

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

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:10 p.m. on April 14, 2005.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 49** and requests the concurrence of the House.

April 14, 2005

TO: House Speaker Terry R. Spence

FROM: Representative William A. Oberle, Jr.

SUBJECT: Absence from Session

I will not be attending session on Thursday, April 14, 2005 due to a prior commitment.

#### MEMORANDUM

TO: Representative Terry R. Spence, Speaker

FROM: Representative Robert J. Valihura, Jr.

DATE: April 14, 2005

SUBJECT: Absence from Session

I will be absent from session on today, Thursday, April 14, 2005 for personal reasons.

Thank you.

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.

**17th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session**  
**April 14, 2005**

The Assistant Chief Clerk called the roll:

Members Present: 33.

Members Absent: Representatives Caulk, Lofink, Miro, Oberle, Stone, Valihura, Viola & Wagner –

8.

A prayer was offered by Representative Gerald A. Buckworth, Thirty-Fourth Representative District.

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

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

The following prefiled legislation was introduced:

**HB 103** - HOCKER & SENATOR BUNTING & REPRESENTATIVE CAREY; REPRESENTATIVES EWING, HUDSON, LEE, OUTTEN, SMITH, SPENCE, ULBRICH, VALIHURA, WAGNER - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9, Delaware Code Relating to Certain Subdivision Roads or Streets.

**HB 107** - MAIER & SENATOR HENRY; REPRESENTATIVES SCHOOLEY, KEELEY, WAGNER, GILLIGAN, HUDSON, HALL-LONG; SENATOR CONNOR - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Establishment of the 2-1-1 Information Helpline.

**HB 110** - THORNBURG & SENATOR VAUGHN - HOUSE ADMINISTRATION - An Act to Amend Title 29, Delaware Code Relating to the Delaware Compensation Commission.

**HB 111** - SMITH & SENATOR SOKOLA; REPRESENTATIVE VALIHURA; SENATORS PETERSON, STILL - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Drivers' Licenses.

**HB 112** - SMITH & SENATOR SOKOLA; REPRESENTATIVES DIPINTO, ROY, WAGNER; SENATORS PETERSON, STILL - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Drivers' Licenses.

**HB 113** - VIOLA & REPRESENTATIVES SPENCE, BUCKWORTH, VALIHURA, STONE; SENATORS CONNOR, SOKOLA; REPRESENTATIVES DIPINTO, EWING, HALL-LONG, LEE, LONGHURST, MAIER, MCWILLIAMS, MULROONEY, OUTTEN, PLANT, WILLIAMS; SENATORS AMICK, DELUCA, MARSHALL, MCDOWELL, VAUGHN - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Chapter 29, Title 6 of the Delaware Code Relating to Retail Sales of Motor Fuel.

**HB 114** - SMITH & SENATOR BUNTING; REPRESENTATIVES BUCKWORTH, CATHCART, DIPINTO, ENNIS, EWING, HALL-LONG, HOCKER, HUDSON, LAVELLE, MAIER, MIRO, OBERLE, ROY, SPENCE, VALIHURA, WAGNER; SENATORS AMICK, CONNOR, COPELAND, HENRY, MARSHALL, SOKOLA, SORENSON, STILL, VENABLES - LABOR - An Act to Amend Title 20 and Title 29 of the Delaware Code Relating to Emergency Income Maintenance for Members of the Military Reserve and National Guard Who are Delaware Residents and Who are on Active Federal Duty Because of a National Emergency.

**HB 115** - LAVELLE & REPRESENTATIVE VALIHURA & SENATOR SOKOLA; REPRESENTATIVES CATHCART, HUDSON, MAIER, SMITH, ULBRICH; SENATORS COPELAND, SORENSON, HENRY - HOUSE ADMINISTRATION - An Act to Amend Title 14 of the Delaware Code Relating to Official Records of Elections in Reorganized School Districts.

**HA 1 to HB 95** - WAGNER - Placed with the Bill.

**HR 12** - LAVELLE; REPRESENTATIVES SMITH, HUDSON, MAIER, OBERLE, STONE, ULBRICH, VALIHURA, WAGNER - JUDICIARY - Requesting that Governor Ruth Ann Minner and Department of Safety and Homeland Security Secretary David B. Mitchell Publicly Disclose the Nature of the Substantiated Charges Against Delaware State Police Colonel L. Aaron Chaffinch and the Discipline He Received Resulting from These Validated Charges.

**SB 49** - ADAMS & REPRESENTATIVE EWING; SENATORS VAUGHN, VENABLES & SIMPSON; REPRESENTATIVE ATKINS - TRANSPORTATION; LAND USE AND INFRASTRUCTURE - An Act to Amend Title 17 of the Delaware Code Relating to Right-of-way Dedications.

Mr. Speaker Spence introduced a guest. Representative Johnson requested and was granted personal privilege of the floor to introduce a guest. Mr. Speaker Spence introduced a guest. Representative Thornburg requested that she be marked present.

Representative Maier requested and was granted personal privilege of the floor to introduce guests. Representative Fallon introduced a guest. Representative McWilliams requested that she be marked present. Representatives Maier & Smith made announcements.

The Reading Clerk read the following communications into the record:



# HOUSE TRIBUTE ANNOUNCEMENT #13

DATE: April 14, 2005

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    | Date       | Type | Description                                                            |
|----------|------------|------------|------|------------------------------------------------------------------------|
| H143-284 | Carey      | 3/5/2005   | T    | Lynn Rogers - Honored by Ellendale Community Association               |
| H143-285 | Carey      | 3/5/2005   | T    | Reverend Richard Ransom - Honored by Ellendale Community               |
| H143-286 | Carey      | 3/5/2005   | T    | Honorable Ruth Ann Minner - Honored by Ellendale Community Association |
| H143-287 | Hudson     | 2/23/2005  | M    | Herbert Spencer Dayton, Jr.                                            |
| H143-288 | Wagner     | 3/10/2005  | T    | Brian Miller - Art Educator of the Year                                |
| H143-289 | Wagner     | 3/12/2005  | T    | Karol Schmiegel - Retirement - Director of Biggs Museum                |
| H143-290 | Wagner     | 4/14/2005  | T    | Amber Evans & Tommy Franklin - Marriage                                |
| H143-291 | Ulbrich    | 3/4/2005   | M    | Kelly Lyn Clinton                                                      |
| H143-292 | Mulrooney  | 3/27/2005  | T    | Reese & Laura Harding, Sr. - 50th Wedding Anniversary                  |
| H143-293 | McWilliams | 1/27/2005  | T    | Vance & Marian Senecal - 60th Wedding Anniversary                      |
| H143-294 | McWilliams | 12/25/2004 | T    | Ed & Greta Rice - 65th Wedding Anniversary                             |
| H143-295 | Keeley     | 1/29/2005  | T    | Ray & Nora Jubb - 50th Wedding Anniversary                             |
| H143-296 | Williams   | 3/12/2005  | T    | Brandywine Zoo - 100th Anniversary                                     |
| H143-297 | Carey      | 2/8/2005   | T    | Kayla Martell - Spirit of Community Award                              |
| H143-298 | Outten     | 2/8/2005   | T    | Stephen Galloway - Spirit of Community Award                           |
| H143-299 | Wagner     | 3/7/2005   | T    | Lester & June Leifer - 70th Wedding Anniversary                        |
| H143-300 | Wagner     | 2/25/2005  | T    | Nancy Coverdale - Retirement - 37+ Years – Kraft Foods                 |
| H143-301 | Oberle     | 1/11/2005  | T    | Honorable Wayne Hanby - Assistance – Swearing In                       |
| H143-302 | Buckworth  | 3/20/2005  | T    | Anna Marie Sullivan - 96th Birthday                                    |
| H143-303 | Hocker     | 4/2/2005   | T    | James Rickards, Jr. - Eagle Scout                                      |
| H143-304 | George     | 3/30/2005  | T    | Barbara Erskine - Retirement - DNREC - 16+ Years                       |
| H143-305 | Ewing      | 3/21/2005  | T    | Warren Kane - Kiwanis Governor - Visit                                 |
| H143-306 | Stone      | 3/19/2005  | T    | Jennifer Ferguson & Benny Divita, II – Marriage                        |
| H143-307 | Stone      | 3/19/2005  | T    | Beth Rineman & Steven Williams - Marriage                              |
| H143-308 | Carey      | 3/16/2005  | T    | Sheena Benton - Miss Delaware USA                                      |
| H143-309 | Fallon     | 3/17/2005  | T    | Nanticoke Senior Center - 34th Anniversary                             |

# HOUSE TRIBUTE ANNOUNCEMENT #14

DATE: April 14, 2005

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   | Date       | Type | Description                                                        |
|----------|-----------|------------|------|--------------------------------------------------------------------|
| H143-310 | Carey     | 3/19/2005  | T    | Fred Bennett, II - 80th Birthday                                   |
| H143-311 | Gilligan  | 10/16/2005 | T    | St. John the Beloved Catholic Church - 50th Anniversary            |
| H143-312 | Roy       | 3/16/2005  | T    | Rebecca Byrd & Christopher Portante – Engagement                   |
| H143-313 | Keeley    | 3/17/2005  | T    | Matt Vasco - Honoring Memory of Deceased State Trooper             |
| H143-314 | DiPinto   | 3/17/2005  | T    | Christian Conaty - Honoring Memory of Deceased State Trooper       |
| H143-315 | Valihura  | 3/16/2005  | T    | Bradley Haines - 40th Birthday                                     |
| H143-316 | Buckworth | 3/21/2005  | T    | Pete Basile - Retirement - Principal - Star Hill Elementary        |
| H143-317 | Booth     | 2/25/2005  | T    | Richard Bryan - Purchaser of Oyster Knife                          |
| H143-318 | DiPinto   | 3/17/2005  | T    | Presley Conaty - Honoring Memory of Deceased State Trooper         |
| H143-319 | VanSant   | 3/19/2005  | T    | Evelyn Clark - 50 Years - Ladies Auxiliary – Elsmere Fire Company  |
| H143-320 | VanSant   | 3/19/2005  | T    | William Walton, Sr. - 50 Years - Elsmere Fire Company              |
| H143-321 | VanSant   | 3/19/2005  | T    | Robert Mills - Member of the Year - Elsmere Fire Company           |
| H143-322 | Cathcart  | 3/19/2005  | T    | David Armstrong - Firefighter of the Year – Port Penn Fire Company |
| H143-323 | Cathcart  | 3/19/2005  | T    | Dale Bendler - President's Award - Port Penn Fire Company          |
| H143-324 | Cathcart  | 3/19/2005  | T    | Jonathan Thuer - Saved Life of Nephew                              |
| H143-325 | Lavelle   | 3/18/2005  | T    | Keith Trostle - Retirement - DNREC - 30 Years                      |
| H143-326 | Valihura  | 4/6/2005   | T    | Rita Rosaio - Mother of the Year                                   |
| H143-327 | Outten    | 4/9/2005   | T    | Violet Bernard - Charter Member - Felton Fire Company Auxiliary    |

|          |        |           |   |                                                                   |
|----------|--------|-----------|---|-------------------------------------------------------------------|
| H143-328 | Outten | 4/9/2005  | T | Annabel Brown - Charter Member - Felton Fire Company Auxiliary    |
| H143-329 | Outten | 4/9/2005  | T | Pauline Morgan - Charter Member - Felton Fire Company Auxiliary   |
| H143-330 | Outten | 4/9/2005  | T | Bessie McCracken - Charter Member - Felton Fire Company Auxiliary |
| H143-331 | Outten | 4/9/2005  | T | Felton Fire Company Auxiliary - 65th Anniversary                  |
| H143-332 | Carey  | 4/10/2005 | T | Clay Thomas Maloney - Eagle Scout                                 |

#### HOUSE TRIBUTE ANNOUNCEMENT #15

DATE: April 14, 2005

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>Date</u> | <u>Type</u> | <u>Description</u>                                                  |
|---------------|-------------------------------------------------------------|-------------|-------------|---------------------------------------------------------------------|
| H143-333      | Booth                                                       | 4/16/2005   | T           | Donald Sipple - Outstanding Commitment – Georgetown Fire Department |
| H143-334      | Buckworth                                                   | 4/9/2005    | T           | Nicholas Badman - Gold Medal of Achievement - Royal Rangers         |
| H143-335      | Viola                                                       | 3/19/2005   | M           | Matthew Daggett                                                     |
| H143-336      | Thornburg                                                   | 3/21/2005   | M           | William Thorpe, III                                                 |
|               | cosponsors: Reps. Ennis, Ewing, Lee, Schwartzkopf & VanSant |             |             |                                                                     |
| H143-337      | Viola                                                       | 3/23/2005   | T           | Cherise Spruill - Youth of the Year - Newark Boys and Girls Club    |
| H143-338      | Wagner                                                      | 4/2/2005    | T           | Margaret Taylor & John Courtney - Marriage                          |
| H143-339      | Wagner                                                      | 3/19/2005   | M           | Jenny J. Fleming                                                    |
| H143-340      | Keeley                                                      | 3/23/2005   | T           | Jobs for Delaware Graduates - 25th Anniversary                      |
|               | cosponsors: All Representatives                             |             |             |                                                                     |
| H143-341      | George                                                      | 3/23/2005   | T           | Dr. Arthur Rolnick - Visit to Delaware                              |
| H143-342      | DiPinto                                                     | 3/23/2005   | T           | Joshua Martin, III - Retirement - CEO – Verizon DE                  |
| H143-343      | Oberle                                                      | 2/18/2005   | T           | Rand Townley, Jr. - Graduation – NC County Police                   |
| H143-344      | Oberle                                                      | 2/18/2005   | T           | Rand & Joanne Townley - Son's Graduation - NCC Police               |
| H143-345      | Buckworth &                                                 | 3/22/2005   | M           | Pfc. Michael Brown                                                  |
|               | Rep. Ennis; cosponsor: Rep. Wagner                          |             |             |                                                                     |
| H143-346      | Roy                                                         | 3/17/2005   | M           | Esther M. Camarota                                                  |
| H143-347      | Maier                                                       | 4/4/2005    | T           | Jack & Pat Ward - 60th Wedding Anniversary                          |
| H143-348      | Booth                                                       | 4/9/2005    | T           | F. Jack Luzzi - 90th Birthday                                       |
| H143-349      | Maier                                                       | 4/16/2005   | T           | James Gill, M.D., MPH - President - Academy of Family Physicians    |
| H143-350      | Buckworth                                                   | 4/23/2005   | T           | Bryan Kapes - Eagle Scout                                           |
| H143-351      | Buckworth                                                   | 2/19/2005   | T           | Harry Neese, III - Member of the Year – Camden-Wyoming Fire Company |
| H143-352      | Carey                                                       | 3/24/2005   | M           | Ruth A. Lane                                                        |
|               | cosponsors: All Representatives                             |             |             |                                                                     |
| H143-353      | Buckworth                                                   | 3/24/2005   | T           | Rebecca Marasco - National Wildlife & Fisheries Volunteer           |
| H143-354      | Ennis                                                       | 3/22/2005   | M           | Elizabeth Ann Brommer                                               |
| H143-355      | Lofink                                                      | 4/16/2005   | T           | David Moore - Founder - Bear Babe Ruth League                       |

T – Tribute

M - Memoriam

Representative Smith brought **Consent Calendar #6** before the House for consideration.

**HR 10** – HUDSON & REPRESENTATIVE DIPINTO & REPRESENTATIVE ROY - Commending Taiwan on Its Full-Fledged Democracy, Its Contributions to Promote World Peace, Freedom, and Human Rights, and Supporting Its Efforts to Join the United Nations, World Health Organization (WHO), and Other International Organizations.

**HR 11** – WAGNER - Extending the Reporting Date of the Commuter Rail Task Force.

**HCR 14** – SMITH & SENATOR BUNTING; REPRESENTATIVES SPENCE, BUCKWORTH, CATHCART, DIPINTO, EWING, HOCKER, HUDSON, LAVELLE, MAIER, MIRO, OBERLE, ROY, WAGNER, ENNIS, HALL-LONG; SENATORS MARSHALL, SOKOLA, VENABLES, STILL, CONNOR, COPELAND, SIMPSON – Establishing the Delaware National Guard and Reservist Health Insurance Support Group.

**HCR 15** – MAIER & SENATOR BLEVINS; REPRESENTATIVES BUCKWORTH, SCHOOLEY, SPENCE, WAGNER, ENNIS, HUDSON, VIOLA, KEELEY, GILLIGAN; SENATOR HENRY – Establishing the Month of May 2005 as Amyotrophic Lateral Sclerosis Awareness Month.

**SCR 7** – BLEVINS & SENATOR SORENSON & REPRESENTATIVE HUDSON – Creating a Task Force to Explore the Feasibility of Establishing a Family Justice Center to Serve Domestic Violence Victims

and Their Children in a More Efficient and Effective Manner.

**Consent Calendar #6** was adopted by voice vote and **HR 10 & HR 11** were declared passed, **HCR 14 & HCR 15** were sent to the Senate for concurrence & **SCR 7** was returned to the Senate.

Representative Smith made comments regarding **HCR 14**. Mr. Speaker Spence & Representative Gilligan made comments. Representative Ulbrich requested that she be marked present. Representative Buckworth made comments regarding **HCR 15**. Representative Maier requested and was granted personal privilege of the floor to introduce a guest.

Representative Smith deferred to Representative Gilligan.

Representative Gilligan introduced **HB 116**, jointly sponsored by Representative Stone & Senator Sokola & Representatives Booth, Buckworth, Ennis, Ewing, Fallon, George, Hall-Long, Hocker, Johnson, Keeley, Longhurst, McWilliams, Mulrooney, Plant, Roy, Schooley, Schwartzkopf, Ulbrich, VanSant, Viola & Williams & Senators Bunting, Cook & Henry & cosponsored by Senator Connor.

**HB 116 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMPUTER SECURITY BREACHES.**

Mr. Speaker Spence assigned **HB 116** to the Judiciary Committee.

Representative Cathcart requested that he be marked present.

Representative Johnson introduced a guest.

Mr. Speaker Spence & Representative Cathcart made announcements.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:30 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Member was marked present by the Chief Clerk after the House recessed at 2:30 P.M.: Representative Lavelle.

Mr. Acting Speaker Buckworth called the House to order at 2:00 p.m. on April 19, 2005.

Representatives Caulk, Wagner, Lofink & Stone requested that they be marked present for the current Legislative Day.

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

CORRECTIONS: **HB 86** – 1F,4M.

HEALTH & HUMAN DEVELOPMENT: **HB 98** – 6M; **HB 107** – 6M.

HOUSE ADMINISTRATION: **HB 82** – 3M; **HB 104** – 4M.

HOUSING & COMMUNITY AFFAIRS: **HB 85** – 6M.

PUBLIC SAFETY: **HB 88** – 6M; **HB 96** – 6M; **SB 13** – 5M.

REVENUE & FINANCE: **HB 97** – 5F,2M; **SS 1/SB 25** – 2F,5M.

TRANSPORTATION, LAND USE & INFRASTRUCTURE: **HB 102** – 4M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 61** and requests the concurrence of the House; **HB 22 & HB 17** and is returning same to the House.

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

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

### **18th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session April 19, 2005**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Vincent A. Lofink, Twenty-Seventh Representative District.

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

The following prefiled legislation was introduced:

**HB 117 - OBERLE & REPRESENTATIVE LAVELLE & REPRESENTATIVE VIOLA & SENATORS DELUCA, CLOUTIER - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Public Notification of Registered Sexual Offenders.**

**HB 118 - HUDSON & SENATOR SIMPSON; REPRESENTATIVES SMITH, BUCKWORTH, EWING, LAVELLE, MIRO, VALIHURA; SENATOR SORENSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to the Department of Finance.**

**HB 119 - VIOLA; REPRESENTATIVES ENNIS, JOHNSON, KEELEY, MCWILLIAMS, MIRO, MULROONEY, PLANT, VALIHURA, WILLIAMS; SENATOR DELUCA - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to State Procurement.**

**HB 120 - SMITH & SENATOR COOK - HOUSE ADMINISTRATION - An Act to Amend the Laws of Delaware Relating to the Establishment and Duties of the Delaware Revolutionary War Monument Commission.**

**SB 61 - VAUGHN & REPRESENTATIVE VALIHURA; SENATORS MCDOWELL, DELUCA, ADAMS, SIMPSON; REPRESENTATIVES WAGNER, LAVELLE, STONE, GEORGE, KEELEY,**

HUDSON - JUDICIARY - An Act Concurring in a Proposed 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 Orphan's Court. (2/3 bill)

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **HB 77**, jointly sponsored by Representative Cathcart & Senator McBride & Representatives Smith, Booth, Fallon, Lavelle, Miro, VanSant, Ennis & Plant & Senators Henry & Copeland, before the House for consideration.

**HB 77 - AN ACT AMENDING TITLE 29, DELAWARE CODE RELATING TO DESIGNATING THE STONEFLY (ORDER PLECOPTERA) AS THE STATE MACROINVERTEBRATE.**

Representative Hudson made comments.

Mr. Speaker Spence resumed the Chair.

Representative Cathcart requested and was granted privilege of the floor for Tom Guyer, seventh grade teacher at Gunning Bedford Middle School and Ronda Modi, Nicole Woger, Charles Colburn, Karmpreet Kaur, Jerome Garret, Marrina Neal, Jamie Campbell, Alyssa Mapp, Stanley Anderson, Nikki Laws, Avianne Tuono, Purri Patel, Chamevel Bordley and Taylor Hicks, seventh grade students at Gunning Bedford Middle School, who made comments. Representatives Cathcart & Hudson made comments.

The roll call on **HB 77** was taken and revealed:

YES: 38.

ABSENT: Representatives Lofink, Oberle & Plant - 3.

Therefore, having received a constitutional majority, **HB 77** was sent to the Senate for concurrence.

Representatives Lavelle, Mulrooney, Roy, Ulbrich, Wagner & Williams requested that they be marked present during the roll call.

Mr. Speaker Spence & Representative Hudson made comments.

The students announced their names for the record.

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

Representative Smith made announcements.

Representative Smith deferred to Representative Hall-Long.

Representative Hall-Long made comments and requested and was granted privilege of the floor for Sussex Central High School Chorus. Representative Hall-Long deferred to Representative Booth. Representatives Booth, Hall-Long, McWilliams & Fallon made comments. The chorus performed several numbers and announced their names and grades for the record.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart introduced and brought **HR 13**, jointly sponsored by Representative Wagner & Representative Stone & Representative Ennis on behalf of All Representatives, before the House for consideration.

**HR 13 - CONGRATULATING THE DELAWARE STATE UNIVERSITY MEN'S HORNET BASKETBALL TEAM ON REACHING THE NCAA DIVISION I MEN'S BASKETBALL TOURNAMENT.**

WHEREAS, the Delaware State University Hornets won the Mid-Eastern Athletic Conference (MEAC) championship with a conference record of 14 and 4, and

WHEREAS, during the March 12th MEAC tournament championship game, Aaron Williams scored on an eight-foot tip-in with two seconds remaining to give Delaware State University a dramatic 55-53 win over Hampton University to secure the MEAC championship at the Richmond Coliseum which secured Delaware State University's first-ever berth in the NCAA Division I Men's Basketball Tournament; and

WHEREAS, the Delaware State University Hornets were excited to learn they would face the number one seed in the Austin region, Duke, in the first round; and

WHEREAS, against Duke, Delaware State University played with only three seniors (Terence Hunter, Aaron Williams and Bruce Davis) and three of their five starters were sophomores with one, Darrin Shine, playing in his first season; and

WHEREAS, although the Hornets frustrated Duke's All-American guard J.J. Redick all night limiting him to 1-of-7 shooting from the field, they played valiantly while representing the State of Delaware before falling to Duke by the score of 57 to 46; and

WHEREAS, Duke Coach Mike Kryzewski said, "I know that we just beat an extremely well coached team and a great group of kids. They did not give up. They won their conference regular season and tournament championship by sticking with their system and believing in that system. They should be proud of their efforts. It was an honor to beat Delaware State."

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 143rd General Assembly of the State of Delaware that all members of the 2004-2005 Hornets Team be congratulated on an outstanding effort: Jahsha Bluntt, Caheem Broadus, Phillip Brown, Brandon Coles, Bruce Davis, Anthony Fair, Aaron Fleetwood, Josh Grier, Terrance Hunter, Quincy Marshall, Rocky Miji, Reggie Rizer, Troy Roundtree, Darrin Shine, Chris Slade, Alain Walker, Aaron Williams, and Tracey Worley.

BE IT FURTHER RESOLVED that Head Coach Gregory D. Jackson and Assistant Coaches Arthur Tyson, Keith B. Walker and Jarrell A. Wilkerson be honored for leading the Delaware State University Hornets to their first MEAC regular season and tournament championship and first NCAA berth in Delaware State University school history.

BE IT FURTHER RESOLVED that suitably prepared copies be prepared for the Delaware State University Athletics Department and each member of the team.

Representatives Cathcart, Wagner, Stone, Ennis, Gilligan, Williams, Fallon, Schooley, Mr. Speaker Spence & Representative Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for Gregory D. Jackson, head coach, Delaware State University Basketball team.

**HR 13** was adopted by voice vote.

Representative Cathcart requested and was granted privilege of the floor for himself and Representatives Wagner, Ennis & Stone to present a House Tribute to Gregory D. Jackson, head coach, Delaware State University basketball team. Mr. Speaker Spence made an announcement. The players announced their names and home towns for the record.

Mr. Speaker Spence reassigned **HB 103** to the Transportation, Land Use and Infrastructure Committee, **HB 114** to the Revenue & Finance Committee and **HB 115** to the Education Committee.

Mr. Speaker Spence assigned **HB 86**, **HB 97** & **HB 107** to the Appropriations Committee.

The Majority Leader moved to recess for caucus at 3:10 p.m.

The House reconvened at 4:20 p.m.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto brought **SB 18 w/SA 1**, jointly sponsored by Senators McBride & Blevins & Representatives Maier, Hudson & Hall-Long & cosponsored by Senators McDowell & Still, before the House for consideration.

**SB 18 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE PRESCRIPTION DRUG PAYMENT PROGRAM.**

Representatives DiPinto & Booth made comments.

The roll call on **SB 18 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Carey & McWilliams - 2.

Therefore, having received a constitutional majority, **SB 18 w/SA 1** was returned to the Senate.

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

Representative Smith deferred to Representative Fallon.

Representative Fallon brought **HB 89**, jointly sponsored by Senator Amick, before the House for consideration.

**HB 89 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES.**

Representatives Fallon & Gilligan made comments. Representative Gilligan deferred to Representative Stone. Representatives Stone & Ennis made comments.

The roll call on **HB 89** was taken and revealed:

YES: 38.

ABSENT: Representatives Carey, Ewing & Thornburg - 3.

Therefore, having received a constitutional majority, **HB 89** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **SS 1 for SB 25**, jointly sponsored by Senator Cook & Senators Adams & Simpson & Representatives Smith, DiPinto & Gilligan, before the House for consideration.

**SB 25 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO ESCHEATS.**

Representative Hudson made comments. Representative Smith requested and was granted privilege of the floor for Patrick Carter, Director, Division of Revenue. Representative Smith made comments.

The roll call on **SS 1 for SB 25 w/SA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Carey, Ewing & Thornburg - 3.

Therefore, having received a constitutional majority, **SS 1 for SB 25 w/SA 1** was returned to the Senate.

The Majority Leader moved to recess to the call of the Chair at 4:45 p.m.

Mr. Speaker Spence called the House to order at 2:10 p.m. on April 20, 2005.

Mr. Speaker Spence introduced guests.

Mr. Speaker Spence reassigned **HB 115** to the House Administration Committee.

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.

**19th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session  
April 20, 2005**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Caulk, Lofink & Ulbrich – 3.

A prayer was offered by Representative Pamela J. Thornburg, Twenty-Ninth Representative District.

The colors were presented by members of the Girl Scouts of the Chesapeake Bay Council. A Girl Scout led those present in a pledge of allegiance to the American Flag.

The following prefiled legislation was introduced:

**HB 121** - LAVELLE & REPRESENTATIVE HUDSON; REPRESENTATIVE CATHCART; SENATORS COPELAND, SOKOLA, SORENSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to the Term of Office of the County Executive.

**HB 122** - HUDSON & REPRESENTATIVE VALIHURA & SENATOR SOKOLA; REPRESENTATIVES HOCKER, LAVELLE, MULROONEY, SCHWARTZKOPF, STONE, THORNBURG, VIOLA; SENATORS BONINI, COPELAND, PETERSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Brokerage Relationships and Real Estate Brokers, Salespersons, and Appraisers.

**HB 123** - WAGNER & SENATOR HENRY; REPRESENTATIVES BUCKWORTH, DIPINTO, HUDSON, ENNIS, KEELEY - JUDICIARY - An Act to Amend Titles 10 and 11 of the Delaware Code Relating to the Family Court of the State of Delaware; Fines, Costs, Penalties and Forfeitures and the Release of Persons Accused of Crimes in Justice of the Peace, Court of Common Pleas and the Superior Court.

**HB 124** - VALIHURA & SENATOR VAUGHN; REPRESENTATIVE WAGNER - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Parents and Children in the Family Court of the State of Delaware.

**HB 125** - VALIHURA & REPRESENTATIVE WAGNER; SENATOR VAUGHN - JUDICIARY - An Act to Propose an Amendment to the Delaware Constitution of 1897 to Delete References to Associate Judges in Superior Court and Family Court. (2/3 bill)

**HB 126** - HUDSON & SENATOR SOKOLA; REPRESENTATIVES BUCKWORTH, LAVELLE, MIRO, ULBRICH; SENATOR CLOUTIER - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Equipment and Construction. (2/3 bill)

**HB 127** - HUDSON & REPRESENTATIVE SMITH & SENATOR SOKOLA; REPRESENTATIVES MIRO, STONE, VALIHURA, WAGNER; SENATORS STILL, SORENSON, CLOUTIER - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Drivers' Licenses.

**HB 128** - HUDSON & SENATOR SOKOLA; REPRESENTATIVES LEE, BUCKWORTH, DIPINTO, EWING, LAVELLE, MIRO, OBERLE, ULBRICH, VALIHURA; SENATORS CLOUTIER, CONNOR, SIMPSON - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road.

**HB 131** - OBERLE & SENATOR MCBRIDE - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to the Registration of Motor Vehicles.

**HA 3 to HB 78** - ROY - Placed with the Bill.

**HA 1 to HB 88** - BUCKWORTH - Placed with the Bill.

**SB 50 w/SA 2** - VAUGHN & REPRESENTATIVE VALIHURA - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Possession of Instruments of Certain Crimes.

**SB 56** - BUNTING & REPRESENTATIVE ATKINS - HOUSE ADMINISTRATION - 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", (2/3 bill)

Representative Booth introduced guests. The Girl Scouts of the Chesapeake Bay Council announced their names and troop numbers for the record. Mr. Speaker Spence made comments.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 56, SCR 9, SCR 11 & SB 50 w/SA 2** and requests the concurrence of the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative John VanSant, do hereby request that my name be removed as cosponsor of **SB 53**.

Date: April 19, 2005

Signed: John VanSant

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Ulbrich, do hereby request that my name be removed as cosponsor of **HB 112**.

Date: April 19, 2005

Signed: Stephanie A. Ulbrich

Representative Valihura requested that he be marked present.

Representative Smith deferred to Representative Atkins.

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

Representative Atkins requested and was granted privilege of the floor for himself and Representative Thornburg to present a House Tribute to Representative V. George Carey, 2005 Outstanding Poultry Producer. Representatives Carey, Ennis & Thornburg made comments.

Representative Thornburg requested and was granted privilege of the floor to introduce guests. Representative Thornburg requested and was granted privilege of the floor for Janice Pendleton, representing OAASIS, Polytech Adult Education. Representative Wagner requested that she be marked present. Representative Wagner made comments. Representative Cathcart requested that he be marked present. Representative Smith deferred to Representative Fallon. Representative Fallon & Mr. Speaker Spence made comments. Representatives Roy & Mulrooney requested that they be marked present. Representative Fallon requested and was granted personal privilege of the floor to introduce a guest. Representative Smith made comments. Representatives Hocker & Williams requested that they be marked present.

Representative Smith brought the following prefiled **Consent Calendar #7** before the House for consideration.

**HCR 16 – WILLIAMS & SENATOR MCDOWELL; REPRESENTATIVE VALIHURA; SENATOR COPELAND** – Commemorating the 120th Anniversary of Adas Kodesch Shel Emeth, the Oldest Synagogue in Delaware.

**SCR 5 – STILL & SENATOR BONINI & SENATOR COOK & SENATOR HENRY & SENATOR VAUGHN & SENATOR SIMPSON ON BEHALF OF ALL SENATORS & REPRESENTATIVE ENNIS & REPRESENTATIVE WAGNER & REPRESENTATIVE STONE & REPRESENTATIVE THRONBURG & REPRESENTATIVE BUCKWORTH & REPRESENTATIVE CAULK & REPRESENTATIVE OUTTEN ON BEHALF OF ALL REPRESENTATIVES** – Congratulating the Delaware State University Hornets Men’s Basketball Team on Winning the Mid-Eastern Athletic Conference Championship and Earning Its First Ever Berth in the NCAA Tournament.

**SCR 9 – BLEVINS ON BEHALF OF ALL SENATORS & REPRESENTATIVE MAIER ON BEHALF OF ALL REPRESENTATIVES** – Recognizing April as Child Abuse Prevention Month in Delaware.

**SCR 11 – MARSHALL ON BEHALF OF ALL SENATORS & REPRESENTATIVE KEELEY ON BEHALF OF ALL REPRESENTATIVES** – Honoring the Exemplary Life and Mourning the Passing of His Holiness, Pope John Paul II.

**Consent Calendar #7** was adopted by voice vote and **HCR 16** was sent to the Senate for concurrence and **SCR 5, SCR 9 & SCR 11** were returned to the Senate.

The Reading Clerk read the following communications into the record:

#### HOUSE TRIBUTE ANNOUNCEMENT #16

DATE: April 20, 2005

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    | Date      | Type | Description                                                            |
|------------------------------------------------------|------------|-----------|------|------------------------------------------------------------------------|
| H143-356                                             | Lee        | 3/23/2005 | T    | Katrina Hill - Youth of the Year - Sussex Boys & Girls Club            |
| H143-357                                             | Wagner     | 3/23/2005 | T    | Vijaeth Hiraesave - Youth of the Year - Simon Circle Boys & Girls Club |
| H143-358                                             | Stone      | 3/23/2005 | T    | Eryka Seals - Youth of the Year - Wesley College Boys & Girls Club     |
| H143-359                                             | Stone      | 3/23/2005 | T    | Gregory McCulley - Youth of the Year – Dover AFB Boys & Girls Club     |
| H143-360                                             | Stone      | 4/28/2005 | T    | Mary Skelton - Distinguished Citizen - Boy Scouts                      |
| H143-361                                             | Buckworth  | 3/20/2005 | T    | Josh Thornton - First Team - All-State Basketball                      |
| H143-362                                             | Buckworth  | 3/20/2005 | T    | Brittani Shells - First Team - All-State Basketball                    |
| H143-363                                             | Stone      | 3/26/2005 | M    | Major Richard H. Taylor, Retired                                       |
| H143-364                                             | Booth      | 3/31/2005 | T    | Captain Daryl Mergenthaler - State Police – Dedication                 |
| cosponsors: Reps. Atkins, Hocker, Lee & Schwartzkopf |            |           |      |                                                                        |
| H143-365                                             | Fallon     | 3/24/2005 | M    | Marie M. Workman                                                       |
| H143-366                                             | Buckworth  | 3/29/2005 | M    | David Roger Williams                                                   |
| H143-367                                             | Thornburg  | 3/27/2005 | M    | Cheryl Lynn Hall                                                       |
| H143-368                                             | Hocker     | 4/2/2005  | T    | Commander Ludwig Kubicki – VFW Testimonial Dinner                      |
| H143-369                                             | Ulbrich    | 4/2/2005  | T    | Dorothy Naylor - Testimonial Dinner - VFW                              |
| H143-370                                             | Hudson     | 3/20/2005 | T    | Elena Delledonne - First Team - All-State Basketball                   |
| H143-371                                             | Atkins     | 2/14/2005 | T    | Nathaniel Speaks - Afro-American Sports Hall of Fame                   |
| H143-372                                             | Stone      | 4/1/2005  | M    | Bernard Frankel                                                        |
| H143-373                                             | Carey      | 3/31/2005 | M    | Frank Perdue                                                           |
| H143-374                                             | McWilliams | 4/7/2005  | T    | David H. Ennis - Outstanding Service - State Representative            |
| H143-375                                             | Buckworth  | 4/11/2005 | T    | Jack & Sandy Whitby - 50th Wedding Anniversary                         |
| H143-376                                             | Wagner     | 3/30/2005 | M    | George Raymond Bugglin                                                 |
| H143-377                                             | Smith      | 3/20/2005 | T    | Nicholas Paulson - 4th Place - Irish Step Dancing Competition          |
| H143-378                                             | Wagner     | 3/12/2005 | T    | Rebekah Pyne - Pre-Teen Miss Central Delaware                          |
| H143-379                                             | Carey      | 4/4/2005  | M    | Reese Edward Phillips                                                  |
| cosponsors: All Representatives                      |            |           |      |                                                                        |



# HOUSE TRIBUTE ANNOUNCEMENT #17

DATE: April 20, 2005

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                                        | Date      | Type | Description                                                                 |
|----------|------------------------------------------------|-----------|------|-----------------------------------------------------------------------------|
| H143-380 | Booth                                          | 4/6/2005  | M    | Melvin L. Joseph                                                            |
|          | cosponsors: All Representatives                |           |      |                                                                             |
| H143-381 | McWilliams                                     | 4/2/2005  | T    | Robert & Alice Meader - 50th Wedding Anniversary                            |
| H143-382 | Williams                                       | 4/2/2005  | T    | David & Ruth Robinson - 50th Wedding Anniversary                            |
| H143-383 | Hall-Long                                      | 2/12/2005 | T    | Gregory & Helen Gaden - 50th Wedding Anniversary                            |
| H143-384 | Ennis                                          | 5/21/2005 | T    | Life Scout Nicholas Wyatt - Eagle Scout                                     |
| H143-385 | Stone                                          | 4/9/2005  | M    | Amber Marie Evans-Franklin                                                  |
| H143-386 | Lavelle                                        | 4/9/2005  | T    | Claymont Stone School - 200th Anniversary                                   |
|          | cosponsors: Reps. McWilliams, Smith & Valihura |           |      |                                                                             |
| H143-387 | Carey                                          | 4/11/2005 | T    | Dot Swain - Educator of the Year - Adult & Community Education              |
| H143-388 | Booth                                          | 4/1/2005  | T    | Bailey Elmore - First Place - Geographic Bee                                |
| H143-389 | Hudson                                         | 4/1/2005  | T    | Jacob Farrell - Second Place - Geographic Bee                               |
| H143-390 | Miro                                           | 4/13/2005 | T    | Butch Simpson - Newark High Football Coach - Exceptional Record             |
| H143-391 | Stone                                          | 4/16/2005 | T    | Mount Zion AME Church - 132nd Anniversary                                   |
| H143-392 | Buckworth                                      | 4/6/2005  | M    | Frederick Robert Donkin                                                     |
| H143-393 | Wagner                                         | 4/13/2005 | T    | Noemi Corral - Group Study Exchange Program                                 |
| H143-394 | Wagner                                         | 4/13/2005 | T    | Daniel Ciampichini - Group Study Exchange Program                           |
| H143-395 | Wagner                                         | 4/13/2005 | T    | Diana Owens - Group Study Exchange Program                                  |
| H143-396 | Wagner                                         | 4/13/2005 | T    | Daniel Lorenzo - Group Study Exchange Program                               |
| H143-397 | Wagner                                         | 4/13/2005 | T    | Cecilia Morales - Group Study Exchange Program                              |
| H143-398 | Oberle                                         | 3/29/2005 | T    | Michael Langley - Eagle Scout                                               |
| H143-399 | Ennis                                          | 4/18/2005 | T    | Kent County Fire Police - 50th Anniversary                                  |
| H143-400 | Outten                                         | 4/23/2005 | T    | Irene Outten-Dean - 80th Birthday                                           |
| H143-401 | Ewing                                          | 4/16/2005 | T    | Ronald Sipple - Outstanding Commitment – Bridgeville Volunteer Fire Company |
| H143-402 | Booth                                          | 3/2/2005  | T    | Marie Culver - 102nd Birthday                                               |
| H143-403 | Roy                                            | 3/31/2005 | T    | Paresh Patel - Hotelier of the Year                                         |

T- Tribute

M - Memoriam

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:40 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:40 P.M.: Representatives Maier, Oberle & Plant.

Mr. Acting Speaker Buckworth called the House to order at 2:11 p.m. on April 21, 2005.

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

PUBLIC SAFETY: **HB 100** - 1F,4M.

EDUCATION: **HB 109** - 7M; **SJR 1** - 7M.

HOUSE ADMINISTRATION: **HB 115** - 4M; **HJR 7** - 1F,3M.

ECONOMIC DEVELOPMENT, BANKING & INSURANCE: **HB 99** – 4F, 5M.

Representatives Caulk & Plant requested that they be marked present for the current Legislative

Day.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 44**, **SS 1/SB 69**, **SB 58**, **SCR 8** & **SCR 10** and requests the concurrence of the House; **HCR 14**, **HCR 15** & **HCR 16** and is returning same.

Representative Ulbrich requested that she be marked present for the current Legislative Day.

Representative Smith made an announcement.

Representative Smith introduced and brought **HCR 18**, jointly sponsored by Representative McWilliams & Senator Copeland, before the House for consideration.

**HCR 18** - CELEBRATING THE MARYLAND DEPARTMENT OF THE SONS OF UNION VETERANS OF THE CIVIL WAR'S 118TH DEPARTMENT ENCAMPMENT, BEING HELD ON APRIL 23RD, 2005, IN CLAYMONT, DELAWARE.

**HCR 18** was adopted by voice vote and was sent to the Senate for concurrence.

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.

**20th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session  
April 21, 2005**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Wayne A. Smith, Seventh Representative District.

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

The following prefiled legislation was introduced:

**HB 129** - SPENCE & SENATOR MCBRIDE - LABOR - An Act to Amend Chapter 55, Title 29 of the Delaware Code Relating to the State Employees' Pension Plan.

**HB 130** - ATKINS & REPRESENTATIVE VALIHURA; REPRESENTATIVES HOCKER, HUDSON, LAVELLE, MAIER, MIRO, STONE, VANSANT, SCHWARTZKOPF, VIOLA - PUBLIC SAFETY - An Act to Amend Title 30 of the Delaware Code Relating to Motor Vehicle Document Fees.

**HB 132** - OBERLE & SENATOR MCDOWELL & REPRESENTATIVE KEELEY; REPRESENTATIVES CATHCART, EWING, PLANT, SCHOOLEY, WAGNER - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to a Renewable Energy Tax Credit.

**HB 133** - OBERLE & SENATOR BLEVINS; REPRESENTATIVES MAIER, KEELEY - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code to Improve Tracking of Medical Malpractice Settlement and Verdict Trends.

**HB 134** - MIRO & SENATOR BLEVINS; REPRESENTATIVES BUCKWORTH, CAREY, DIPINTO, EWING, HUDSON, LEE, MAIER, SPENCE, ULBRICH, WAGNER; SENATORS COPELAND, SORENSON, PETERSON - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Limitations on Causes of Actions Against Medical Personnel Providing Volunteer Medical Services During a State of Emergency.

**HB 135** - PLANT; REPRESENTATIVES JOHNSON, KEELEY, WILLIAMS; SENATORS HENRY, MARSHALL - HOUSE ADMINISTRATION - An Act Proposing an Amendment to Article V, Section 2 of the Delaware Constitution of 1897, as Amended, Relating to Voter Qualifications. (2/3 bill)

**HB 136** - OBERLE & REPRESENTATIVE SMITH & SENATOR BLEVINS - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

**HB 137** - VALIHURA & SENATOR BLEVINS - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Jurisdiction Over Certain Criminal Matters. (2/3 bill)

**HB 138** - VIOLA & SENATOR DELUCA - HOUSE ADMINISTRATION - An Act to Waive the Statutory Provisions of Title 13 of the Delaware Code Relating to the Solemnization of Certain Marriages.

**HB 139** - LEE & SENATOR VENABLES - HOUSE ADMINISTRATION - An Act to Amend Chapter 288, Volume 64, Laws of Delaware, as Amended, the Charter of the Town of Laurel, to Provide for Fixed Salaries for the Mayor of the Town of Laurel and the Members of the Town Council, Rather Than the Per Meeting Stipend Currently Paid. (2/3 bill)

**HA 2 to HB 88** - BUCKWORTH - Placed with the Bill.

**HA 1 to HB 113** - VIOLA - Placed with the Bill.

**SB 44** - MCDOWELL & REPRESENTATIVE DIPINTO; SENATORS ADAMS, BUNTING, CONNOR, COOK, MCBRIDE, SIMPSON, SOKOLA, STILL, VENABLES; REPRESENTATIVES BOOTH, CAREY, CAULK, ENNIS, HALL-LONG, HOCKER, MCWILLIAMS, THORNBURG - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 29 of the Delaware Code Relating to the Green Energy Fund.

**SB 58** - HENRY & REPRESENTATIVE BUCKWORTH - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Child Helmet Requirements. (2/3 bill)

**SS 1 for SB 69** - COOK & REPRESENTATIVE DIPINTO; SENATORS HENRY, MCBRIDE, VAUGHN, AMICK, CLOUTIER, ADAMS, MCDOWELL, DELUCA, STILL, SORENSON, BLEVINS, BUNTING, CONNOR, COPELAND, MARSHALL, PETERSON, SIMPSON, SOKOLA, VENABLES; REPRESENTATIVES BUCKWORTH, FALLON, ULBRICH, SCHWARTZKOPF, WILLIAMS, SPENCE, SMITH, LEE, GILLIGAN, VANSANT, ATKINS, BOOTH, CAREY, CATHCART, CAULK, ENNIS, EWING, GEORGE, HALL-LONG, HOCKER, HUDSON, JOHNSON, KEELEY, LAVELLE, LOFINK, LONGHURST, MAIER, MCWILLIAMS, MIRO, MULROONEY, OBERLE, OUTTEN, PLANT, ROY, SCHOOLEY, STONE, THORNBURG, VALIHURA, VIOLA, WAGNER - APPROPRIATIONS - An Act Creating a Public Education Classroom Instruction Fund, Making a Supplemental Appropriation for Such Purposes and Specifying Certain Procedures, Conditions and Limitations for the Expenditure of Such Funds.

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

The House reconvened at 3:50 p.m. with Representative Ulbrich as Acting Speaker.

Representative Smith deferred to Representative Lavelle.

Representative Lavelle brought **HB 70**, jointly sponsored by Senator Copeland, before the House for consideration.

**HB 70** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE PLATES. (3/4 bill)

Representative Lavelle introduced guests and made comments.

The roll call on **HB 70** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **HB 70** was sent to the Senate for concurrence.

Representatives Atkins, Cathcart, Gilligan, Keeley, Miro, Oberle, Schwartzkopf, Williams & Spence requested that they be marked present during the roll call.

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

Representative Smith deferred to Representative Carey.

Representative Carey brought **HB 91**, jointly sponsored by Senator Simpson, before the House for consideration.

**HB 91** - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY FROM THE CAPE HENLOPEN SCHOOL DISTRICT TO CAREY COMMUNITIES, INC., AND THE TOWN OF MILTON, AND THE TRANSFER OF CERTAIN REAL PROPERTY FROM CAREY COMMUNITIES, INC. TO THE CAPE HENLOPEN SCHOOL DISTRICT.

Representative Carey made comments. Representative Carey brought **HA 1** to **HB 91** before the House for consideration. **HA 1** was adopted by voice vote.

The roll call on **HB 91 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority, **HB 91 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with action on **SS 1 for SB 69**. The motion was seconded by Representative Hudson and adopted by voice vote.

Representative DiPinto brought **SS 1 for SB 69**, jointly sponsored by Senator Cook & Senators Henry, McBride, Vaughn, Amick, Cloutier, Adams, McDowell, DeLuca, Still, Sorenson, Blevins, Bunting, Connor, Copeland, Marshall, Simpson, Sokola & Venables & All Representatives, before the House for consideration.

**SB 69** - AN ACT CREATING A PUBLIC EDUCATION CLASSROOM INSTRUCTION FUND, MAKING A SUPPLEMENTAL APPROPRIATION FOR SUCH PURPOSES AND SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS. (F/N)

Representatives DiPinto & Gilligan made comments.

The roll call on **SS 1 for SB 69** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SS 1 for SB 69** was returned to the Senate.

Representative Smith deferred to Representative Hudson.

Representative Hudson requested that action on **HB 56** be Deferred to a Day Certain, Thursday, April, 28, 2005.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 85**, jointly sponsored by Senator Cook & Senator Vaughn & Representatives Buckworth, Stone, Thornburg, Ennis & Carey, before the House for consideration.

**HB 85** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO KENT COUNTY BOARD OF ASSESSMENT.

Representative Wagner made comments.

The roll call on **HB 85** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 85** was sent to the Senate for concurrence.

The Majority Leader moved to recess for caucus at 4:12 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 4:34 p.m.

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

JUDICIARY: **SB 61** - 7M.

Representative Smith deferred to Representative Lavelle.

Representative Lavelle brought **HB 115**, jointly sponsored by Representative Valihura & Senator Sokola & Representatives Cathcart, Hudson, Maier, Smith & Ulbrich & Senators Copeland & Sorenson & cosponsored by Senator Henry, before the House for consideration.

**HB 115** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO OFFICIAL RECORDS OF ELECTIONS IN REORGANIZED SCHOOL DISTRICTS.

Representatives Lavelle & Smith made comments.

The roll call on **HB 115** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **HB 115** was sent to the Senate for concurrence.

Mr. Speaker Spence introduced guests.

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **HB 99**, jointly sponsored by Senator Cook & Representatives Atkins, Booth, Buckworth, Carey, Cathcart, DiPinto, Ennis, Ewing, Fallon, George, Gilligan, Hall-Long, Hocker, Johnson, Keeley, Lavelle, Lee, Lofink, Longhurst, Maier, McWilliams, Miro, Mulrooney, Oberle, Outten, Plant, Roy, Schooley, Schwartzkopf, Smith, Spence, Stone, Thornburg, Ulbrich, Valihura, VanSant, Viola, Wagner & Williams & All Senators, before the House for consideration.

**HB 99 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LINE OF DUTY DEATH BENEFITS. (F/N)**

Representative Hudson made comments. Representative Stone introduced and brought **HA 1 to HB 99**, jointly sponsored by Representative Hudson & Representative Oberle & Representative Lofink, before the House for consideration. Representative Stone made comments. **HA 1** was adopted by voice vote.

The roll call on **HB 99 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 99 w/HA 1** was sent to the Senate for concurrence.

Representative Wagner made an announcement.

Representative Stone made comments regarding **HB 99**.

The Majority Leader moved to recess to the call of the Chair at 4:50 p.m.

Mr. Acting Speaker Buckworth called the House to order at 2:06 p.m. on April 26, 2005.

Representative Smith made an announcement regarding **HB 99**.

Representative Smith deferred to Representative Hudson.

Representative Hudson moved to restore **HB 99 w/HA 1**. The motion was seconded by Representative Spence and adopted by voice vote.

**HB 99 – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LINE OF DUTY DEATH BENEFITS. (F/N)**

Representative Hudson moved to place **HB 99 w/HA 1** on the Speaker's Table. The motion was seconded by Representative Carey and adopted by voice vote.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 63 w/SA 1 & 2** and requests the concurrence of the House.

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.

## **21st LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session April 26, 2005**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Bruce C. Ennis, Twenty-Eighth Representative District.

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

Mr. Acting Speaker introduced a guest.

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

The following prefiled legislation was introduced:

**HS 1 for HB 47 - ULBRICH - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Curriculum Standards and the Powers and Duties of the Department of Education.**

**HB 140 - LEE & SENATOR VENABLES - HOUSE ADMINISTRATION - An Act to Amend Chapter 288, Volume 64, Laws of Delaware, as Amended, the Charter of the Town of Laurel, with Regard to the Discount to be Available if Real Estate Taxes are Paid on or Before September 30th of Each Year, the Penalties that Begin to Accrue if Real Estate Taxes are Not Paid by October 31st, and the Collection Charges the Town of Laurel May Impose in Effecting the Recovery of Delinquent Taxes, and the Manner in Which the Town of Laurel May Modify Its Discounts and Penalties for Future Fiscal Tax Years. (2/3 bill)**

**HB 141 - KEELEY; REPRESENTATIVES DIPINTO, GILLIGAN, JOHNSON, SMITH, SPENCE; SENATORS HENRY, MARSHALL, MCDOWELL, SORENSON - REVENUE & FINANCE - An Act to Amend Volume 74, Delaware Laws, Chapter 117, Relating to Municipal Lodging Tax.**

**HB 142 - ULBRICH & SENATOR SOKOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the School District Enrollment Choice Program.**

**HB 143 - HOCKER & SENATOR BUNTING & SENATOR SIMPSON; REPRESENTATIVES ATKINS, BOOTH, CAREY, FALLON, HUDSON, OUTTEN, GILLIGAN, SCHWARTZKOPF -**

HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Sussex County Government and Administration.

**HB 144** - HUDSON & REPRESENTATIVE SMITH & REPRESENTATIVE VALIHURA & SENATOR SOKOLA - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Learner's Permits.

**HB 145** - WAGNER & SENATOR SOKOLA; REPRESENTATIVES BUCKWORTH, EWING - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Licensure and Certification of Department of Education Employees, Prison Education Employees, and Adult Education Employees.

**HB 146** - MIRO & REPRESENTATIVE WAGNER & SENATOR COOK & SENATOR SORENSON & SENATOR CONNOR; REPRESENTATIVES SPENCE, BOOTH, BUCKWORTH, CAREY, CATHCART, DIPINTO, EWING, MAIER, OUTTEN, VALIHURA - REVENUE & FINANCE - An Act to Amend Title 30, Delaware Code, Relating to Creating a Personal Income Tax Credit for Long Term Care Insurance.

**HB 147** - WAGNER & SENATOR SOKOLA; REPRESENTATIVES LEE, BUCKWORTH, CAREY, EWING, MAIER, MIRO - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Educator Licensure, Certification and Evaluation.

**HB 148** - WAGNER & SENATOR VAUGHN; REPRESENTATIVES SPENCE, LEE, ATKINS, BUCKWORTH, CAREY, CATHCART, CAULK, EWING, FALLON, HOCKER, LAVELLE, OUTTEN, VALIHURA, ENNIS, PLANT, SCHWARTZKOPF - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Possession of Deadly Weapons and Ammunition by Persons Prohibited.

**HA 1 to HB 86** - KEELEY - Placed with the Bill.

**HA 1 to HB 97** - HOCKER - Placed with the Bill.

**HA 1 to HB 100** - KEELEY - Placed with the Bill.

**HA 1 to HB 105** - DIPINTO - Placed with the Bill.

**HA 1 to HB 120** - SMITH - Placed with the Bill.

**SB 63 w/SA 1 & 2** - ADAMS & REPRESENTATIVE WAGNER; SENATORS DELUCA, VAUGHN; REPRESENTATIVES EWING, OUTTEN - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Civil Penalties.

**SB 72 w/SA 1** - SOKOLA & REPRESENTATIVE MAIER & REPRESENTATIVE MIRO & REPRESENTATIVE WAGNER & SENATOR DELUCA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the State High School Diploma.

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

Representative Valihura requested that he be marked present.

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

Mr. Speaker Spence resumed the Chair.

The House reconvened at 4:07 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 72 w/SA 1** and requests the concurrence of the House.

Representative Smith deferred to Representative Hudson.

Representative Hudson moved to lift **HB 99 w/HA 1** from the Speaker's Table. The motion was seconded by Representative Buckworth. Representative Hudson made comments.

**HB 99** – AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LINE OF DUTY DEATH BENEFITS. (F/N)

Representative Hudson withdrew the motion to lift **HB 99 w/HA 1** from the Speaker's Table.

Representative Hudson & Mr. Speaker Spence made comments.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth brought **HB 88**, jointly sponsored by Representative Wagner & Senator Vaughn & Representative Schwartzkopf & Senators Still & Bonini & cosponsored by Representative Thornburg, before the House for consideration.

**HB 88** - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO STATE POLICE.

Representative Buckworth requested that **HA 1 to HB 88** be stricken. Representative Buckworth brought **HA 2 to HB 88** before the House for consideration. Representative Buckworth made a comment. **HA 2** was adopted by voice vote. Representative Buckworth made comments.

The roll call on **HB 88 w/HA 2** was taken and revealed:

YES: 40.

ABSENT: Representative Gilligan - 1.

Therefore, having received a constitutional majority, **HB 88 w/HA 2** was sent to the Senate for concurrence.

Representatives Atkins, Caulk, Lavelle, Lofink, Miro, Mulrooney, Oberle, Plant, Stone, Viola, Wagner, Williams & Cathcart requested that they be marked present during the roll call.

Representative Wagner made an announcement.

Representative Smith brought **HB 104**, jointly sponsored by Senator Adams, before the House for consideration.

**HB 104** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FILING OF FINANCIAL DISCLOSURE REPORTS AND CERTAIN OTHER DOCUMENTS.

Representative Smith made comments.

The roll call on **HB 104** was taken and revealed:

YES: 40.

ABSENT: Representative Gilligan - 1.

Therefore, having received a constitutional majority, **HB 104** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier brought **HB 109**, jointly sponsored by Senator Sokola & Representatives Spence, Buckworth, DiPinto, Hudson, Lavelle, Miro, Wagner, Gilligan & Schooley & Senators Henry & Sorenson, before the House for consideration.

**HB 109** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TRUANCY.

Representative Maier made comments.

The roll call on **HB 109** was taken and revealed:

YES: 40.

ABSENT: Representative Gilligan - 1.

Therefore, having received a constitutional majority, **HB 109** was sent to the Senate for concurrence.

Representative Smith brought **HJR 7**, jointly sponsored by Representative Valihura & Senator McDowell & cosponsored by Representative McWilliams, before the House for consideration.

**HJR 7** - EXTENDING THE REPORTING DATE OF THE PHILADELPHIA INTERNATIONAL AIRPORT AIR TRAFFIC AND QUALITY OF LIFE ISSUES ACTION GROUP

Representative Smith made comments.

The roll call on **HJR 7** was taken and revealed:

YES: 41.

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

Representative Smith deferred to Representative Ewing.

Representative Ewing brought **SB 13**, sponsored by Senator Marshall & Representative Lofink, before the House for consideration.

**SB 13** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO EXEMPTION OF MOTOR VEHICLES OWNED BY EDUCATIONAL FOUNDATIONS FROM REGISTRATION FEES AND FROM REQUIREMENTS APPLICABLE TO MOTOR VEHICLE DEALERS.

Representative Ewing made comments.

The roll call on **SB 13** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 13** was returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **SJR 1**, sponsored by Senator Venables & Senators Bunting, Connor & Sorenson & Representatives Booth, Hocker & Hudson & cosponsored by Representative Spence, before the House for consideration.

**SJR 1** - DIRECTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO UPDATE AND REVISE EXISTING SCHOOL SAFETY EMERGENCY PROCEDURES IN LIGHT OF THE INCREASED THREAT OF TERRORIST ATTACKS IN DELAWARE.

Representative Wagner made comments.

The roll call on **SJR 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SJR 1** was returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **SB 61**, jointly sponsored by Senator Vaughn & Representative Valihura & Senators McDowell, DeLuca, Adams & Simpson & Representatives Lavelle, Stone, George, Keeley & Hudson, before the House for consideration.

**SB 61** - AN ACT CONCURRING IN A PROPOSED 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 ORPHAN'S COURT. (2/3 bill)

Representative Wagner made comments.

The roll call on **SB 61** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 61** was returned to the Senate.

Representatives Cathcart & Lofink made announcements.



Representative Smith deferred to Representative Gilligan.

Representative Gilligan requested and was granted privilege of the floor for himself and Representatives Smith, Lee, VanSant & Mr. Speaker Spence to present a House Tribute to Representative Bethany Hall-Long. Representatives Gilligan & Hall-Long made comments.

The Majority Leader moved to recess to the call of the Chair at 4:41 p.m.

Mr. Speaker Spence called the House to order at 2:04 p.m. on April 27, 2005.

The Reading Clerk read the following communications into the record:

April 26, 2005

**LEGISLATIVE ADVISORY #3**

Governor Ruth Ann Minner signed the following legislation on the date indicated: 4/14/05 – **HB 63 aab SA 1**; 4/21/05 – **SS 1 for SB 69**.

**MEMORANDUM**

TO: THE HONORABLE TERRY R. SPENCE  
SPEAKER OF THE HOUSE OF REPRESENTATIVES  
FROM: REPRESENTATIVE PAMELA THORNBURG  
DATE: April 26, 2005  
RE: Absence from Session

Please be advised that it is necessary for me to be absent on Thursday, April 28, 2005. I will be out of town attending a Conference. Thank you for your understanding.

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.

**22nd LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session  
April 27, 2005**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Atkins, Caulk & DiPinto – 3.

A prayer was offered by Representative Pamela S. Maier, Twenty-First Representative District.

Mr. Speaker Spence 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 149** - MIRO & REPRESENTATIVE STONE & SENATOR SORENSON & SENATOR HENRY - BUSINESS/CORPORATIONS/COMMERCE - An Act to Amend Title 4 of the Delaware Code Relating to the Sale of Alcohol to Certain Persons and the Consumption of Alcohol by Bartenders and Servers While on Duty.

**HB 150** - VALIHURA & SENATOR VAUGHN & REPRESENTATIVE WAGNER - JUDICIARY - An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law. (2/3 bill)

**HB 151** - VALIHURA & SENATOR VAUGHN & REPRESENTATIVE WAGNER - JUDICIARY - An Act to Amend Chapter 17, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Partnerships and the Registration and Regulation of Foreign Limited Partnerships. (3/5 bill)

**HB 152** - MIRO & SENATOR DELUCA; REPRESENTATIVES BUCKWORTH, CAREY, HOCKER, LAVELLE, ROY, STONE, VALIHURA, MULROONEY, VIOLA; SENATOR PETERSON - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to Dishonored Checks, Drafts or Orders. (2/3 bill)

**HB 153** - OBERLE & SENATOR BLEVINS - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Fees and Collections.

**HA 1 to HS 1 for HB 47** - ULBRICH - Placed with the Bill.

**HA 2 to HS 1 for HB 47** - ULBRICH - Placed with the Bill.

**HA 2 to HB 99** - HUDSON - Placed with the Bill.

**HA 1 to HB 108** - MAIER - Placed with the Bill.

**HJR 8** - PLANT - HOUSE ADMINISTRATION - Urging Delaware's Congressional Delegates to Support the Renewal of the Federal Voting Rights

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

HEALTH & HUMAN DEVELOPEMNT: **HB 113** - 5M,1U.

Representative Smith brought the following prefiled **Consent Calendar #8** before the House for consideration.

**HR 14** – WAGNER & REPRESENTATIVE CAHTCART & REPRESENTATIVE ENNIS & REPRESENTATIVE KEELEY – Re-Establishing the Legislative Committee on Personnel Practices.

**HR 15** – LEE & REPRESENTATIVE SPENCE & REPRESENTATIVE SMITH & REPRESENTATIVE GILLIGAN & REPRESENTATIVE VANSANT– Pertaining to the Release of Lists of High School Graduates to the House of Representatives.



**HR 16** – ENNIS & REPRESENTATIVE OUTTEN; REPRESENTATIVES KEELEY, LEE, SPENCE, VANSANT – Re-Constituting the Motorcycle Rider Education Advisory Committee.

**HCR 17** – SPENCE ON BEHALF OF ALL REPRESENTATIVES & SENATOR ADAMS ON BEHALF OF ALL SENATORS – Commending the Recipients and Nominees of the 2005 Delaware Award for Excellence and Commitment in State Service.

**HCR 21** – MAIER & REPRESENTATIVE VALIHURA & SENATOR BLEVINS & SENATOR MCDOWELL; REPRESENTATIVES SPENCE, SMITH, CAHTCART, HOCKER, HUDSON, MIRO, ULBRICH, WAGNER, VANSANT, ENNIS, HALL-LONG, KEELEY, SCHOOLEY; SENATORS SOKOLA, STILL, AMICK, CONNOR – Recognizing May 2005 as Mental Health Awareness Month.

**SCR 8** – CONNOR ON BEHALF OF ALL SENATORS & REPRESENTATIVE SPENCE ON BEHALF OF ALL REPRESENTATIVES – Proclaiming the Week of April 24 Through April 30, 2005, as Administrative Professionals Week.

**SCR 10** – MCBRIDE & REPRESENTATIVE SPENCE – Commending Delaware State Dental Society on the Achievements of Its Second Annual Give Kids a Smile Program.

**Consent Calendar #8** was adopted by voice vote and **HR 14**, **HR 15** & **HR 16** were declared passed, **HCR 17** & **HCR 21** were sent to the Senate for concurrence and **SCR 8** & **SCR 10** were returned to the Senate.

Representative Smith requested and was granted privilege of the floor for Matt Sundeen, Transportation Policy Specialist, National Conference of State Legislatures and Liaison to the Delaware Legislature.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:14 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:14 P.M.: Representatives Carey, George, Gilligan, Hudson, Johnson, Keeley, Lavelle, McWilliams, Oberle, Schwartzkopf, Stone, Ulbrich, Valihura & Wagner.

Mr. Acting Speaker Roy called the House to order at 2:05 p.m. on April 28, 2005.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 73** and requests the concurrence of the House.

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

HOUSE ADMINISTRATION: **HB 120** - 3M.

TRANSPORTATION; LAND USE AND INFRASTRUCTURE: **SB 49** - 4M.

JUDICIARY: **HB 123** - 7M.

EDUCATION: **HS 1/HB 47** - 7M,1U; **HB 142** - 8M; **SB 72 w/SA 1** - 7M,1U.

LABOR: **HB 119** - 2F,3M; **SB 17** - 5M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 105** - 7M.

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 69** - 5F,5M.

Mr. Acting Speaker assigned **HB 69** & **HB 120** to the Appropriations Committee.

Representative Buckworth moved to restore **HB 88 w/HA 2** and to rescind the roll call. The motion was seconded by Representative Booth and was adopted by voice vote.

Representative Buckworth brought **HB 88 w/HA 2**, jointly sponsored by Representative Wagner & Senator Vaughn & Representative Schwartzkopf & Senators Still & Bonini & Representative Thornburg, before the House for consideration.

**HB 88** - AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO STATE POLICE.

Representative Buckworth introduced and brought **HA 3** to **HB 88** before the House for consideration. Representative Buckworth made comments. **HA 3** was adopted by voice vote. Representatives Wagner & Buckworth made comments.

The roll call on **HB 88 w/HA 2 & 3** was taken and revealed:

YES: 34.

ABSENT: Representatives Cathcart, Oberle, Plant, Spence, Stone, Thornburg & Valihura - 7.

Therefore, having received a constitutional majority, **HB 88 w/HA 2 & 3** was sent to the Senate for concurrence.

The Majority Leader moved to adjourn at 2:14 p.m., thereby ending the current legislative day. The House reconvened at 2:15 p.m.

## **23rd LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session April 28, 2005**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Stone & Thornburg – 2.

A prayer was offered by Representative Joseph W. Booth, Thirty-Seventh Representative District.

Mr. 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 154** - WILLIAMS; REPRESENTATIVES EWING, MIRO, PLANT, SCHWARTZKOPF, VALIHURA; SENATORS DELUCA, VAUGHN - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Witness Intimidation Penalties.

**HB 155** - WILLIAMS & SENATOR MCDOWELL - REVENUE & FINANCE - An Act to Amend Title 29 of the Delaware Code Relating to the Transfer of Certain Lottery Funds to Low-Income Fuel Assistance and Weatherization Programs.

**HB 156** - ULBRICH & SENATOR SOKOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Charter School Modifications.

**HA 1 to HB 123** - WAGNER - Placed with the Bill.

**SB 73** - MCDOWELL; SENATORS BLEVINS, CLOUTIER, COPELAND, HENRY, MARSHALL, PETERSON; REPRESENTATIVES ENNIS, GEORGE, KEELEY, LAVELLE, MCWILLIAMS, MULROONEY, ROY, VANSANT, VIOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 29 of the Delaware Code Relating to the Energy Performance Contracting Act.

Mr. Acting Speaker introduced a guest.

Representative Smith made an announcement.

Representative Smith requested and was granted privilege of the floor for Representatives Buckworth, Lavelle & McWilliams who presented House Tributes to Natasha Platt, first place, Melissa Baird, second place & Laura Graham, third place in the Legislative Essay Scholarship contest. Natasha Platt addressed the House. Representatives Gilligan & Wagner made comments.

Representative Lofink requested that he be marked present.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth requested and was granted privilege of the floor to present a House Tribute to Rebecca Warren.

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

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

The Reading Clerk read the following communications into the record:

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

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Pam Maier, do hereby request that my name be removed as cosponsor of **SB 30**.

Date: April 28, 2005

Signed: Pam Maier

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Pam Maier, do hereby request that my name be removed as cosponsor of **HB 53**.

Date: April 28, 2005

Signed: Pam Maier

Representative Atkins requested that **HB 82** be stricken.

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **HB 56**, jointly sponsored by Senator DeLuca & Representatives Spence, Smith, DiPinto, Lavelle, Miro, Oberle, Roy, Valihura, Keeley, Johnson, Hall-Long, Ennis, Williams, VanSant, McWilliams, Viola, Schwartzkopf, Schooley, Mulrooney, Gilligan & Longhurst & Senators Adams & Copeland, before the House for consideration.

**HB 56** - AN ACT TO AMEND CHAPTER 23, VOLUME 72, LAWS OF DELAWARE, AND TITLE 30 OF THE DELAWARE CODE RELATING TO CREDIT FOR RESEARCH AND DEVELOPMENT EXPENSES. (F/N)

Representative Hudson made comments.

The roll call on **HB 56** was taken and revealed:

YES: 38.

ABSENT: Representatives Lee, Stone & Thornburg - 3.

Therefore, having received a constitutional majority, **HB 56** was sent to the Senate for concurrence.

Representatives Oberle, Valihura, Plant & Spence requested that they be marked present during the roll call.

Representative Smith introduced guests. Mr. Acting Speaker & Representative Smith made comments.

Representative Smith deferred to Representative Atkins.

Representative Atkins introduced and brought **HCR 49**, sponsored on behalf of All Representatives & jointly sponsored by Senator Adams on behalf of All Senators, before the House for consideration.

**HCR 49** - MOURNING THE DEATH OF ONE OF DELAWARE'S MOST SUCCESSFUL ENTREPRENEURS AND ORIGINAL DEVELOPER OF DOVER INTERNATIONAL SPEEDWAY, MELVIN JOSEPH.

WHEREAS, Melvin Joseph was born in Georgetown, Delaware in 1921, and left school in the 6th grade to embark on a rich and colorful life, filled with many successful undertakings; and

WHEREAS, after an unsuccessful attempt at joining the circus, Melvin Joseph borrowed \$300 from his grandmother to purchase a used dump truck and began the Melvin L. Joseph Construction Company; and

WHEREAS, with a keen business savvy and strong determination, Melvin Joseph grew his family construction company into a multi-million dollar enterprise that paved most of the roadways in Sussex County; and

WHEREAS, having a strong passion for stock car racing, Melvin Joseph owned race cars from 1949 to 1974 and won the first race at the present Daytona International Speedway in 1959; and

WHEREAS, his drivers included two all-time greats, Bobby Allison and David Peterson; and

WHEREAS, Melvin Joseph, along with the late John Rollins, built Georgetown Speedway which held stock car racing from 1950 to 2000; and

WHEREAS, in 1967 Melvin Joseph began construction of Dover Downs, a one mile oval track well known for its 24-degree banked turns which earned it the name the “Monster Mile”, now known as the Dover International Speedway; and

WHEREAS, race fans across the country knew Melvin Joseph’s white flat-topped haircut and his number “49” as he gave the drivers the command to start their engines before every NASCAR Nextel Cup Race at the Dover International Speedway, a job he performed since 1969; and

WHEREAS, Melvin Joseph served on the Board of Directors for Dover Motorsports, Inc. as Vice President and Director of Auto Racing for Dover International Speedway; and

WHEREAS, in 2002 Melvin Joseph was inducted into the Delaware Sports Hall of Fame, with his good friend and former driver Bobby Allison there to present him for the honor; and

WHEREAS, a man of many interests and talents, Melvin Joseph became an international figure in the 1970s and 1980s when he helped finance treasure hunts with his partner, Melvin Fisher; and

WHEREAS, in 1985 his investment paid off when his crew discovered the Spanish galleon Nuestra Senora de Atocha that sank in 1622 off Key West, Florida, one of the largest treasure discoveries to date; and

WHEREAS, Melvin Joseph was also an accomplished horseman, racing horses under the name “49 Racing Stable”, and building and owning the Georgetown Horse Training Center; and

WHEREAS, Melvin Joseph funded an attempt to modify a standard combustion engine that would get better gas mileage and would not require anti-pollution devices; and

WHEREAS, Melvin Joseph was a life-long contributor to Camp Barnes which benefits underprivileged kids; and

WHEREAS, Melvin Joseph was an honorary Delaware State Policeman and a benefactor to the Delaware State Police Museum; and

WHEREAS, no matter what enterprise Melvin Joseph undertook, he did it with great zeal and dogged determination, but most of all he did it his way; and

WHEREAS, Melvin Joseph has left a legacy in both the auto racing industry and the construction business and will always be fondly remembered by his symbol, number 49, signifying the year he was awarded his first big State contract; and

WHEREAS, a well-respected businessman who never knew the meaning of retirement, Melvin Joseph will be sorely missed by all of those he worked with and who worked for him as well as all of his family and friends.

NOW, THEREFORE:

BE IT RESOLVED that the House of Representatives of the 143rd General Assembly of the State of Delaware, the Senate concurring therein, mourns the loss of one of Delaware’s greatest entrepreneurs, Melvin Joseph.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be presented to the family to extend our heartfelt sympathy.

Representative Atkins made comments.

Representative Atkins introduced guests. Representatives Booth, Ewing, Lee, Gilligan, Carey, Hall-Long, Hocker & Atkins made comments.

**HCR 49** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich moved to suspend the rules which interfere with action on **HS 1 for HB 47**. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Ulbrich brought **HS 1 for HB 47**, jointly sponsored by Senator Sokola, before the House for consideration.

**HB 47 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CURRICULUM STANDARDS AND THE POWERS AND DUTIES OF THE DEPARTMENT OF EDUCATION.**

Representative Ulbrich made comments. Representative Ulbrich requested that **HA1 to HS 1 for HB 47** be stricken. Representative Ulbrich brought **HA 2 to HS 1 for HB 47** before the House for consideration. Representative Ulbrich made comments. **HA 2** was adopted by voice vote. Representative

Ulbrich introduced and brought **HA 3 to HS 1 for HB 47** before the House for consideration.

Representative Ulbrich made comments.

Mr. Speaker Spence resumed the Chair.

**HA 3** was adopted by voice vote. Representative Ulbrich made comments.

Mr. Speaker Spence reassigned **HB 130** to the Manufactured Housing Subcommittee and **HB 67** to the Health & Human Development Committee.

Representative Smith introduced and brought **HA 4 to HS 1 for HB 47**, jointly sponsored by Representative Hudson & Representative Roy, before the House for consideration.

Representatives Smith, Ulbrich, Wagner, Cathcart, Wagner, Booth, Ulbrich & Miro made comments.

Representative Miro requested and was granted privilege of the floor for Dr. Nancy Wilson, Deputy Secretary, Department of Education. Representatives Miro, Wagner, Ulbrich & Smith made comments.

The roll call on **HA 4 to HS 1 for HB 47** was taken and revealed:

YES: Representatives Atkins, Booth, Carey, Cathcart, DiPinto, Ewing, Fallon, Gilligan, Hocker, Hudson, Lee, Miro, Roy & Smith - 14.

NO: 24.

ABSENT: Representatives Schwartzkopf, Stone & Thornburg - 3.

Therefore, not having received a constitutional majority, **HA 4 to HS 1 for HB 47** was declared defeated.

Representative Ulbrich made a comment.

The roll call on **HS 1 for HB 47 w/HA 2 & 3** was taken and revealed:

YES: 32.

NO: Representatives Atkins, Booth, Carey, Cathcart, Lee, Roy & Smith - 7.

ABSENT: Representatives Stone & Thornburg - 2.

Therefore, having received a constitutional majority, **HS 1 for HB 47 w/HA 2 & 3** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle introduced and brought **HR 9**, jointly sponsored by Representatives Spence, Buckworth, Lofink, Johnson, Mulrooney, Plant & Viola, before the House for consideration.

**HR 9 - RECOGNIZING APRIL 28, 2005 AS WORKERS MEMORIAL DAY.**

Representative Oberle made a comment.

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

Representative Smith deferred to Representative Hudson.

Representative Hudson moved to suspend the rules which interfere with lifting **HB 99 w/HA 1** from the Speakers Table. The motion was seconded by Representative Lavelle and adopted by voice vote.

Representative Hudson brought **HB 99 w/HA 1**, jointly sponsored by Senator Cook & Representatives Atkins, Booth, Buckworth, Carey, Cathcart, DiPinto, Ennis, Ewing, Fallon, George, Gilligan, Hall-Long, Hocker, Johnson, Keeley, Lavelle, Lee, Lofink, Longhurst, Maier, McWilliams, Miro, Mulrooney, Oberle, Outten, Plant, Roy, Schooley, Schwartzkopf, Smith, Spence, Stone, Thornburg, Ulbrich, Valihura, VanSant, Viola, Wagner & Williams & All Senators, before the House for consideration.

**HB 99 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LINE OF DUTY DEATH BENEFITS. (F/N)**

Representative Hudson introduced and brought **HA 2 to HB 99** before the House for consideration.

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

The roll call on **HB 99 w/HA 1 & 2** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Stone & Thornburg - 3.

Therefore, having received a constitutional majority, **HB 99 w/HA 1 & 2** was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 5:40 p.m.

Mr. Speaker Spence called the House to order at 2:10 p.m. on May 3, 2005.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 74 w/SA 1, 2 & 3** and requests the concurrence of the House; **HB 76, HCR 21, HCR 49 & HJR 7** and is returning same to the House.

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.

## **24th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session May 3, 2005**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Atkins – 1.

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

Mr. Speaker Spence introduced Tyler Faulkner, an eighth grader at Sussex Academy of the Arts and Sciences and invited him to lead those present in a pledge of allegiance to the American Flag.

The following prefiled legislation was introduced:

**HS 1 for HB 83** - GEORGE & SENATOR HENRY; REPRESENTATIVES ENNIS, EWING, HALL-LONG, JOHNSON, KEELEY, LEE, LOFINK, LONGHURST, MULROONEY, PLANT, SCHOOLEY, SCHWARTZKOPF, VIOLA, WILLIAMS - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Prohibited Hunting and Trapping Devices and Methods. (2/3 bill)

**HB 157** - EWING & SENATOR ADAMS; SENATOR DELUCA - HOUSE ADMINISTRATION - An Act to Amend Chapter 237, Volume 51, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Bridgeville", to Provide for an Exception to Competitive Bidding for Certain Contracts in Connection with Municipal Tax Increment Financing and Municipal Special Development Districts. (2/3 bill)

**HB 158** - ROY - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to the Family Court.

**HA 2 to HB 97** - EWING - Placed with the Bill.

**HCR 22** - MCWILLIAMS & REPRESENTATIVE JOHNSON & SENATOR HENRY & SENATOR MCDOWELL; REPRESENTATIVES DIPINTO, ENNIS, SCHOOLEY, ATKINS, BOOTH, BUCKWORTH, CAREY, CATHCART, EWING, GEORGE, GILLIGAN, HALL-LONG, HOCKER, LEE, LOFINK, LONGHURST, MAIER, MIRO, MULROONEY, OBERLE, PLANT, SCHWARTZKOPF, SPENCE, ULBRICH, VANSANT, VIOLA, WAGNER - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - Requesting that the Dupont Company Fund and the Department of Natural Resources and Environmental Control Administer an Independent, Third-party Evaluation of the 500,000 Ton Deposit of Material at the Company's Edgemoor Site and Further Requiring that Any Such Evaluation Become a Part of the Public Record and Subject to Public Comment.

**SB 19** - VAUGHN & REPRESENTATIVE ENNIS; SENATOR SIMPSON - CAPITAL INFRASTRUCTURE - An Act to Amend Title 14 of the Delaware Code Relating to School Construction.

**SB 74 w/SA 1, 2 & 3** - MCDOWELL & REPRESENTATIVE DIPINTO; SENATORS BLEVINS, CLOUTIER, COPELAND, HENRY, SOKOLA, STILL; REPRESENTATIVES BUCKWORTH, ENNIS, KEELEY, MCWILLIAMS, MULROONEY, ROY, VALIHURA, WILLIAMS - BUSINESS/CORPORATIONS/COMMERCE - An Act to Amend Title 26 of the Delaware Code Relating to Renewable Energy Portfolio Standards.

Mr. Speaker Spence reassigned **SB 19** to the Housing & Community Affairs Committee.

Representatives Miro, Wagner & Mulrooney requested that they be marked present.

Representative Smith requested and was granted personal privilege of the floor to introduce guests and make comments. Representative Miro requested and was granted privilege of the floor to present a House Tribute to the Newark High School Boys Swim Team. Representative Ulbrich requested that she be marked present. Representative Ulbrich requested and was granted personal privilege of the floor to make comments. Representatives DiPinto, Ennis, Viola & Schwartzkopf 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 of Representatives  
FROM: Representative John C. Atkins  
DATE: May 3, 4 and 5, 2005  
RE: Absence from Session

Please be advised that it is necessary for me to be absent from session this week due to attending to personal business. Thank you for your understanding.

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

The House reconvened at 4:35 p.m. with Representative Ulbrich as Acting Speaker.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Jerry Buckworth, do hereby request that my name be removed as cosponsor of **HS 1 for HB 83**.

Date: May 3, 2005

Signed: Gerald A. Buckworth

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Gerald W. Hocker, do hereby request that my name be removed as cosponsor of **HS 1 for HB 83**.

Date: May 3, 2005

Signed: Gerald W. Hocker

Representatives Keeley & Oberle requested that they be marked present.

Representative Smith deferred to Representative Roy.

Representative Roy introduced and brought **HCR 24**, jointly sponsored by Senator Sokola & cosponsored by Representative Wagner, before the House for consideration.

**HCR 24** - COMMEMORATING MAY 1-7, 2005 AS NATIONAL CHARTER SCHOOLS WEEK.

Representative Roy made comments.

**HCR 24** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Smith deferred to Representative Keeley.

Representative Keeley brought **HB 100**, jointly sponsored by Representative Wagner & Senator Henry, before the House for consideration.

**HB 100 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE CONCERNING CAMERA ENFORCEMENT OF TRAFFIC LIGHT SIGNALS. (F/N)**

Representative Keeley brought **HA 1 to HB 100** before the House for consideration. Representative Keeley made a comment. **HA 1** was adopted by voice vote. Representative Keeley introduced and brought **HA 2 to HB 100** before the House for consideration. Representative Keeley made comments. **HA 2** was adopted by voice vote. Representatives Keeley & Wagner made comments. Representative Keeley requested and was granted privilege of the floor for Judge Edward G. Davis, Justice of the Peace, Sussex County. Representatives Wagner, Keeley, Booth, Williams & Ennis made comments.

The roll call on **HB 100 w/HA 1 & 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Spence - 2.

Therefore, having received a constitutional majority, **HB 100 w/HA 1 & 2** was sent to the Senate for concurrence.

Representatives Caulk, Lavelle, Lofink, Maier & Plant requested that they be marked present during the roll call.

Representative Lee deferred to Representative Wagner.

Representative Wagner brought **HB 123**, jointly sponsored by Senator Henry & Representatives Buckworth, DiPinto, Hudson, Ennis & Keeley, before the House for consideration.

**HB 123 - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE; FINES, COSTS, PENALTIES AND FORFEITURES AND THE RELEASE OF PERSONS ACCUSED OF CRIMES IN JUSTICE OF THE PEACE, COURT OF COMMON PLEAS AND THE SUPERIOR COURT.**

Representative Wagner made comments. Representative Wagner brought **HA 1 to HB 123** before the House for consideration. **HA 1** was adopted by voice vote.

Representative Wagner made comments.

The roll call on **HB 123 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Atkins, Smith & Williams - 3.

Therefore, having received a constitutional majority, **HB 123 w/HA 1** was sent to the Senate for concurrence.

Madame Acting Speaker Ulbrich appointed Representative Buckworth as Acting Speaker.

Representative Lee deferred to Representative Ulbrich.

Representative Ulbrich brought **HB 142**, jointly sponsored by Senator Sokola, before the House for consideration.

**HB 142 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE SCHOOL DISTRICT ENROLLMENT CHOICE PROGRAM.**

Representative Ulbrich made comments.

The roll call on **HB 142** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Williams - 2.

Therefore, having received a constitutional majority, **HB 142** was sent to the Senate for concurrence.

Representative Wagner made an announcement. Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence reassigned **HB 155** to the Gaming & Parimutuels Committee.

Representative Smith deferred to Representative Booth. Representative Booth made an announcement. Mr. Speaker Spence made an announcement.

The Majority Leader moved to recess to the call of the Chair at 5:08 p.m.

Mr. Speaker Spence called the House to order at 2:13 p.m. on May 4, 2005.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 13 & SCR 14** and requests the concurrence of the House; **HCR 17, HCR 18, HCR 24 & HB 77** and is returning same to the House.

The Majority Leader moved to adjourn at 2:14 p.m., thereby ending the current legislative day. The House reconvened at 2:15 p.m.

**25th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session  
May 4, 2005**

The Chief Clerk called the roll:

Members Present: 37.

Members Absent: Representatives Atkins, Caulk, Lavelle & Plant – 4.

A prayer was offered by Representative Teresa L. Schooley, Twenty-Third Representative District. Mr. Speaker Spence led those present in a pledge of allegiance to the American Flag. The minutes of the previous two legislative days were approved as posted. The following prefiled legislation was introduced:

**HB 159** - HUDSON & REPRESENTATIVE SMITH & SENATOR BUNTING; REPRESENTATIVES SPENCE, LEE, ATKINS, BOOTH, BUCKWORTH, CAREY, CATHCART, DIPINTO, EWING, FALLON, LAVELLE, LOFINK, MAIER, MIRO, OBERLE, OUTTEN, ROY, STONE, THORNBURG, ULBRICH, VALIHURA, WAGNER, PLANT; SENATORS STILL, SORENSON, AMICK, BONINI, CLOUTIER, CONNOR, COPELAND, SIMPSON - REVENUE & FINANCE - An Act to Amend Title 30, Delaware Code Relating to Gross Receipts Tax.

**HB 160** - HUDSON & REPRESENTATIVE EWING & SENATOR BUNTING; REPRESENTATIVES SPENCE, LEE, ATKINS, BOOTH, BUCKWORTH, CAREY, CATHCART, DIPINTO, FALLON, HOCKER, LAVELLE, LOFINK, MAIER, MIRO, OBERLE, OUTTEN, ROY, ULBRICH, VALIHURA, WAGNER, PLANT; SENATORS STILL, SORENSON, AMICK, BONINI, CLOUTIER, CONNOR, COPELAND, SIMPSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Computation of Gross Receipts Taxes.

**HB 161** - BOOTH & SENATOR ADAMS - HOUSE ADMINISTRATION - An Act to Amend Chapter 276 of Volume 65, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Georgetown" to Increase the Amount the Town Council May Borrow, to Alter the Indebtedness Limitation and to Specify the Organization and Powers of the Police Force. (2/3 bill)

**HB 162** - ATKINS & REPRESENTATIVE BOOTH & REPRESENTATIVE EWING & REPRESENTATIVE HOCKER & REPRESENTATIVE WAGNER & REPRESENTATIVE GILLIGAN & REPRESENTATIVE SCHWARTZKOPF & SENATOR ADAMS & SENATOR DELUCA & SENATOR VAUGHN & SENATOR VENABLES - PUBLIC SAFETY - An Act to Amend Titles 11 and 29 of the Delaware Code Relating to State Police and Health Care Insurance.

**HB 163** - ENNIS & SENATOR COOK; REPRESENTATIVES ATKINS, GEORGE, GILLIGAN, HALL-LONG, JOHNSON, LEE, MULROONEY, OBERLE, PLANT, SCHOOLEY, SCHWARTZKOPF, SPENCE, WAGNER; SENATORS CONNOR, COPELAND, SIMPSON, VAUGHN - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

**HB 164** - SCHWARTZKOPF; REPRESENTATIVES BUCKWORTH, DIPINTO, EWING, HUDSON, KEELEY, LEE, SPENCE, WILLIAMS; SENATORS ADAMS, BLEVINS, BUNTING, SIMPSON, VAUGHN - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Possession of Weapons.

**HB 165** - JOHNSON; REPRESENTATIVE KEELEY - HOUSE ADMINISTRATION - An Act to Amend Title 13, Chapter 1 Relating to Marriage.

**HB 166** - KEELEY; REPRESENTATIVES HALL-LONG, MIRO, VALIHURA; SENATORS HENRY, MARSHALL - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 25 of the Delaware Code to Authorize Collection of Vacant Property Registration Fees Out of Proceeds of Any Sale to Execute Any Lien or Other Charge Levied or Imposed by Counties or Municipal Corporations.

**HA 2 to HB 24** - ROY - Placed with the Bill.

**HA 1 to HB 98** - VIOLA; REPRESENTATIVE HUDSON - Placed with the Bill.

**HA 1 to HB 128** - HUDSON - Placed with the Bill.

Representative Ewing made an announcement. Representative Wagner requested that she be marked present. Representative Wagner requested and was granted personal privilege of the floor to make comments. Representative Gilligan made comments. The House observed a moment of silence in memory of former Representative James E. Crow at the request of Representative Ulbrich and in memory of Ralph John "Jay" Harting, III at the request of Mr. Speaker Spence. Representatives DiPinto, Ennis, VanSant & Maier requested that they be marked present.

Representative Smith brought the following prefiled **Consent Calendar #9** before the House for consideration.

**HCR 23** – ENNIS & SENATOR VAUGHN; REPRESENTATIVES HALL-LONG, KEELEY, OUTTEN, SPENCE, VANSANT – Proclaiming the Month of May 2005 as "Motorcycle Awareness Month" and Requesting the Governor to Issue a Proclamation Declaring Same.

**SCR 13** – MARSHALL ON BEHALF OF ALL SENATORS & REPRESENTATIVE MAIER ON BEHALF OF ALL REPRESENTATIVES – Recognizing June 10, 2005 as National Nursing Assistants Day and Recognizing the Vital Role that Certified Nursing Assistants Play in Providing Health Care Services.

**SCR 14** – ADAMS & SENATOR SOKOLA ON BEHALF OF ALL SENATORS & REPRESENTATIVES SPENCE & WAGNER ON BEHALF OF ALL REPRESENTATIVES – Commending the Students Selected as Secretary of Education's Scholars of 2005.

**Consent Calendar #9** was adopted by voice vote and **HCR 23** was sent to the Senate for concurrence and **SCR 13** & **SCR 14** were returned to the Senate.

The Reading Clerk read the following communication into the record:



# HOUSE TRIBUTE ANNOUNCEMENT #18

DATE: May 4, 2005

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                   | Date       | Type | Description                                                                        |
|----------|---------------------------|------------|------|------------------------------------------------------------------------------------|
| H143-404 | Johnson                   | 4/16/2005  | T    | Gladys Reese - Ladies Auxiliary - Holloway Terrace Fire Company - 50th Anniversary |
| H143-405 | DiPinto                   | 4/16/2005  | T    | Martha Manning - Commitment - Cab Calloway School of the Arts                      |
| H143-406 | Spence                    | 5/13/2005  | T    | Linda Poole - 36 Years - Educational Community                                     |
| H143-407 | Mulrooney                 | 4/16/2005  | T    | Ellen & Andrew Pearce - 50th Wedding Anniversary                                   |
| H143-408 | VanSant                   | 4/23/2005  | T    | Burneice & Stanley Joswick - 50th Wedding Anniversary                              |
| H143-409 | VanSant                   | 4/16/2005  | T    | Johann & Wally Haynie - 50th Wedding Anniversary                                   |
| H143-410 | Fallon                    | 4/16/2005  | T    | Ken-Crest - 100th Anniversary                                                      |
|          | cosponsor: Rep. Buckworth |            |      |                                                                                    |
| H143-411 | Spence                    | 4/15/2005  | T    | Bancroft Construction Company - 30th Anniversary                                   |
| H143-412 | Spence                    | 4/12/2005  | T    | Charles Cawley - National Business Hall of Fame                                    |
| H143-413 | Spence                    | 11/22/2005 | T    | Corbit Goff - Founder - American Legion Post 25                                    |
| H143-414 | Spence                    | 4/18/2005  | T    | Honorable Thomas Carper - Spirit of Enterprise Award                               |
| H143-415 | Caulk                     | 5/4/2005   | T    | Theresa Cole - Award - Excellence & Commitment in State Service                    |
| H143-416 | Williams                  | 5/4/2005   | T    | Jackie Everett - Award - Excellence & Commitment in State Service                  |
| H143-417 | Stone                     | 5/4/2005   | T    | Gary Hoffer - Award - Excellence & Commitment in State Service                     |
| H143-418 | Longhurst                 | 5/4/2005   | T    | Harold Mack - Award - Excellence & Commitment in State Service                     |
| H143-419 | Schooley                  | 4/25/2005  | T    | John Farrell, IV - Retirement - Newark City Council                                |
| H143-420 | McWilliams                | 4/10/2005  | M    | Mary A. Starkey                                                                    |
| H143-421 | Fallon                    | 4/23/2005  | T    | E. Paul Bienvenue - President - DE Electric Cooperative                            |
| H143-422 | Hudson                    | 5/1/2005   | T    | Richard & Lorraine Fleming - Audubon Conservation Award                            |
| H143-423 | Ennis                     | 6/4/2005   | T    | Claudia Friedrich - Graduation - Smyrna High                                       |
| H143-424 | Hall-Long                 | 6/30/2005  | T    | James Barthelmeh - Retirement - DelDOT – 30 Years                                  |
| H143-425 | Oberle                    | 3/21/2005  | T    | Bernard Kenny - Dr. Wallace Johnson Community Service Award                        |
| H143-426 | Oberle                    | 3/21/2005  | T    | Richard Kenny - Dr. Wallace Johnson Service Award                                  |
| H143-427 | Booth                     | 5/2/2005   | T    | PATS Aircraft - Corporate Office Opening                                           |
| H143-428 | Thornburg                 | 3/20/2005  | T    | Reverend Robert Appling - 50 Years in Ministry                                     |

T- Tribute

M - Memoriam

Representative Smith deferred to Representative Booth.

Representative Booth made comments, introduced a guest and made an announcement.

Representative Smith deferred to Representative Hall-Long.

Representative Hall-Long requested and was granted privilege of the floor for herself and Representative Maier to present a House Tribute to Sandra Elliott, Medical Champion Award recipient, Woman to Woman Health Care Program, who addressed the House. Representative Hall-Long introduced guests.

Representative Gilligan & Mr. Speaker Spence made comments.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:35 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:35 P.M.: Representatives Cathcart, Oberle & Viola.

Mr. Speaker Spence called the House to order at 2:16 p.m. on May 5, 2005.

Mr. Speaker Spence reassigned **HB 95**, **HB 127**, **HB 146** & **SB 63** to the Appropriations Committee.

Representatives Lavelle & Caulk requested that they be marked present for the current Legislative Day.

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

EDUCATION: **HB 145** - 9M; **HB 156** - 9M.

HOUSE ADMINISTRATION: **HB 140** - 4M; **SB 56** - 4M; **HB 138** - 4M; **HB 135** - 4M; **HB 139** - 4M; **HB 157** - 3M.

PUBLIC SAFETY: **HB 112** - 5M; **HB 144** - 6M; **HB 127** - 6M; **HB 131** - 6M; **HB 95** - 6M; **SB 58** - 1F,5M; **SB 63 w/SA 1 & 2** - 6M.

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **SB 20 w/SA 1** - 8M.

HEALTH & HUMAN DEVELOPMENT: **HB 67** - 6M.

REVENUE & FINANCE: **HB 146** – 5F,1M.

APPROPRIATIONS: **HB 69** – 1F,4M; **HB 120** - 5F; **HJR 3** - 4M.

JUDICIARY: **HB 92** - 2F,5M; **HB 124** – 2F, 4M; **HB 125** - 2F,4M; **HB 134** - 2F,4M,1U; **HB 148** - 2F,4M; **HB 150** - 2F,5M; **HB 151** - 3F,4M; **HB 152** - 2F,5M; **HB 137** - 2F,3M; **SB 50 w/SA 2** - 2F,5M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HS 1 for HB 83** - 1F,5M; **HCR 22** - 1F,7M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 93**, **SB 46 w/SA 1**, **SB 82 & SB 84 w/SA 1 & 2** and requests the concurrence of the House; **HB 32 w/SA 1 & 2 & HA 1** and is returning same to the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Senator Peterson, do hereby request that my name be removed as cosponsor of **HCR 23**.

Date: May 4, 2005

Signed: Karen Peterson

Representative Plant requested that she be marked present for the current Legislative Day.

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.

#### **26th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session May 5, 2005**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Atkins – 1.

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

Mr. Speaker Spence 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 167** - MAIER & SENATOR BLEVINS; REPRESENTATIVES BUCKWORTH, CAREY, DIPINTO, HUDSON, MIRO, GEORGE, HALL-LONG, KEELEY; SENATORS PETERSON, SOKOLA, SORENSON, CONNOR - JUDICIARY - An Act to Amend Chapter 85, Title 11 of the Delaware Code Relating to Adult Abuse Registry Checks.

**HJR 9** - WAGNER & SENATOR SOKOLA; REPRESENTATIVE SCHOOLEY - EDUCATION - Supporting the State Board of Education's Efforts to Revise the Graduation Requirements.

**SB 46 w/SA 1** - VENABLES & REPRESENTATIVES ENNIS, LEE & THORNBURG - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Hunting.

**SB 82** - VAUGHN & REPRESENTATIVE ATKINS; SENATORS ADAMS, DELUCA & SIMPSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Concerning the Sequestration of Alternate Jurors in Capital Punishment Cases.

**SB 84 w/SA 1 & 2** - VAUGHN & REPRESENTATIVE ATKINS & SENATORS DELUCA, ADAMS & SIMPSON - JUDICIARY - An Act to Amend Title 11 and Title 16 of the Delaware Code to Bring Periods of Probation for First Offenders into Conformity with Senate Bill 50.

**SB 93** - DELUCA & REPRESENTATIVE STONE; SENATORS SORENSON, SOKOLA, BUNTING; REPRESENTATIVES VIOLA, KEELEY, FALLON, ATKINS, CAREY, THORNBURG, VALIHURA, HOCKER - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 5 of the Delaware Code Related to Banking.

Mr. Speaker Spence introduced a guest.

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

BUSINESS/CORPORATIONS/COMMERCE: **HB 149** - 6F.

Mr. Speaker Spence appointed Representative Buckworth as Acting Speaker.

The Acting Majority Leader, Representative Roy deferred to Representative Hudson.

Representative Hudson introduced and brought **HR 18**, sponsored on behalf of All Representatives, before the House for consideration.

**HR 18** - CONGRATULATING THE DIVISION OF REVENUE FOR RECEIVING THE 2004 DELAWARE QUALITY "GORE AWARD".

WHEREAS, the Division of Revenue is the 2004 recipient of the "Gore Award"; and

WHEREAS, the "Gore Award" recognizes strength in the seven categories of Leadership, Strategic Planning, Customer Focus, Measurement and Analysis, Human Resources Focus, Process Management, and Results; and

WHEREAS, the "Gore Award" is the highest award given by the independent Panel of Judges of the Delaware Quality Award; and

WHEREAS, it is the first time that a State agency has been selected to receive the "Gore Award"; and

WHEREAS, the Division of Revenue's 185 dedicated employees administer 20 different tax types, process over 1 million business and personal tax returns, and issue nearly 300,000 personal income tax refunds each year; and

WHEREAS, the Division of Revenue provides between 60% and 70% of all General Fund revenues; and

WHEREAS, the Division of Revenue continues to strive towards improving its current operations, instituting enhancements such as internet license renewals; and

WHEREAS, the Division of Revenue works to ensure that its policies are fair and equitable, and its processes are quick and accurate, and its service is courteous and professional, and all are provided with the lowest possible burden to the taxpayers of Delaware.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 143rd General Assembly of the State of Delaware that we hereby congratulate the Division of Revenue for being the 2004 recipient of the Delaware Quality "Gore Award".

BE IT FURTHER RESOLVED that the House of Representatives thanks the dedicated employees of the Division of Revenue for all of their hard work and dedication and their on-going commitment to instituting breakthrough improvement strategies.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be presented to representatives of the Division of Revenue.

**HR 18** was adopted by voice vote.

Representative Hudson made comments.

Representative Hudson requested and was granted privilege of the floor to present the Gore Award to Richard S. Cordrey, Secretary, Department of Finance and several employees of the Department of Finance. Richard Cordrey made comments. Representatives Keeley, Gilligan & Hudson made comments.

Representative Roy moved to recess for caucus at 2:35 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 4:51 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 85 w/SA 1, SB 60, SB 86, SB 102, SB 81 w/SA 1 & SB 91** and requests the concurrence of the House; **HS 1/HB 2 w/SA 3** and is returning same to the House.

May 5, 2005

#### LEGISLATIVE ADVISORY #4

Governor Ruth Ann Minner signed the following legislation on the date indicated: 4/26/05 – **SB 18 aab SA 1 & HB 22**; 4/27/05 – **SS 1 for SB 25 aab SA 1**; 5/4/05 – **HB 17, HB 76 & HJR 7**.

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

Representative Smith deferred to Representative Lofink.

Representative Lofink brought **SB 17**, jointly sponsored by Senator Marshall & Representative Oberle & cosponsored by Representative Keeley, before the House for consideration.

**SB 17 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO PAYMENT OF WORKERS' COMPENSATION BENEFITS.**

Representatives Lofink & Smith made comments.

The roll call on **SB 17** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Lee - 2.

Therefore, having received a constitutional majority, **SB 17** was returned to the Senate.

Representatives Cathcart & Maier requested that they be marked present during the roll call.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HB 150**, jointly sponsored by Senator Vaughn & Representative Wagner, before the House for consideration.

**HB 150 - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (2/3 bill)**

Representative Valihura made a comment.

The roll call on **HB 150** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Lee - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 150** was sent to the Senate for concurrence.

Representative Roy deferred to Representative Valihura.

Representative Valihura brought **HB 151**, jointly sponsored by Senator Vaughn & Representative Wagner, before the House for consideration.

**HB 151 - 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 Valihura made a comment.

The roll call on **HB 151** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Lee - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 151** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Valihura. Representative Valihura introduced guests. Representative Smith deferred to Representative Outten. Representative Outten introduced a guest.

Representative Smith deferred to Representative Miro.

Representative Miro requested that action on **HB 134** be Deferred to a Day Certain, Tuesday, May, 31, 2005.

Representative Smith deferred to Representative Miro.

Representative Miro brought **HB 152**, jointly sponsored by Senator DeLuca & Representatives Buckworth, Carey, Hocker, Lavelle, Roy, Stone, Valihura, Mulrooney & Viola & Senator Peterson, before the House for consideration.

**HB 152 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO DISHONORED CHECKS, DRAFTS OR ORDERS. (2/3 bill)**

Representative Miro made comments. Representative Williams requested and was granted personal privilege of the floor to make comments. Representatives Miro, Williams & McWilliams made comments. Representative McWilliams requested and was granted privilege of the floor for Alan Davis, House Attorney. Representatives McWilliams, Johnson, Williams, Gilligan & Miro made comments.

The roll call on **HB 152** was taken and revealed:

YES: 32.

NO: Representatives Gilligan, Longhurst, VanSant & Williams - 4.

NOT VOTING: Representatives Ennis, Hall-Long & Schwartzkopf - 3.

ABSENT: Representatives Atkins & Lee - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 152** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Viola.

Representative Viola brought **HB 138**, jointly sponsored by Senator DeLuca, before the House for consideration.

**HB 138 - AN ACT TO WAIVE THE STATUTORY PROVISIONS OF TITLE 13 OF THE DELAWARE CODE RELATING TO THE SOLEMNIZATION OF CERTAIN MARRIAGES.**

Representatives Viola, Smith, Keeley, Miro, Stone, Gilligan, Lofink, VanSant & Ewing made comments.

The roll call on **HB 138** was taken and revealed:

YES: 38.

ABSENT: Representatives Atkins, Lee & Schooley - 3.

Therefore, having received a constitutional majority, **HB 138** was sent to the Senate for concurrence.

Representative Viola made an announcement.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought **SB 49**, sponsored by Senator Adams & Representative Ewing & Senators Vaughn, Venables & Simpson & Representative Atkins, before the House for consideration.

**SB 49 - AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO RIGHT-OF-WAY DEDICATIONS.**

Representative Booth introduced and brought **HA 1 to SB 49**, jointly sponsored by Representative Carey, before the House for consideration. Representative Booth requested that **HA 1** be stricken.

Representative Booth introduced and brought **HA 2 to SB 49**, jointly sponsored by Representative Carey, before the House for consideration.

Representative Booth made comments. **HA 2** was adopted by voice vote. Representative Cathcart made comments.

The roll call on **SB 49 w/HA 2** was taken and revealed:

YES: 37.

ABSENT: Representatives Atkins, Lavelle, Lee & Lofink - 4.

Therefore, having received a constitutional majority, **SB 49 w/HA 2** was returned to the Senate for concurrence on **HA 2**.

Representative Smith deferred to Representative Ennis.

Representative Ennis brought **HB 96**, jointly sponsored by Senator Adams & Senator Venables & Representatives Atkins, Carey, Ewing, Fallon, Hall-Long, Hocker, Keeley, Longhurst, Mulrooney, Outten, Spence, VanSant, Wagner & Williams, before the House for consideration.

**HB 96 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTORCYCLES.**

Representative Ennis made comments.

The roll call on **HB 96** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Lee - 2.

Therefore, having received a constitutional majority, **HB 96** was sent to the Senate for concurrence.

Representatives Smith & Stone made announcements.

The Majority Leader moved to recess to the call of the Chair at 5:47 p.m.

Mr. Acting Speaker Buckworth called the House to order at 2:14 p.m. on May 10, 2005.

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

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

The House reconvened at 2:16 p.m.

**27th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session  
May 10, 2005**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Miro -1.

A prayer was offered by Representative John C. Atkins, Forty-First Representative District.

Mr. 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 168 - VANSANT & REPRESENTATIVE EWING & SENATOR BONINI & SENATOR VAUGHN - JUDICIARY - An Act to Amend Title 10 Chapter 66 of the Delaware Code Relating to the Sale or Transfer of Structured Settlements.**

**HB 169 - BOOTH & SENATOR SIMPSON; REPRESENTATIVES HOCKER, SCHWARTZKOPF - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Planning and Zoning.**

**HB 170 - BOOTH & SENATOR SIMPSON; REPRESENTATIVES HOCKER, SCHWARTZKOPF - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Sussex County Councilmanic Districts.**

**HB 171 - VIOLA & SENATOR SOKOLA; REPRESENTATIVE MAIER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Marriage.**

**HB 172 - VIOLA & SENATOR SOKOLA; REPRESENTATIVES BUCKWORTH, LONGHURST, MAIER, WAGNER, WILLIAMS - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24, Chapter 23 Relating to Pawnbrokers and Junk Dealers.**

**HB 173 - LONGHURST & SENATOR SOKOLA; REPRESENTATIVES ENNIS, GEORGE, HALL-LONG, MAIER, MULROONEY, PLANT, SCHOOLEY, SPENCE, VIOLA, WILLIAMS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Marriage.**

**HB 174 - WAGNER - LABOR - An Act Awarding Special Pension Benefits to Dorothy L. Franklin and Directing the Board of Pension Trustees to Administer Payment of the Pension Provided by this Act as if the Award were Pursuant to Chapter 55, Title 29 of the Delaware Code.**

**HB 175 - WAGNER & SENATOR SOKOLA - EDUCATION - An Act to Amend Chapter 1, Title 14 of the Delaware Code Relating to the Creation of A P-20 Council.**

**HA 2 to HB 105 - CATHCART - Placed with the Bill.**

**HA 1 to HB 135 - PLANT - Placed with the Bill.**

**HA 1 to HB 148 - GEORGE - Placed with the Bill.**

**SB 60 - HENRY & REPRESENTATIVE KEELEY; SENATOR MARSHALL & REPRESENTATIVES GEORGE, HALL-LONG, PLANT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code to Establish a Sterile Needle and Syringe Exchange Pilot Program to Prevent Aids and Other Diseases.**

**SB 81 w/SA 1 - BUNTING & REPRESENTATIVE CATHCART; SENATORS MCBRIDE, MCDOWELL, PETERSON, CONNOR, VENABLES, SORENSON; REPRESENTATIVES SPENCE, BUCKWORTH, HOCKER, HUDSON, LAVELLE, MIRO, WAGNER, GEORGE, HALL-LONG, KEELEY, SCHWARTZKOPF; SENATORS DELUCA, HENRY, SOKOLA; REPRESENTATIVES GILLIGAN, MAIER - VETERANS AFFAIRS - An Act to Amend Title 9 and Title 29 of the Delaware Code Relating to Certificates of Release or Discharge from Active Military Service (dd Form 214).**

**SB 85 w/SA 1 - VAUGHN & REPRESENTATIVE VALIHURA & REPRESENTATIVE WAGNER; REPRESENTATIVE GEORGE - JUDICIARY - An Act to Amend Chapter 15, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Partnerships and the Registration and Regulation of Foreign Limited Liability Partnerships. (3/5 bill)**

**SB 86 - VAUGHN & REPRESENTATIVE VALIHURA & REPRESENTATIVE WAGNER;**  
**REPRESENTATIVE GEORGE - JUDICIARY - An Act to Amend Chapter 18, Title 6 of the Delaware**  
**Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Liability**  
**Companies and the Registration and Regulation of Foreign Limited Liability Companies. (3/5 bill)**

**SB 89 w/SA 1 - MCBRIDE & SENATORS SIMPSON, VENABLES, BUNTING;**  
**REPRESENTATIVES BOOTH, HOCKER & MCWILLIAMS - NATURAL RESOURCES &**  
**ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to the**  
**Civil and Administrative Penalties for Violating Chapter 60.**

**SB 91 - VAUGHN & REPRESENTATIVE VALIHURA - JUDICIARY - An Act to Amend Title**  
**11 of the Delaware Code Relating to Criminal Assaults.**

**SB 102 - BUNTING & REPRESENTATIVE ATKINS - HOUSING & COMMUNITY AFFAIRS -**  
**An Act to Authorize and Approve the Transfer of Certain Real Property in Sussex County to the Nanticoke**  
**Indian Association. (3/4 bill)**

**HA 1 to SB 63 - WAGNER - Placed with the Bill.**

Representative Smith introduced and brought **HCR 26**, jointly sponsored by Senator Cloutier &  
Representatives Lavelle, Valihura & McWilliams & Senators McDowell & Copeland, before the House for  
consideration.

**HCR 26 - COMMEMORATING MAY 19TH, 2005 AS ALVAN "DOBBIE" DOBSON DAY.**

WHEREAS, Alvan "Dobbie" Dobson was born on July 12th, 1929, some say with a rubber coat, hip  
boots, and helmet on; and

WHEREAS, born into a family of firefighters, Alvan "Dobbie" Dobson began his volunteer  
firefighting at a young age with the Five Points Fire Company where his father, grandfather, great uncle and  
brother all served; and

WHEREAS, after graduating from Conrad High School in 1947, Alvan "Dobbie" Dobson joined the  
Air National Guard, where he served as a parachute rigger and was activated during the Korean War; and

WHEREAS, after the war, Alvan "Dobbie" Dobson married Barbara Walmsley in 1951, where the  
two settled down in Claymont, Delaware to raise their two children; and

WHEREAS, May 19th will mark Alvan "Dobbie" Dobson's 50 years of service with the Claymont  
Fire Company; and

WHEREAS, during his 50 years of service Alvan "Dobbie" Dobson held all of the fire-line offices  
which included Captain, Assistant Chief, Deputy Chief, and for a brief period, Fire Chief, and was a  
member of the Board of Directors for over 10 years where he served as both Vice President and Chairman;  
and

WHEREAS, Alvan "Dobbie" Dobson was known to run into burning buildings with speed and  
courage, often putting the safety and lives of others before his own; and

WHEREAS, fighting fires in the days before oxygen tanks and specialized equipment and training,  
Alvan "Dobbie" Dobson found himself in many perilous situations throughout his firefighting career, from  
falling through roofs collapsed from heat and fire, to jumping out of windows; and

WHEREAS, regardless of the situation, Alvan "Dobbie" Dobson responded to fire calls with a high  
level of enthusiasm and sense of duty, coupled with a high degree of respect for the deadly force and havoc  
fires can wreak; and

WHEREAS, facing all kinds of hazards and discomforts while in the service of the Claymont Fire  
Company, Alvan "Dobbie" Dobson did it with perseverance and a devotion to the service of others; and

WHEREAS, even though Alvan "Dobbie" Dobson no longer charges into burning buildings, he still  
responds with the fire police to secure an emergency scene; and

WHEREAS, as the number of volunteer firefighters diminishes with each passing year, Alvan  
"Dobbie" Dobson serves as a shining example of the virtues of volunteerism, embodying the spirit of  
community service.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 143rd General Assembly of the State of  
Delaware, the Senate concurring therein, that we hereby commemorate May 19th, 2005 as Alvan "Dobbie"  
Dobson Day.

BE IT FURTHER RESOLVED that the House of Representatives, the Senate concurring therein,  
extends its heartfelt thanks to Alvan "Dobbie" Dobson for all of his 50 years of service to the Claymont Fire  
Company and to the community at large.

BE IT FURTHER RESOLVED that a suitably prepared copy of this resolution be presented to  
Alvan "Dobbie" Dobson.

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

**HCR 26** was adopted by voice vote and was sent to the Senate for concurrence.

Representatives Roy & Wagner requested that they be marked present.

Representative McWilliams made comments.

Mr. Acting Speaker appointed Representative Roy as Acting Speaker.

Representative Smith made an announcement.



Representative Smith deferred to Representative Buckworth.

Representative Buckworth requested and was granted privilege of the floor to present a House Tribute to Richard L. Carter, Student Activities Advisor at Polytech High School.

Representative Smith deferred to Representative Schooley. Representative Schooley made an announcement. Representatives DiPinto, Hudson & Cathcart requested that they be marked present. Representative Smith made an announcement.

Representative Smith introduced and brought **HCR 20**, jointly sponsored by Representative Spence & Representative Lee & Representative Gilligan & Representative VanSant on behalf of All Representatives & Senator Adams & Senator McDowell & Senator DeLuca & Senator Still & Senator Sorenson on behalf of All Senators, before the House for consideration.

**HCR 20 - EXTENDING SINCERE THANKS TO THE CAREER AND TECHNICAL STUDENT ORGANIZATIONS OF DELAWARE FOR THE PRESENTATION OF THE BEAUTIFUL GERANIUMS AND EXTENDING BEST WISHES FOR MUCH SUCCESS TO EACH OF THESE EXEMPLARY STUDENTS.**

**HCR 20** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Smith requested and was granted privilege of the floor for Dale Derrickson, representing the Department of Education and Association of Career and Technical Student Council Chair and Jennifer Crouse, President, Business Professionals of America; Aaron Kinnari, President, DECA, an Association of Marketing Students; Latosha Cottman, Vice-president, Family Career and Community Leaders of America; Christina Gallant, President, Future Farmers of America; Lauren Comegys, Skills USA Treasurer and Jennifer Chan, President, Technology Student Association.

Representative Ennis made comments and introduced a guest. Representatives Wagner & Thornburg made comments. Representative Buckworth introduced a guest. Representative Plant requested that she be marked present.

Representative Smith introduced **HB 178**, jointly sponsored by Senator Sokola.

**HB 178 - AN ACT AMENDING CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO BICYCLE SAFETY LICENSE PLATES. (3/5 bill)**

Mr. Acting Speaker assigned **HB 178** to the Public Safety Committee.

Representatives Ewing & Smith made announcements.

The Majority Leader moved to recess for caucus at 2:50 p.m.

The House reconvened at 5:11 p.m. with Representative Oberle as Acting Speaker.

Representative Oberle requested that he be marked present.

The Chief Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 90, SB 104, SB 89 w/SA 1 & SCR 12** and requests the concurrence of the House.

143rd Delaware General Assembly

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Representative Smith, do hereby request that my name be removed as cosponsor of **HCR 22**.

Date: May 5, 2005

Signed: Wayne A. Smith

143rd Delaware General Assembly

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Representative Lavelle, do hereby request that my name be removed as cosponsor of **HCR 22**.

Date: May 5, 2005

Signed: Gregory F. Lavelle

Representatives Schwartzkopf, Viola & Caulk requested that they be marked present

Representative Smith brought **Consent Agenda A**, which requires a two-thirds vote, before the House for consideration

**HB 139 – LEE & SENATOR VENABLES – An Act to Amend Chapter 288, Volume 64, Laws of Delaware, as Amended, the Charter of the Town of Laurel, to Provide for Fixed Salaries for the Mayor of the Town of Laurel, and the Members of the Town Council, Rather than the Per Meeting Stipend Currently Paid. (2/3 bill)**

**HB 140 – LEE & SENATOR VENABLES - An Act to Amend Chapter 288, Volume 64, Laws of Delaware, as Amended, the Charter of the Town of Laurel, with Regard to the Discount to be Available if Real Estate Taxes are Paid on or Before September 30th of Each Year, the Penalties that Begin to Accrue if Real Estate Taxes are Not Paid by October 31st, and the Collection Charges the Town of Laurel May Impose in Effecting the Recovery of Delinquent Taxes, and the Manner in Which the Town of Laurel May Modify Its Discounts and Penalties for Future Fiscal Tax Years. (2/3 bill)**

**SB 56 – BUNTING & REPRESENTATIVE ATKINS – 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”. (2/3 bill)**

**HB 157 – EWING & SENATORS ADAMS & DELUCA –An Act to Amend Chapter 237, Volume 51, Laws of Delaware, as Amended, Entitled “An Act to Reincorporate the Town of Bridgeville”, to Provide for an Exception to Competitive Bidding for Certain Contracts in Connection with Municipal Tax Increment Financing and Municipal Special Development Districts. (2/3 bill)**

The roll call on **Consent Agenda A** was taken and revealed:



YES: 40.

ABSENT: Representative Miro – 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 140**, **HB 139** & **HB 157** were sent to the Senate for concurrence & **SB 56** was returned to the Senate.

Representatives Lavelle, Lofink, Maier, Valihura, Williams & Spence requested that they be marked present during the roll call.

Representative Lee deferred to Representative Hudson.

Representative Hudson brought **HB 144**, jointly sponsored by Representative Smith & Representative Valihura & Senator Sokola, before the House for consideration.

**HB 144 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LEARNER'S PERMITS.**

Representatives Hudson, George & Schwartzkopf made comments.

The roll call on **HB 144** was taken and revealed:

YES: 36.

NO: Representatives Caulk & Plant - 2.

NOT VOTING: Representatives Mulrooney & Viola - 2.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **HB 144** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HB 92**, jointly sponsored by Senator Sokola, before the House for consideration.

**HB 92 - AN ACT TO AMEND CHAPTER 23, TITLE 11 OF THE DELAWARE CODE RELATING TO SEIZURES AND FORFEITURES IN CRIMINAL CASES.**

Representative Valihura made a comment.

The roll call on **HB 92** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **HB 92** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HB 137**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 137 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JURISDICTION OVER CERTAIN CRIMINAL MATTERS. (2/3 bill)**

Representative Valihura made comments.

The roll call on **HB 137** was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Smith - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 137** was sent to the Senate for concurrence.

Representative Valihura made an announcement.

Mr. Acting Speaker reassigned **HB 33** to the Business/Corporations & Commerce Committee.

Representative Lee deferred to Representative Wagner.

Representative Wagner brought **HB 148**, jointly sponsored by Senator Vaughn & Representatives Spence, Lee, Atkins, Buckworth, Carey, Cathcart, Caulk, Ewing, Fallon, Hocker, Lavelle, Outten, Valihura, Ennis, Plant & Schwartzkopf, before the House for consideration.

**HB 148 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF DEADLY WEAPONS AND AMMUNITION BY PERSONS PROHIBITED.**

Representative George brought **HA 1** to **HB 148** before the House for consideration. Representative George made comments. Representative Wagner requested and was granted privilege of the floor for Stephen P. Wood, Deputy Attorney General. Representatives Wagner, Keeley, Lavelle, Smith & George made comments. **HA 1** was defeated by voice vote. Representative Wagner made a comment.

The roll call on **HB 148** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **HB 148** was sent to the Senate for concurrence.

Representative Stone made an announcement. Mr. Speaker Spence, Representatives Hudson & Cathcart made announcements.

**SB 104** was given its first reading at the request of Mr. Speaker Spence.

**SB 104 – ADAMS & REPRESENTATIVE EWING & SENATORS BLEVINS, BUNTING, CONNOR, HENRY, MCDOWELL, PETERSON, SIMPSON & STILL & REPRESENTATIVES BOOTH, BUCKWORTH, CAREY, ENNIS, GILLIGAN, OBERLE, SCHWARTZFOPF, SPENCE, WILLIAMS, LEE, OUTTEN, VANSANT & WAGNER - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE MUTUAL ASSISTANCE ACT.**

Mr. Speaker Spence assigned **SB 104** to the Public Safety Committee.

Representative Atkins made an announcement. Representative Smith deferred to Representative Schwartzkopf. Representative Schwartzkopf requested that **HB 164** be stricken. Representative Smith made an announcement.

Representative Smith deferred to Representative Maier.

Representative Maier moved to suspend the rules which interfere with introduction of and action on **HS 2 for HB 2**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Maier introduced and brought **HS 2 for HB 2**, jointly sponsored by Representative Oberle & Representative Wagner & Representative Smith & Representative Hudson & Representative Miro & Representative Ulbrich & Senator Sokola & Senator Simpson & Representatives Atkins, Buckworth, Carey, Cathcart, DiPinto, Ewing, Fallon, Hall-Long, Hocker, Lee, Lofink, McWilliams, Outten, Roy, Schooley, Spence, Stone, Thornburg & Valihura & Senators Amick, Blevins, Bonini, Cloutier, Connor, Copeland, Peterson, Sorenson & Still & cosponsored by Senator Bunting, before the House for consideration.

**HB 2 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE HIGH SCHOOL DIPLOMA REQUIREMENTS.**

Representative Maier made comments.

Representative Wagner requested and was granted privilege of the floor for Valerie A. Woodruff, Secretary, Department of Education. Representatives Wagner & Gilligan made comments.

The roll call on **HS 2 for HB 2** was taken and revealed:

YES: 38.

NO: Representative Booth - 1.

NOT VOTING: Representative Caulk - 1.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **HS 2 for HB 2** was sent to the Senate for concurrence.

Representative Smith made comments.

Representative Smith deferred to Representative Wagner. Representative Wagner deferred to Representative Maier. Representative Maier deferred to Representative Oberle.

Representative Oberle brought **SB 72 w/SA 1**, sponsored by Senator Sokola & Representative Maier & Representative Miro & Representative Wagner & Senator DeLuca, before the House for consideration.

**SB 72 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE HIGH SCHOOL DIPLOMA.**

Representative Oberle made comments.

The roll call on **SB 72 w/SA 1** was taken and revealed:

YES: 36.

NO: Representatives Booth & Ulbrich - 2.

ABSENT: Representatives Ennis, Hall-Long & Miro - 3.

Therefore, having received a constitutional majority, **SB 72 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Roy.

Representative Roy moved to lift **HB 24** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Roy brought **HB 24**, jointly sponsored by Representatives Hudson, Miro, Gilligan, VanSant & Ennis & Senators Blevins, Sokola & Bonini, before the House for consideration.

**HB 24 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE.**

Representative Roy requested that **HA 1 to HB 24** be stricken. Representative Roy brought **HA 2 to HB 24** before the House for consideration. Representative Roy made comments. **HA 2** was adopted by voice vote. Representative Roy made comments.

The roll call on **HB 24 w/HA 2** was taken and revealed:

YES: 38.

ABSENT: Representatives Ennis, Hall-Long & Miro - 3.

Therefore, having received a constitutional majority, **HB 24 w/HA 2** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich requested that action on **HB 156** be Deferred to a Day Certain, Thursday, May, 12, 2005.

Mr. Speaker Spence made an announcement.

The Majority Leader moved to recess to the call of the Chair at 6:20 p.m.

Mr. Speaker Spence called the House to order at 2:15 p.m. on May 11, 2005.

The Majority Leader moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

**28th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session  
May 11, 2005**

The Chief Clerk called the roll:

Members Present: 36.

Members Absent: Representatives Buckworth, Caulk, Ewing, Lofink & Miro – 5.

A prayer was offered by Representative Deborah D. Hudson, Twelfth Representative District.

Mr. Speaker Spence invited students from St. John's Lutheran Early Learning Center, Dover Educational Community Center and Kent County Drop-a-Tot to present the colors and join him in leading those present in a pledge of allegiance to the American Flag. Mr. Jeffrey Kneebone sang the National Anthem.

Representative Stone made an announcement.

The following prefiled legislation was introduced:

**HS 1 for HB 90** - KEELEY & REPRESENTATIVE STONE & SENATOR BLEVINS; REPRESENTATIVES MAIER, SCHOOLEY, VIOLA; SENATORS DELUCA, HENRY, MCDOWELL, SOKOLA - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Unfair Insurance Business Practices and Applicable Penalties.

**HS 1 for HB 108** - MAIER & REPRESENTATIVE SPENCE & SENATOR PETERSON; REPRESENTATIVES SCHOOLEY, BUCKWORTH, WAGNER, HUDSON, KEELEY, GILLIGAN - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Immunizations.

**HB 176** - MIRO & REPRESENTATIVE STONE & SENATOR DELUCA; REPRESENTATIVES SPENCE, BUCKWORTH, CAREY, CATHCART, DIPINTO, HOCKER, LAVELLE, MAIER, OBERLE, ULBRICH, GILLIGAN, SCHWARTZKOPF, CAULK; SENATORS HENRY, SOKOLA, STILL, SORENSON, CLOUTIER, CONNOR, COPELAND, SIMPSON - BUSINESS/CORPORATIONS/COMMERCE - An Act to Amend Title 4 of the Delaware Code Related to the Delaware Responsible Alcoholic Beverage Server Training Program and the Enforcement of Laws Related to Responsible Serving of Alcoholic Beverages. (3/5 bill)

**HB 177** - BUCKWORTH & REPRESENTATIVE EWING & REPRESENTATIVE HUDSON & SENATOR MCBRIDE & SENATOR STILL; REPRESENTATIVES SPENCE, CAREY, DIPINTO, OBERLE, ULBRICH, VALIHURA, WAGNER, KEELEY, PLANT, SCHOOLEY, VIOLA, WILLIAMS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Sperm Bank and Tissue Bank Registry.

**HB 179** - SMITH & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act Amending Title 27 of the Delaware Code Relating to the Election of Trustees of Religious Societies and Corporations.

**HA 1 to HB 116** - GILLIGAN - Placed with the Bill.

**SB 90** - MCBRIDE & SENATORS VENABLES, SIMPSON, BUNTING, CONNOR; REPRESENTATIVES BOOTH, HOCKER, LAVELLE & MCWILLIAMS; SENATOR STILL - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to the Penalties for Violating Chapter 60.

Representative Stone requested and was granted privilege of the floor to introduce guests.

Representative Smith requested that **HR 17** be removed from **Consent Calendar #10**.

Mr. Speaker Spence assigned **HR 17** to the House Administration Committee.

Representative Smith brought the following prefiled **Consent Calendar #10** before the House for consideration.

Representatives George, Johnson, Wagner & Stone requested that they be marked present.

**HCR 25** – MAIER ON BEHALF OF ALL REPRESENTATIVES & SENATOR BLEVINS ON BEHALF OF ALL SENATORS – Proclaiming May 11, 2005, “Early Child Care and Education Professionals Appreciation Day”.

**HR 17** – SMITH & REPRESENTATIVE VALIHURA & REPRESENTATIVE HUDSON & REPRESENTATIVE STONE – Re-Constituting the Medical Liability Insurance Task Force and Requiring it to Update the General Assembly on the Progress that is Being Made in Implementing the Recommendations it Included as Part of its 2003 Final Report.

**Consent Calendar #10** was adopted by voice vote and **HCR 25** was sent to the Senate for concurrence.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 79 w/HA 1** & **HCR 20** and is returning same to the House.

Memorandum

TO: Terry R. Spence, Speaker of the House of Representatives  
FROM: Representative Joseph E. Miro  
DATE: May 5, 2005  
RE: Absence From Session

Please excuse my absence from session next week, May 10-May 12, as I will be out of town for an international committee (COPA) meeting.

If you require additional information, please let me know.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Stephanie Ulbrich, do hereby request that my name be removed as cosponsor of **SB 30**.

Date: May 10, 2005

Signed: Stephanie Ulbrich

Mr. Speaker Spence introduced guests.

Mr. Speaker Spence appointed Representative Roy as Acting Speaker.

Representative Cathcart requested and was granted privilege of the floor for himself and Representative Spence to present a House Tribute to Benjamin H. Spence who addressed the House. Representative Spence requested and was granted privilege of the floor for Dr. Peter A. Lillback, Executive Director, Providence Forum. Mr. Jeffrey Kneebone sang "God Bless America".

Representative Ennis requested that he be marked present. Representative Stone requested and was granted personal privilege of the floor to introduce guests. Mr. Acting Speaker introduced a guest. Mr. Acting Speaker granted privilege of the floor to Alan V. Sokolow, Executive Director, Eastern Regional Conference, Council of State Governments.

Representative Cathcart requested and was granted privilege of the floor to make announcements and introduce a guest.

Representative Lee deferred to Representative Booth.

Representative Cathcart made an announcement.

Representative Booth introduced and brought **HR 21**, jointly sponsored by Representative Smith & Representative Lavelle & Representative Valihura & Representative McWilliams & Representatives Atkins, Carey, Hocker, Outten, Longhurst, Mulrooney & Caulk on behalf of All Representatives, before the House for consideration.

**HR 21 - RECOGNIZING THE STAFF AND VOLUNTEERS WHO DEDICATED THOUSANDS OF HOURS OF THEIR TIME TO CLEAN UP THE MASSIVE ATHOS I OIL SPILL IN THE DELAWARE RIVER NEAR PAULSBORO, NEW JERSEY, IN NOVEMBER 2004.**

Representative Booth requested and was granted personal privilege of the floor to make comments.

Representative Booth requested and was granted privilege of the floor for himself and Representatives Mulrooney, Thornburg, Carey, Outten, Hocker, McWilliams and Longhurst to present gifts to Kurt Reuther, Chief of Environmental Enforcement, Matt Higgins and Jamie Bethard, Environmental Scientists on the Emergency Response Team, Donna Donovan, Administrative Assistant for the Emergency Response Team, Ben Anderson, Environmental Scientist, Rob Hossler, Resources Damage Assessment, Department of Natural Resources and Environmental Control. Christina Motoyoshi, Executive Director, Tristate Bird Rescue, addressed the House.

Representatives Maier, Schooley & Viola requested that they be marked present.

**HR 21** was adopted by voice vote.

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

HOUSE ADMINISTRATION: **HB 179 - 4M**.

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

Representatives Valihura & Williams requested that they be marked present.

The Reading Clerk read the following communications into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #19**

DATE: May 11, 2005

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                                     | Date      | Type | Description                                                           |
|----------|---------------------------------------------|-----------|------|-----------------------------------------------------------------------|
| H143-429 | Thornburg                                   | 4/18/2005 | T    | Frank King - Fireman of the Year - Hartly Fire Company                |
| H143-430 | Thornburg                                   | 6/14/2005 | T    | Scott Brown - Distinguished Alumni Award – DelTech                    |
| H143-431 | Wagner                                      | 4/30/2005 | T    | Dover Alumnae Chapter Delta Sigma Theta Sorority - 50th Anniversary   |
| H143-432 | Thornburg                                   | 4/16/2005 | M    | James Schwartz                                                        |
| H143-433 | Ennis                                       | 4/23/2005 | T    | Dover Little League - 50th Anniversary                                |
| H143-434 | Maier                                       | 4/1/2005  | T    | Linda Goff & Rich Osiolek - Marriage                                  |
| H143-435 | Cathcart                                    | 4/19/2005 | T    | Delaware State University Basketball Team – MEAC Conference Champions |
| H143-436 | Wagner                                      | 4/23/2005 | T    | Lindsay Morris & Jonathan Osika - Marriage                            |
| H143-437 | Wagner                                      | 4/23/2005 | T    | Heather Kerrigan & Chad Carter - Marriage                             |
| H143-438 | McWilliams                                  | 3/31/2005 | M    | William J. McKinley, Sr.                                              |
| H143-439 | McWilliams                                  | 3/11/2005 | M    | Christine McDevitt                                                    |
| H143-440 | Booth, Atkins & Hocker                      | 4/21/2005 | T    | James DeBastiani - Teacher of the Year - Indian River                 |
|          | cosponsors: Reps. Ewing, Lee & Schwartzkopf |           |      |                                                                       |
| H143-441 | Atkins                                      | 4/19/2005 | T    | Carey Farms, Inc. - Outstanding Poultry Producer                      |

|          |            |           |   |                                                                                   |
|----------|------------|-----------|---|-----------------------------------------------------------------------------------|
| H143-442 | Fallon     | 4/27/2005 | T | Seaford Police Department - 140th Anniversary                                     |
| H143-443 | Johnson    | 4/16/2005 | T | James Hinton, Jr. - 50 Years - Holloway Terrace Fire Co.                          |
| H143-444 | Atkins     | 4/21/2005 | T | Connor McDonald - State Wrestling Champion                                        |
| H143-445 | Atkins     | 4/21/2005 | T | Mary Jean Short - Presidential Award –<br>Excellence in Math and Science Teaching |
| H143-446 | Ewing      | 4/23/2005 | T | Robert & Eleanor Bennett - 50th Wedding Anniversary                               |
| H143-447 | Atkins     | 4/26/2005 | T | Frederick Jester - 50th Birthday                                                  |
| H143-448 | Gilligan   | 4/20/2005 | T | Bethany Hall-Long - Distinguished Alumni –<br>George Mason University             |
| H143-449 | Ennis      | 4/24/2005 | T | Smyrna Clayton Moose Lodge - 20th Anniversary                                     |
| H143-450 | Buckworth  | 4/21/2005 | M | Ethel Virginia Tyndall                                                            |
| H143-451 | Lavelle    | 4/28/2005 | T | Natasha Platt - First Place - Legislative Essay Contest                           |
| H143-452 | Buckworth  | 4/28/2005 | T | Melissa Baird - Second Place - Legislative Essay Contest                          |
| H143-453 | McWilliams | 4/28/2005 | T | Laura Graham - Third Place - Legislative Essay Contest                            |

#### HOUSE TRIBUTE ANNOUNCEMENT #20

DATE: May 11, 2005

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   | Date      | Type | Description                                                              |
|----------|-----------|-----------|------|--------------------------------------------------------------------------|
| H143-454 | Ewing     | 4/28/2005 | T    | Minnie O'Day - 95th Birthday                                             |
| H143-455 | Buckworth | 4/28/2005 | T    | Rebecca Warren - Life-Saving Heimlich Maneuver                           |
| H143-456 | Maier     | 4/30/2005 | T    | Ovarian Cancer Coalition - 5K Run/Walk                                   |
| H143-457 | Longhurst | 4/2/2005  | T    | Tom Guyer - Encouraged Students to<br>Participate in Legislative Process |
| H143-458 | Atkins    | 4/26/2005 | M    | Marian Warrington Hickman                                                |
| H143-459 | Hall-Long | 5/4/2005  | T    | Sandy Elliott - Service to Women and Families                            |
| H143-460 | DiPinto   | 4/5/2005  | M    | Mary Joan Bartoshesky                                                    |
| H143-461 | Lavelle   | 4/28/2005 | T    | Janet Baumann - Young Mother of the Year                                 |
| H143-462 | Williams  | 4/18/2005 | T    | Norman Lockman                                                           |
| H143-463 | Wagner    | 4/1/2005  | T    | Charles & Joan Wood - 50th Wedding Anniversary                           |
| H143-464 | Atkins    | 4/18/2005 | T    | Virginia Millman - 90th Birthday                                         |
| H143-465 | Hocker    | 4/22/2005 | T    | T. Emery Hudson - 90th Birthday                                          |
| H143-466 | Hudson    | 4/25/2005 | M    | Teresa C. Dauphin                                                        |
| H143-467 | Stone     | 5/2/2005  | T    | Colonel John Pray, Jr. - Promotion - Brigadier General                   |
| H143-468 | Outten    | 5/14/2005 | T    | St. Paul AME Church - 175th Anniversary                                  |
| H143-469 | Lavelle   | 5/4/2005  | T    | Joan McNamara - Bush School Teacher of the Year                          |
| H143-470 | Schooley  | 5/7/2005  | T    | Francis Fulghum - Newark High Baseball Field Dedication                  |
| H143-471 | Miro      | 5/3/2005  | T    | Newark High Boys Swim Team - State Champions                             |
| H143-472 | Ennis     | 5/11/2005 | T    | TSgt. June Benzor - Retirement - US Air Force - 23 Years                 |
| H143-473 | Valihura  | 7/15/2005 | T    | Adas Kodesch Shel Emeth - 120th Anniversary                              |
| H143-474 | Lee       | 5/9/2005  | T    | David Evans & Scott Ward - Laurel Co-Citizens of the Year                |
| H143-475 | Oberle    | 4/29/2005 | M    | Honorable James Crow                                                     |
| H143-476 | VanSant   | 3/13/2005 | T    | Erin Kelly - Graduation - VA Polytechnic<br>Institute & State University |
| H143-477 | Outten    | 5/7/2005  | T    | G. Dale Sullivan - Service - Harrington High Alumni                      |
| H143-478 | Schooley  | 5/11/2005 | T    | Clella Murray - Woman of the Year – University of DE                     |
| H143-479 | Gilligan  | 5/7/2005  | T    | Jean & John Banaszak - 50th Wedding Anniversary                          |

T- Tribute

M – Memoriam

The Majority Whip moved to recess for committee meetings and to the call of the Chair at 2:56 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:56 P.M.: Representatives Buckworth, Caulk & Ewing.

Mr. Acting Speaker Carey called the House to order at 2:14 p.m. on May 12, 2005.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SS 1/SB 30 w/SA 1** and requests the concurrence of the House; **HB 91 w/HA 1** and is returning same to the House.

Representatives Buckworth, Ewing, Caulk, DiPinto & Ulbrich requested that they be marked present for the current Legislative Day.

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

JUDICIARY: **HB 116** - 6M; **HB 167** - 1F,5M; **SB 85 w/SA 1** - 5M; **SB 86** - 5M.

PUBLIC SAFETY: **SB 104** - 2F,2M; **HB 128** - 1F,3M.

EDUCATION: **HB 175** - 6M; **HJR 9** - 9M.

HEALTH & HUMAN DEVELOPMENT: **HS 1/HB 108** - 6M; **HB 171** - 6M; **HB 173** - 6M.

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **SB 93** - 11M;  
**HS 1/HB 90** - 8F,1M.  
HOUSING & COMMUNITY AFFAIRS: **HB 143** - 1F,6M.  
REVENUE & FINANCE: **HB 160** - 2F,4M,1U; **HB 159** - 4F,3U; **HB 163** - 4F,3M.  
NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **SB 46 w/SA 1** - 9M.  
Mr. Acting Speaker assigned **HB 159** & **HB 160** to the Appropriations Committee.  
The Majority Leader moved to adjourn at 2:16 p.m., thereby ending the current legislative day.  
The House reconvened at 2:17 p.m.

**29th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session  
May 12, 2005**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Miro & Mulrooney – 2.

A prayer was offered by Representative Bethany A. Hall-Long, Eighth Representative District.

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

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

The following prefiled legislation was introduced:

**HB 180** - OBERLE & SENATOR MARSHALL; REPRESENTATIVES SPENCE, BUCKWORTH, LOFINK, JOHNSON, MULROONEY, PLANT, VIOLA - LABOR - An Act to Amend Chapter 34, Title 19 of the Delaware Code Relating to Counseling, Training and Placement Activities.

**HB 181** - DIPINTO & SENATOR MCDOWELL & SENATOR SORENSON; REPRESENTATIVES FALLON, HUDSON, LAVELLE, MAIER, MIRO, OBERLE, STONE, WAGNER, GILLIGAN, VANSANT, ENNIS, GEORGE, HALL-LONG, JOHNSON, KEELEY, LONGHURST, MCWILLIAMS, MULROONEY, PLANT, SCHOOLEY, VIOLA; SENATORS BUNTING, HENRY, PETERSON, SOKOLA, CLOUTIER, COPELAND, SIMPSON - JUDICIARY - An Act to Amend Title 16 of the Delaware Code Relating to Drug Offenses.

**HB 182** - ATKINS & REPRESENTATIVE BOOTH & REPRESENTATIVE EWING & REPRESENTATIVE HOCKER & REPRESENTATIVE WAGNER & REPRESENTATIVE GILLIGAN & REPRESENTATIVE SCHWARTZKOPF & SENATOR ADAMS & SENATOR DELUCA & SENATOR VAUGHN & SENATOR VENABLES; REPRESENTATIVES SPENCE, SMITH, LEE, BUCKWORTH, CATHCART, DIPINTO, HUDSON, LAVELLE, LOFINK, OBERLE, OUTTEN, STONE, THORNBURG, ULBRICH, VANSANT, ENNIS, JOHNSON, KEELEY, WILLIAMS - PUBLIC SAFETY - An Act to Amend Title 29 of the Delaware Code Relating to Health Care Insurance.

**HB 184** - MAIER & REPRESENTATIVE SPENCE & SENATOR BLEVINS & SENATOR CONNOR; REPRESENTATIVES SMITH, LEE, ATKINS, BOOTH, BUCKWORTH, CAREY, DIPINTO, EWING, HOCKER, HUDSON, OUTTEN, STONE, THORNBURG, WAGNER, ENNIS, GEORGE, JOHNSON, PLANT; SENATORS DELUCA, VENABLES, STILL, SORENSON, AMICK, BONINI, CLOUTIER, COPELAND, SIMPSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Patient Safety and Quality Improvement in Delaware's Health Care System.

**HA 1 to HB 127** - HUDSON - Placed with the Bill.

**HJR 10** - BOOTH; REPRESENTATIVES SPENCE, BUCKWORTH, CAREY, CATHCART, EWING, HOCKER, HUDSON, LAVELLE, MIRO, OUTTEN, VALIHURA, WAGNER, KEELEY; SENATORS HENRY, SOKOLA - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - Encouraging DNREC to Investigate Best Management Practices to Initiate Yard Waste Recycling at DSWA Facilities.

**SS 1 for SB 30 w/SA 1** - MCDOWELL & REPRESENTATIVE WAGNER; SENATORS ADAMS, BLEVINS, BUNTING, COOK, DELUCA, HENRY, MARSHALL, MCBRIDE, PETERSON, SOKOLA, VAUGHN, VENABLES; REPRESENTATIVES ENNIS, GEORGE, GILLIGAN, JOHNSON, LONGHURST, MCWILLIAMS, MULROONEY, SCHOOLEY, SCHWARTZKOPF, BUCKWORTH, CATHCART, EWING, MIRO, OBERLE, SPENCE, STONE, ULBRICH - EDUCATION - An Act Establishing the Seed Scholarship Program at Delaware Technical and Community College.

**SB 40** - MCBRIDE & REPRESENTATIVE OBERLE; SENATORS BONINI, COPELAND, PETERSON, SOKOLA; REPRESENTATIVES HUDSON, MULROONEY, VALIHURA, VIOLA - GAMING & PARIMUTUELS - An Act to Amend Title 29, Chapter 48 of the Delaware Code Relating to the Delaware Lottery.

**HA 1 to SCR 12** - EWING - Placed with the Bill.

Representatives Buckworth & Ewing requested and were granted privilege of the floor to introduce guests. Representative Smith deferred to Representative Fallon.

Representative Fallon made an announcement. Representative Smith deferred to Representative Maier.

Representative Maier made an announcement and introduced guests.



Representative Maier introduced and brought **SCR 15**, jointly sponsored by Senator Henry & Senator Blevins on behalf of All Senators & Representative Miro on behalf of All Representatives, before the House for consideration.

**SCR 15 - RECOGNIZING MAY 2005 AS AMERICAN STROKE MONTH.**

**SCR 15** was adopted by voice vote and was returned to the Senate.

Representative Maier introduced guests. Representative Stone requested and was granted personal privilege of the floor to introduce guests.

Representative Smith deferred to Representative Booth.

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

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

REVENUE & FINANCE: **HB 153 - 1F,6M.**

Mr. Acting Speaker introduced guests.

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

The House reconvened at 4:05 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 **SS 1/SB 114, SB 40 & SCR 15** and requests the concurrence of the House; **HB 138, HB 65, HB 85, HB 157, HB 99 w/HA 1 & 2, HCR 25, HCR 26 & HCR 23** and is returning same to the House.

May 12, 2005

The Honorable Terry R. Spence

Speaker of the House

House of Representatives

Legislative Hall

Dover, Delaware 19901

Dear Speaker Spence:

I will be unable to attend legislative session on Thursday, May 12, 2005 due to personal reasons.

Thank you.

Sincerely,

Michael P. Mulrooney

State Representative

17th District

Representatives Oberle & Cathcart requested that they be marked present

Representative Smith brought **HB 179**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 179 - AN ACT AMENDING TITLE 27 OF THE DELAWARE CODE RELATING TO THE ELECTION OF TRUSTEES OF RELIGIOUS SOCIETIES AND CORPORATIONS.**

Representative Smith made comments.

The roll call on **HB 179** was taken and revealed:

YES: 34.

ABSENT: Representatives Maier, Miro, Mulrooney, Stone, Ulbrich, Valihura & Wagner - 7.

Therefore, having received a constitutional majority, **HB 179** was sent to the Senate for concurrence.

Representatives Keeley, Lavelle, Lofink, Schwartzkopf, Viola, Spence, Plant & DiPinto requested that they be marked present during the roll call.

Representative Smith deferred to Representative Schwartzkopf.

Representative Schwartzkopf brought **HB 69**, jointly sponsored by Representative Williams & Senator Adams & Representatives Booth, Buckworth, DiPinto, Ennis, George, Gilligan, Hall-Long, Johnson, Keeley, Longhurst, McWilliams, Mulrooney, Plant, Schooley, Ulbrich, VanSant & Viola & Senators Blevins, Bunting, Henry, McBride & Vaughn, before the House for consideration.

**HB 69 - AN ACT TO AMEND TITLE 20 DELAWARE CODE TO CREATE THE SERVICE MEMBERS' LIFE INSURANCE REIMBURSEMENT FUND. (F/N)**

Representative Schwartzkopf made comments.

The roll call on **HB 69** was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Mulrooney - 2.

Therefore, having received a constitutional majority, **HB 69** was sent to the Senate for concurrence.

Representative Wagner requested that she be marked present during the roll call.

Representative Smith made an announcement.

Representative Smith deferred to Representative Maier.

Representative Maier moved to suspend the rules which interfere with introduction of and action on **HB 3**. The motion was properly seconded and adopted by voice vote.

Representative Maier introduced and brought **HB 3**, jointly sponsored by Representative Oberle & Representative Wagner & Representative Smith & Representative Hudson & Representative Miro & Representative Ulbrich & Senator Sokola & Senator Simpson & Representatives Atkins, Buckworth, Carey, Cathcart, DiPinto, Ewing, Fallon, Hall-Long, Hocker, Lee, Lofink, McWilliams, Outten, Roy, Schooley,



Spence, Stone, Thornburg & Valihura & Senators Amick, Blevins, Bonini, Cloutier, Connor, Copeland, Peterson, Sorenson & Still, before the House for consideration.

**HB 3** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE HIGH SCHOOL DIPLOMA REQUIREMENTS.

Representative Maier made a comment.

The roll call on **HB 3** was taken and revealed:

YES: 37.

NO: Representatives Booth & Caulk - 2.

ABSENT: Representatives Miro & Mulrooney - 2.

Therefore, having received a constitutional majority, **HB 3** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ewing.

Representative Ewing moved to suspend the rules which interfere with action on **SB 104**. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Ewing brought **SB 104**, jointly sponsored by Senator Adams & Senators Blevins, Bunting, Connor, Henry, McDowell, Peterson, Simpson & Still & Representatives Booth, Buckworth, Carey, Ennis, Gilligan, Oberle, Schwartzkopf, Spence & Williams & cosponsored by Representatives Lee, VanSant, Wagner & Outten, before the House for consideration.

**SB 104** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE MUTUAL ASSISTANCE ACT.

Representatives Ewing & Williams made comments.

The roll call on **SB 104** was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Mulrooney - 2.

Therefore, having received a constitutional majority, **SB 104** was returned to the Senate.

Representative Lee deferred to Representative Ulbrich.

Representative Ulbrich brought **HB 156**, jointly sponsored by Senator Sokola, before the House for consideration.

**HB 156** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOL MODIFICATIONS.

Representative Ulbrich made comments.

The roll call on **HB 156** was taken and revealed:

YES: 38.

ABSENT: Representatives Miro, Mulrooney & Smith - 3.

Therefore, having received a constitutional majority, **HB 156** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Thornburg.

Representative Thornburg brought **SB 46 w/SA 1**, jointly sponsored by Senator Venables & Representatives Ennis & Lee, before the House for consideration.

**SB 46** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING.

Representative Thornburg moved to place **SB 46 w/SA 1** on the Speaker's Table. The motion was seconded by Representative Outten and adopted without objection.

Representative Thornburg moved to lift **SB 46 w/SA 1** from the Speaker's Table. The motion was seconded by Representative Outten and adopted by voice vote.

Representative Thornburg brought **SB 46 w/SA 1**, jointly sponsored by Senator Venables & Representatives Ennis & Lee, before the House for consideration.

**SB 46** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING.

Representative Booth introduced and brought **HA 1 to SB 46** before the House for consideration. Representative Booth made comments. **HA 1** was adopted by voice vote.

Representative Thornburg made comments and requested and was granted privilege of the floor for Patrick Emory, Director, Division of Fish and Wildlife, Department of Natural Resources and Environmental Control. Representative Thornburg deferred to Representative Oberle. Representative Oberle made comments. Representative Oberle requested and was granted privilege of the floor for Paul Cunningham, Education Administrator, Department of Natural Resources and Environmental Control. Representative Oberle made comments. Representative Oberle requested and was granted privilege of the floor for Patrick Emory, Director, Division of Fish and Wildlife, Department of Natural Resources and Environmental Control.

Mr. Acting Speaker appointed Representative Buckworth as Acting Speaker.

Representative Ennis made comments.

The roll call on **SB 46 w/SA 1 & HA 1** was taken and revealed:

YES: 35.

NO: Representatives Keeley & Williams - 2.

ABSENT: Representatives Miro, Mulrooney, Smith & Spence - 4.

Therefore, having received a constitutional majority, **SB 46 w/SA 1 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Lee deferred to Representative DiPinto.

Representative DiPinto introduced **HB 25**, jointly sponsored by Representative Hudson & Representative Miro & Senator Henry & Representatives Lavelle & Plant & Senator McDowell.

**HB 25** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT, REGULATION AND OPERATION OF VIDEO LOTTERY GAMING FACILITIES WITHIN A VIDEO LOTTERY REDEVELOPMENT DISTRICT IN THE CITY OF WILMINGTON, AND THE ALLOCATION OF VIDEO LOTTERY PROCEEDS AND TERMINALS.

Mr. Acting Speaker assigned **HB 25** to the Gaming & Parimutuels Committee.

Representative Lee deferred to Representative Keeley. Representative Keeley requested and was granted personal privilege of the floor to present a House Tribute to Representative Melanie L. George on the occasion of her upcoming marriage. Representatives Lofink, Lavelle & Hall-Long made comments. Representative Lee deferred to Representative Spence. Representative Spence introduced a guest.

Representative Spence introduced **HB 186**, jointly sponsored by Representative Johnson & Representative Plant & Representative Williams & Senator Henry & Representatives Smith, Lee, Atkins, Booth, Buckworth, Carey, Ewing, Lofink, Stone, Wagner, VanSant, Ennis & Keeley.

**HB 186** - AN ACT TO AMEND THE FISCAL YEAR 2005 BUDGET ACT RELATING TO THE SUMMER YOUTH WORK PROGRAM.

Mr. Acting Speaker assigned **HB 186** to the Appropriations Committee.

Representatives Spence, Williams, Keeley & Johnson made comments.

Representative Spence requested and was granted privilege of the floor to present a House Tribute to Dee Comer, House staff member. Representatives Wagner, Hudson, Lee, Maier, McWilliams, Ulbrich, Gilligan & Ennis made comments. Representative Ennis requested and was granted privilege of the floor for Representative David H. Ennis. Representatives Keeley, Valihura, Williams, Lavelle & Ewing made comments.

Representative Lee deferred to Representative Hocker.

Representative Hocker brought **HB 143**, jointly sponsored by Senator Bunting & Senator Simpson & Representatives Atkins, Booth, Carey, Fallon, Hudson, Outten, Gilligan & Schwartzkopf, before the House for consideration.

**HB 143** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SUSSEX COUNTY GOVERNMENT AND ADMINISTRATION.

Representative Hocker made comments.

The roll call on **HB 143** was taken and revealed:

YES: 34.

NO: Representatives Caulk, Ewing, Fallon & Lee - 4.

ABSENT: Representatives Miro, Mulrooney & Smith - 3.

Therefore, having received a constitutional majority, **HB 143** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Maier.

Representative Maier brought **HB 167**, jointly sponsored by & Senator Blevins & Representatives Buckworth, Carey, DiPinto, Hudson, Miro, George, Hall-Long & Keeley & Senators Peterson, Sokola, Sorenson & Connor, before the House for consideration.

**HB 167** - AN ACT TO AMEND CHAPTER 85, TITLE 11 OF THE DELAWARE CODE RELATING TO ADULT ABUSE REGISTRY CHECKS.

Representative Maier made a comment.

The roll call on **HB 167** was taken and revealed:

YES: 37.

ABSENT: Representatives Lavelle, Miro, Mulrooney & Smith - 4.

Therefore, having received a constitutional majority, **HB 167** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Spence.

Representative Spence moved to suspend the rules which interfere with introduction of and action on **SS 1 for SB 110 w/SA 1**. The motion was properly seconded and adopted by voice vote.

Representative Spence introduced and brought **SS 1 for SB 110**, jointly sponsored by Senator DeLuca & Representative Miro & Representative Schwartzkopf and cosponsored by Representative Wagner, before the House for consideration.

**SB 110** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT. (2/3 bill)

Representative Spence made comments. Representative Spence requested and was granted privilege of the floor for John E. Murphy representing Happy Harry's Pharmacies. Representatives Hall-Long, Keeley, Schwartzkopf, George, Spence & McWilliams made comments.

The Majority Whip moved to recess for caucus at 5:30 p.m.

The House reconvened at 5:47 p.m.

Representative Spence made comments.

The roll call on **SS 1 for SB 110 w/SA 1** was taken and revealed:

YES: 36.

ABSENT: Representatives Caulk, Miro, Mulrooney, Plant & Smith - 5.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SS 1 for SB 110 w/SA 1** was returned to the Senate.

Representative Lee brought the following prefiled **Consent Calendar #11** before the House for consideration.

**HR 19** – VALIHURA & REPRESENTATIVE SMITH & REPRESENTATIVE LAVELLE – Urging Congress to Take Action to Ban the Use of Single-Hulled Tankers in Critical Natural and Economically Vital Waterways, Including the Delaware River, in Advance of the Existing 2011 Deadline.

**HR 20** – BOOTH & REPRESENTATIVE VALIHURA & REPRESENTATIVE SMITH & REPRESENTATIVE LAVELLE & REPRESENTATIVE MCWILLIAMS; REPRESENTATIVES ATKINS, CAREY, HOCKER, OUTTEN, THORNBURG, LONGHURST, MULROONEY, CAULK – Urging Delaware's Congressional Delegation and the United States Congress to Increase Funding to the United States Army Corps of Engineers for the Purposes of Ensuring that the Delaware River is Clear of Hazardous Materials and Debris, that the River Channel is Safe for Passage by Ships and Tankers and that the Corps can Conduct Regular and Additional Maintenance Clean-up of the Delaware River in Order to Protect and Maintain Critical Natural Areas and to Guard Against Potentially Devastating Oil Spills and Other Events that Could Cripple Commerce Along the River and the River's Ecosystem.

**HCR 27** – BOOTH; REPRESENTATIVES SPENCE, SMITH, BUCKWORTH, CAREY, CAHTCART, EWING, HOCKER, HUDSON, LAVELLE, MIRO, OUTTEN, SCHWARTZKOPF, VALIHURA, WAGNER, KEELEY; SENATORS HENRY, SOKOLA - Encouraging All State Agencies to Include Antilitter Information in All Public Service Announcements and Public Notices.

**HCR 28** – BOOTH; REPRESENTATIVES SPENCE, BUCKWORTH, CAREY, CAHTCART, EWING, HOCKER, LAVELLE, MIRO, OUTTEN, SCHWARTZKOPF, VALIHURA, WAGNER, KEELEY; SENATORS HENRY, SOKOLA – Requesting the Secretary of the Department of Transportation Enact an Administrative Regulation or Policy Regarding Littering.

**Consent Calendar #11** was adopted by voice vote and **HR 19 & HR 20** were declared passed and **HCR 27 & HCR 28** were sent to the Senate for concurrence.

Representative Lee deferred to Representative Maier.

Representative Maier requested and was granted privilege of the floor to present a House Tribute to Representative Donna D. Stone.

The Reading Clerk read the following communications into the record:

May 5, 2005

The Honorable Terry R. Spence

Speaker of the House

Delaware House of Representatives

Dear Representative Spence:

I am pleased to be forwarding to you a Proclamation proclaiming the naming of Troop 5 as the *Adams – Ewing Public Safety Complex*. This Proclamation was passed unanimously by the Sussex Council on the 26th day of April 2005. I would be pleased if you would take whatever steps are necessary to see that the House of Representatives supports this Proclamation.

Sincerely,

Robert L. Stickels

County Administrator

The Senate wishes to inform the House that it has passed **SS1/SB 110 w/SA 1, SB 52 w/SA 2, SB 112, SB 108 w/SA 1, SB 113, SB 118, SB 106 & SJR 6** and requests the concurrence of the House; **HB 150, HB 151 & HB 3** and is returning same to the House.

The Majority Whip moved to recess to the call of the Chair at 5:56 p.m.

Mr. Acting Speaker Buckworth called the House to order at 2:10 p.m. on May 31, 2005.

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

REVENUE & FINANCE: **HB 114** – 5F,1M.

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.

### **30th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session**

**May 31, 2005**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative John C. Atkins, Forty-First Representative District.

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

The following prefiled legislation was introduced:

**HS 1 for HB 55** - LAVELLE & SENATOR SOKOLA; REPRESENTATIVES DIPINTO, HUDSON, JOHNSON, MAIER, SMITH, ULBRICH, VALIHURA; SENATORS COPELAND, DELUCA,

SORENSEN - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to the County Auditor.

**HB 183** - BOOTH; REPRESENTATIVES SPENCE, SMITH, BUCKWORTH, CAREY, CATHCART, EWING, HOCKER, HUDSON, LAVELLE, MIRO, OUTTEN, VALIHURA, WAGNER, KEELEY; SENATORS HENRY, SOKOLA - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 16 of the Delaware Code Relating to Litter Control.

**HB 185** - SPENCE & SENATOR MCBRIDE - EDUCATION - An Act to Amend Chapter 31, Title 14 of the Delaware Code to Provide for Vouchers for Children with Disabilities.

**HS 1 for HB 186** - SPENCE & REPRESENTATIVE JOHNSON & REPRESENTATIVE WILLIAMS & REPRESENTATIVE PLANT & REPRESENTATIVE KEELEY & REPRESENTATIVE SCHWARTZKOPF & SENATOR HENRY; REPRESENTATIVES ATKINS, BOOTH, BUCKWORTH, CAREY, ENNIS, EWING, FALLON, GEORGE, GILLIGAN, HALL-LONG, HOCKER, LEE, LOFINK, LONGHURST, MCWILLIAMS, MULROONEY, OUTTEN, SCHOOLEY, SMITH, STONE, VANSANT, VIOLA, WAGNER; SENATOR MCDOWELL - APPROPRIATIONS - An Act to Amend the Fiscal Year 2005 Budget Act Relating to the Summer Youth Work Program.

**HB 188** - HOCKER; REPRESENTATIVES SMITH, BOOTH, CAREY, HUDSON, LAVELLE, VALIHURA; SENATORS BUNTING, VENABLES, SORENSON, BONINI, COPELAND, SIMPSON - LABOR - An Act to Amend Titles 14 and 19 of the Delaware Code Relating to the Right to Work.

**HB 189** - KEELEY; REPRESENTATIVES BUCKWORTH, CAULK, ENNIS, EWING, HALL-LONG, HOCKER, HUDSON, JOHNSON, LONGHURST, MAIER, MCWILLIAMS, MIRO, PLANT, SCHOOLEY, SCHWARTZKOPF, SMITH, STONE; SENATORS BLEVINS, BUNTING, DELUCA, HENRY, SOKOLA - JUDICIARY - An Act to Amend Chapter 12, Title 11 of the Delaware Code Relating to False Reporting of an Incident.

**HB 190** - OBERLE & SENATOR BLEVINS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to a Personal Assistance Services Agency Act. (3/5 bill)

**HB 191** - VALIHURA & REPRESENTATIVE MIRO & REPRESENTATIVE EWING & SENATOR SOKOLA & SENATOR CLOUTIER; REPRESENTATIVES BUCKWORTH, CAREY, DIPINTO, FALLON, HUDSON, OBERLE - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Drivers' Permits and Licenses.

**SB 52 w/SA 2** - SOKOLA & REPRESENTATIVE MAIER - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Expungement of Truancy Records. (2/3 bill)

**SB 106** - BLEVINS & REPRESENTATIVE SMITH - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Public School Elections.

**SB 108 w/SA 1** - COOK & REPRESENTATIVE HUDSON; SENATOR SORENSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Certain Business License Fees.

**SB 112** - MCBRIDE & REPRESENTATIVES VALIHURA & WAGNER; SENATOR SOKOLA; REPRESENTATIVES LONGHURST, MCWILLIAMS, MULROONEY & HALL-LONG; SENATOR CONNOR & SENATOR MCDOWELL - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Chapter 79, Title 7, of the Delaware Code, Relating to the Department of Natural Resources and Environmental Control as It Adopts the Uniform Environmental Covenants Act. This Act will make These Covenants Enforceable over the Long Term and be Enforceable Against Successive Owners of the Property and Against Parties Liable for Maintaining Institutional Control of the Property.

**SB 113** - MCBRIDE & REPRESENTATIVE BOOTH; SENATORS VENABLES & SIMPSON; REPRESENTATIVES CAREY, MCWILLIAMS, HALL-LONG; SENATOR CONNOR - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7, Chapter 60 of the Delaware Code Relating to the Clean Air Act Title V Operating Permit Program.

**SS 1 for SB 114** - COOK & REPRESENTATIVE DIPINTO; SENATORS ADAMS, MCDOWELL, DELUCA, STILL, SORENSON; REPRESENTATIVES SPENCE, SMITH, LEE, GILLIGAN, VANSANT - APPROPRIATIONS - An Act Making a One Time Supplemental General Fund Appropriation of Ten Million Dollars to the Office of the Budget for the Creation of a Federal Contingency Fund.

**SB 118** - BLEVINS & REPRESENTATIVE MAIER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Persons Diagnosed with Mental Retardation and Other Specific Developmental Disabilities.

**SJR 6** - MCBRIDE & REPRESENTATIVE BOOTH; SENATORS VAUGHN, VENABLES, SIMPSON; REPRESENTATIVES HOCKER, ATKINS, CAREY, CAULK, MIRO, OUTTEN, THORNBURG, HALL-LONG, LONGHURST, MCWILLIAMS, MULROONEY; SENATOR CONNOR - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - Extending the Life of the Delaware River and Bay Oversight Committee for the Purpose of Studying and Considering Additional Matters, Including the Effect of the Regulation 24, Section 46, Control of Voc Emissions and the Establishment of a Permanent Delaware River and Bay Oversight Commission.

**SCR 12 - HA 1** - VENABLES & REPRESENTATIVE EWING; SENATORS SOKOLA, CLOUTIER, SORENSON; REPRESENTATIVES BUCKWORTH, DIPINTO, MAIER, KEELEY -

HEALTH & HUMAN DEVELOPMENT - Establishing a Task Force to Examine How to Implement a "short-form" Advanced Health Care Directive to be Associated with a Notation on Delaware Driver Licenses and Non-driver Identification Cards.

Representative Smith brought **HB 120**, jointly sponsored by Senator Cook, before the House for consideration.

**HB 120 - AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO THE ESTABLISHMENT AND DUTIES OF THE DELAWARE REVOLUTIONARY WAR MONUMENT COMMISSION. (F/N)**

Representative Smith made comments.

Representative Smith requested and was granted privilege of the floor for Ms. Elsje Kumpon, first grade teacher, Mount Pleasant Elementary School. Her students announced their names for the record and made comments regarding **HB 120**. Representative Smith made comments.

Representative Smith brought **HA 1 to HB 120** before the House for consideration. Representative Smith made comments. **HA 1** was adopted by voice vote.

The roll call on **HB 120 w/HA 1** was taken and revealed:

YES: 32.

ABSENT: Representatives Caulk, Hudson, Lavelle, Mulrooney, Oberle, Spence, Valihura, Viola & Williams - 9.

Therefore, having received a constitutional majority, **HB 120 w/HA 1** was sent to the Senate for concurrence.

Representatives Lofink, Plant & Ulbrich requested that they be marked present during the roll call.

Representative Smith made comments.

Representative Smith requested and was granted privilege of the floor for Dr. Lydia Tucker, representing Tech Prep Delaware, and Mr. Gary Conaway, representing Sussex Tech High School. Amy Pfaff, Wes Broadhurst, Amber Drummond and Kyle Perry, Tech Prep students, addressed the House and presented a video tape to each House Member. Representative Wagner made comments.

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

The House reconvened at 5:06 p.m.

The Reading Clerk read the following communications into the record:

Delaware General Assembly

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Pamela Thornburg, do hereby request that my name be removed as a cosponsor of **SB 121**.

Date: May 18, 2005

Signed: Pamela J. Thornburg

May 18, 2005

LEGISLATIVE ADVISORY #5

Governor Ruth Ann Minner signed the following legislation on the date indicated: 5/10/05 - **HB 32 aab SA 1 & 2 and HA 1**; 5/12/05 – **HB 79 aab HA 1 & SB 72 aab SA 1**; 5/17/05 – **HB 3, HB 65, HB 85, HB 99 aab HA 1 & 2, HB 138, HB 150, HB 151, HB 157, SB 13, SB 17, SB 56, SB 104 & SJR 1**.

May 26, 2005

LEGISLATIVE ADVISORY #6

Governor Ruth Ann Minner signed the following legislation on the date indicated: 5/4/05 – **HB 77**; 5/25/05 – **SB 46 aab SA 1 & HA 1, SB 49 aab HA 2 & HB 91 aab HA 1**.

The Senate wishes to inform the House that it has passed **HB 100 w/HA 1 & 2 & SA 1** and is returning same to the House; **SB 120 w/SA 1 & SB 117** and requests the concurrence of the House.

Representatives Oberle, Spence, Hudson, Mulrooney, Viola & Caulk requested that they be marked present.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **HB 131**, jointly sponsored by Senator McBride, before the House for consideration.

**HB 131 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES.**

Representative Oberle made comments.

The roll call on **HB 131** was taken and revealed:

YES: 40.

NO: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 131** was sent to the Senate for concurrence.

Representatives Lavelle, Valihura & Williams requested that they be marked present during the roll call.

Representative Smith requested and was granted personal privilege of the floor to make an announcement.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart made an announcement.

Representative Cathcart brought **HB 105**, jointly sponsored by Senator McDowell & Representatives Spence, Carey, DiPinto, Hocker, Hudson, Lofink, Maier, Miro, Oberle, Stone, Ulbrich,

Valihura & Wagner & Senators Bunting, Venables, Sorenson, Cloutier & Connor & cosponsored by Representative Ewing & Senator Sokola, before the House for consideration.

**HB 105 - AN ACT TO AMEND TITLE 6 AND TITLE 7 OF THE DELAWARE CODE RELATING TO METHYL TERTIARY-BUTYL ETHER.**

Representative Cathcart deferred to Representative DiPinto.

Representative DiPinto brought **HA 1 to HB 105** before the House for consideration.

Representatives DiPinto & Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for James D. Werner, Director, Division of Air and Waste Management, Department of Natural Resources and Environmental Control and Dr. Patricia Ellis, Hydrologist, Department of Natural Resources and Environmental Control. Representatives Cathcart, Wagner & DiPinto made comments.

Mr. Speaker Spence resumed the Chair.

Representatives Cathcart, Wagner & DiPinto made comments. Representative Cathcart requested and was granted privilege of the floor for Joseph A. DiNunzio, Senior Vice-President, Artesian Water Company, Inc. Representatives Cathcart & DiPinto made comments.

The roll call on **HA 1 to HB 105** was taken and revealed:

YES: Representatives Atkins, Booth, DiPinto, Ewing, Fallon, Gilligan, Hudson, Lavelle, Stone, Thornburg, Valihura & Williams - 12.

NO: 27.

ABSENT: Representatives Caulk & Maier - 2.

Therefore, not having received a constitutional majority, **HA 1 to HB 105** was declared defeated.

Representative Cathcart brought **HA 2 to HB 105** before the House for consideration.

Representative Cathcart made comments. **HA 2** was adopted by voice vote. Representative Cathcart made comments.

Representative Thornburg introduced and brought **HA 3 to HB 105**, jointly sponsored by Representative Gilligan, before the House for consideration. Representative Thornburg made comments. Representative Thornburg requested and was granted privilege of the floor for John Kneiss, Executive Director, Clean Transportation Advisory Council. Representatives Cathcart, Wagner, Oberle, Thornburg & Oberle made comments. Representative Cathcart deferred to Representative Ulbrich. Representative Ulbrich requested and was granted privilege of the floor for John Hughes, Secretary, Department of Natural Resources and Environmental Control. Representatives Ulbrich, Cathcart, DiPinto, Thornburg & Cathcart made comments.

**HA 3** was defeated by voice vote.

Representative Cathcart made comments.

The roll call on **HB 105 w/HA 2** was taken and revealed:

YES: 39.

NOT VOTING: Representative Thornburg - 1.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 105 w/HA 2** was sent to the Senate for concurrence.

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

The House reconvened at 6:30 p.m.

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

Mr. Speaker Spence assigned **HS 1 FOR HB 108, HB 114 & HB 163** to the Appropriations Committee.

Representative Smith deferred to Representative Gilligan.

Representative Gilligan brought **HB 116**, jointly sponsored by Representative Stone & Senator Sokola & Representatives Booth, Buckworth, Ennis, Ewing, Fallon, George, Hall-Long, Hocker, Johnson, Keeley, Longhurst, McWilliams, Mulrooney, Plant, Roy, Schooley, Schwartzkopf, Ulbrich, VanSant, Viola & Williams & Senators Bunting, Cook & Henry & cosponsored by Senator Connor, before the House for consideration.

**HB 116 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMPUTER SECURITY BREACHES.**

Representative Gilligan brought **HA 1 to HB 116** before the House for consideration.

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

Mr. Speaker Spence declared a recess at 6:35 p.m.

The House reconvened at 6:36 p.m.

Representative Smith made an announcement.

Representative Smith moved to restore **HA 1 to HB 116** and to rescind the voice vote. The motion was properly seconded and adopted by voice vote.

Representative Stone introduced and brought **HA 1 to HA 1 to HB 116** before the House for consideration. Representatives Stone & Gilligan made comments. **HA 1 to HA 1** was adopted by voice vote. Representative Stone introduced and brought **HA 2 to HA 1 to HB 116** before the House for consideration. Representatives Stone & Gilligan made comments. **HA 2 to HA 1** was adopted by voice vote. Representative Stone introduced and brought **HA 3 to HA 1 to HB 116** before the House for

consideration. Representatives Stone & Gilligan made comments. **HA 3 to HA 1** was adopted by voice vote. Representative Stone introduced and brought **HA 4 to HA 1 to HB 116** before the House for consideration. Representatives Stone, Keeley & Gilligan made comments. **HA 4 to HA 1** was adopted by voice vote. Representative Stone introduced and brought **HA 5 to HA 1 to HB 116** before the House for consideration. Representative Stone requested that **HA 5 to HA 1** be stricken. Representative Stone introduced and brought **HA 6 to HA 1 to HB 116** before the House for consideration. Representatives Stone & Gilligan made comments. **HA 6** was adopted by voice vote. Representative Stone requested and was granted personal privilege of the floor to make comments. Representative Gilligan & Mr. Speaker Spence made comments. **HA 1 to HB 116 w/HA 1, HA 2, HA 3, HA 4 & HA 6** was adopted by voice vote.

The roll call on **HB 116 w/HA 1, HA 1 to HA 1, HA 2 to HA 1, HA 3 to HA 1, HA 4 to HA 1 & HA 6 to HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 116 w/HA 1, HA 1 to HA 1, HA 2 to HA 1, HA 3 to HA 1, HA 4 to HA 1 & HA 6 to HA 1** was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 6:58 p.m.

Mr. Speaker Spence called the House to order at 2:14 p.m. on June 1, 2005.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 57 w/SA 2** and requests the concurrence of the House.

Delaware General Assembly

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Dennis P. Williams, do hereby request that my name be removed as a cosponsor of **HCR 22**.

Date: May 31, 2005

Signed: Dennis P. Williams

143rd Delaware General Assembly

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative J. B. Ewing, do hereby request that my name be removed as a cosponsor of **HB 193**.  
Date: May 31, 2005

Signed: J. B. Ewing

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.

**31st LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session  
June 1, 2005**

The Chief Clerk called the roll:

Members Present: 40

Member Absent: Representative Caulk – 1.

A prayer was offered by Representative Pamela J. Thornburg, Twenty-Ninth Representative District.

Mr. Speaker Spence 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 187 - SPENCE & SENATOR MCBRIDE; REPRESENTATIVES SMITH, BUCKWORTH, CAREY, CATHCART, DIPINTO, EWING, LOFINK, MIRO, THORNBURG, ULBRICH, VANSANT, JOHNSON, MULROONEY, PLANT, WILLIAMS - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Related to School Buses.**

**HB 193 - MAIER & SENATOR PETERSON; SENATORS HENRY, SOKOLA, SORENSON - PUBLIC SAFETY - An Act to Amend Title 11 and Title 24 of the Delaware Code Relating to Deadly Weapons.**

**HB 194 - MAIER & SENATOR BLEVINS; REPRESENTATIVES BOOTH, BUCKWORTH, CATHCART, DIPINTO, EWING, FALLON, HOCKER, HUDSON, LAVELLE, OUTTEN, WAGNER, ULBRICH, SCHOOLEY; SENATORS SORENSON, CONNOR, COPELAND - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Chapter 334 of Volume 72, Laws of Delaware, Entitled "An Act to Amend Title 24 of the Delaware Code Relating to an Interstate Nurse Licensure Compact", and Chapter 19A of Title 24 of the Delaware Code to Extend the State's Participation in the Interstate Compact.**

**HB 195 - BUCKWORTH & SENATOR BLEVINS; REPRESENTATIVES SPENCE, HUDSON, VALIHURA, WAGNER, KEELEY, SCHOOLEY; SENATOR STILL - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Chapter 6, Title 13 of the Delaware Code, the Uniform Interstate Family Support Act.**

**HB 196 - STONE & SENATOR BLEVINS; REPRESENTATIVES SMITH, CAREY, DIPINTO, HUDSON, LAVELLE, MAIER, OBERLE, ROY, GILLIGAN, HALL-LONG, KEELEY; SENATORS SOKOLA, VENABLES, SORENSON, CLOUTIER, CONNOR, SIMPSON - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to the Licensure of Automobile Clubs.**



**HB 197** - MAIER & REPRESENTATIVE SPENCE & REPRESENTATIVE SMITH & SENATOR BLEVINS & SENATOR CONNOR; REPRESENTATIVES LEE, ATKINS, BOOTH, BUCKWORTH, CAREY, DIPINTO, EWING, HOCKER, HUDSON, OUTTEN, STONE, THORNBURG, WAGNER, ENNIS, GEORGE, JOHNSON, PLANT; SENATORS DELUCA, VENABLES, STILL, SORENSON, AMICK, BONINI, CLOUTIER, COPELAND, SIMPSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Patient Safety and Health Care Quality Improvement Act of 2005.

**HB 198** - SPENCE & SENATOR MCBRIDE; REPRESENTATIVES CATHCART, CAULK, ENNIS, EWING, GEORGE, GILLIGAN, HALL-LONG, HOCKER, JOHNSON, KEELEY, LONGHURST, MCWILLIAMS, MULROONEY, OBERLE, PLANT, SCHOOLEY, SCHWARTZKOPF, THORNBURG, ULBRICH, VANSANT; SENATORS AMICK, CONNOR - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to State Employee Leave of Absence.

**SB 57 w/SA 2** - BUNTING & REPRESENTATIVE ATKINS - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Dagsboro, Chapter 138, Volume 68, Laws of Delaware, as Amended, Entitled "An Act to Incorporate the Town of Dagsboro" Relating to Vacancies and Forfeiture of Office. (2/3 bill)

**SB 117** - SOKOLA; REPRESENTATIVES SMITH & VALIHURA; SENATOR CLOUTIER - PUBLIC SAFETY - An Act to Amend Chapter 27 of Title 21 of the Delaware Code Relating to Driver's Licenses. (2/3 bill)

**SB 120 w/SA 1** - BLEVINS & REPRESENTATIVE ULBRICH - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to the Division of State Service Centers.

**HA 1 to SB 112** - VALIHURA - Placed with the Bill.

**HA 2 to SCR 12** - EWING - Placed with the Bill.

Representatives Gilligan & Ennis requested that they be marked present.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #21

DATE: June 1, 2005

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   | Date      | Type | Description                                                           |
|----------|-----------|-----------|------|-----------------------------------------------------------------------|
| H143-480 | Gilligan  | 5/7/2005  | T    | Carolyn & Chester Laudenberger - 50th Wedding Anniversary             |
| H143-481 | Gilligan  | 4/28/2005 | T    | Robert & Evelyn Pettit - 50th Wedding Anniversary                     |
| H143-482 | Hall-Long | 5/7/2005  | T    | Andy & Catherine Hutson - 50th Wedding Anniversary                    |
| H143-483 | Mulrooney | 5/14/2005 | T    | Eugenia & Henry Manlove - 50th Wedding Anniversary                    |
| H143-484 | Keeley    | 4/30/2005 | T    | Anthony & Ann Smagala - 50th Wedding Anniversary                      |
| H143-485 | Johnson   | 3/26/2005 | T    | Joanne & Richard Tulowitzki - 50th Wedding Anniversary                |
| H143-486 | Carey     | 4/19/2005 | T    | Alfred Best - Community Citizen Award – Henlopen Grange               |
| H143-487 | Buckworth | 6/14/2005 | T    | Karen Stone - Distinguished Alumni Award – DelTech - Terry Campus     |
| H143-488 | Buckworth | 6/14/2005 | T    | Kathleen Thomas - Distinguished Alumni Award - DelTech - Terry Campus |
| H143-489 | Thornburg | 5/7/2005  | T    | Alyssa Bockius & David Sweeney - Marriage                             |
| H143-490 | Wagner    | 5/7/2005  | T    | Michelle Kirk & Minh Cao Nguyen – Marriage                            |
| H143-491 | Atkins    | 4/24/2005 | T    | Gladys James - 85th Birthday                                          |
| H143-492 | Ennis     | 5/14/2005 | T    | Zacory Voss - Honorary Lifetime Parade Marshall                       |
| H143-493 | Miro      | 5/7/2005  | T    | Ronald Wenger, Ph.D. - Retirement - U of D – 40 Years                 |
| H143-494 | Buckworth | 5/10/2005 | T    | Richard Carter - Skills USA Adviser of the Year                       |
| H143-495 | Thornburg | 5/1/2005  | M    | E. Boyd Masten                                                        |
| H143-496 | Stone     | 5/10/2005 | T    | Motorcycle Bob - Riding Tour 18,000+ Miles                            |
| H143-497 | DiPinto   | 5/6/2005  | T    | Rosalie Gaziano - Visit to Delaware                                   |
| H143-498 | Oberle    | 6/9/2005  | T    | Jeffrey Barnette - Sterck School Graduation                           |
| H143-499 | Oberle    | 6/9/2005  | T    | Keith Barr - Sterck School Graduation                                 |
| H143-500 | Oberle    | 6/9/2005  | T    | Leona Dugger - Sterck School Graduation                               |
| H143-501 | Oberle    | 6/9/2005  | T    | Danielle Franks - Sterck School Graduation                            |
| H143-502 | Oberle    | 6/9/2005  | T    | Vaughn Grady, II - Sterck School Graduation                           |
| H143-503 | Oberle    | 6/9/2005  | T    | Dante Hudson - Sterck School Graduation                               |
| H143-504 | Oberle    | 6/9/2005  | T    | Adam Johnson - Sterck School Graduation                               |
| H143-505 | Oberle    | 6/9/2005  | T    | Jessica Lewis - Sterck School Graduation                              |

HOUSE TRIBUTE ANNOUNCEMENT #22

DATE: June 1, 2005

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                         | Date      | Type | Description                                                           |
|----------|---------------------------------|-----------|------|-----------------------------------------------------------------------|
| H143-506 | Oberle                          | 6/9/2005  | T    | Anisha McGhee - Sterck School Graduation                              |
| H143-507 | Oberle                          | 6/9/2005  | T    | Xavier Robinson - Sterck School Graduation                            |
| H143-508 | Oberle                          | 6/9/2005  | T    | Jaime Witz - Sterck School Graduation                                 |
| H143-509 | Oberle                          | 6/9/2005  | T    | Danielle Woodward - Sterck School Graduation                          |
| H143-510 | Cathcart                        | 5/11/2005 | T    | Benjamin Spence - Crafted Liberty Tree Memorial Box                   |
| H143-511 | Reps. Lofink & Ulbrich          | 1/23/2005 | T    | Henry & Yvonne Harper - 40th Wedding Anniversary                      |
|          | cosponsors: All Representatives |           |      |                                                                       |
| H143-512 | Lee                             | 5/20/2005 | T    | Group Home Named in Honor of Robert Spencer                           |
| H143-513 | Spence                          | 5/12/2005 | M    | Ralph J. Harting, III                                                 |
|          | cosponsors: All Representatives |           |      |                                                                       |
| H143-514 | Carey                           | 5/14/2005 | T    | Andrea Arreguin - Hispanic Student Art Award                          |
|          | cosponsors: Reps. Keeley & Miro |           |      |                                                                       |
| H143-515 | Gilligan                        | 5/14/2005 | T    | Karla Marin - Hispanic Student Art Award                              |
|          | cosponsors: Reps. Keeley & Miro |           |      |                                                                       |
| H143-516 | Gilligan                        | 5/14/2005 | T    | Vanessa Romero - Hispanic Student Community Service Award             |
|          | cosponsors: Reps. Keeley & Miro |           |      |                                                                       |
| H143-517 | Atkins                          | 5/14/2005 | T    | Bianey Cordoba - Hispanic Student Community Service Award             |
|          | cosponsors: Reps. Keeley & Miro |           |      |                                                                       |
| H143-518 | George                          | 5/14/2005 | T    | Santino Romano - Hispanic Student Athletics Award                     |
|          | cosponsors: Reps. Keeley & Miro |           |      |                                                                       |
| H143-519 | Johnson                         | 5/14/2005 | T    | David Donato - Hispanic Student Science & Technology Award            |
|          | cosponsors: Reps. Keeley & Miro |           |      |                                                                       |
| H143-520 | Caulk                           | 5/14/2005 | T    | Jacqlene Tillmes - Female Hispanic Student of the Year                |
|          | cosponsors: Reps. Keeley & Miro |           |      |                                                                       |
| H143-521 | Smith                           | 5/14/2005 | T    | Anthony Peters - Male Hispanic Student of the Year                    |
|          | cosponsors: Reps. Keeley & Miro |           |      |                                                                       |
| H143-522 | Gilligan                        | 6/13/2005 | T    | James Evans - 70th Birthday                                           |
| H143-523 | Ennis                           | 5/13/2005 | T    | Don Kinnamon - President - Del-Mar-Va Volunteer Fireman's Association |
| H143-524 | Caulk                           | 1/31/2005 | T    | Harriett Donofrio - Retirement - Delaware Teacher Center              |
| H143-525 | Schwartzkopf                    | 5/12/2005 | T    | Patricia Griffin - Hall of Fame of Delaware Women                     |
| H143-526 | DiPinto                         | 5/19/2005 | T    | Foodsource by Clemens - Grand Opening                                 |

#### HOUSE TRIBUTE ANNOUNCEMENT #23

DATE: June 1, 2005

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                         | Date      | Type | Description                                           |
|----------|---------------------------------|-----------|------|-------------------------------------------------------|
| H143-527 | Stone                           | 5/12/2005 | T    | Eric Young - Commercial Photographer of the Year      |
| H143-528 | Wagner                          | 5/7/2005  | T    | Bridget Janairo & Charles Best - Marriage             |
| H143-529 | Atkins                          | 5/28/2005 | T    | Clara Bell Spicer - 100th Birthday                    |
| H143-530 | Maier                           | 5/28/2005 | T    | Albert Rose - 25th Anniversary - Ordination – Deacon  |
| H143-531 | Maier                           | 5/28/2005 | T    | Joseph Conte - 25th Anniversary - Ordination - Deacon |
| H143-532 | McWilliams                      | 5/12/2005 | T    | Andy Brennan - Retirement - Cubmaster                 |
| H143-533 | Viola                           | 5/17/2005 | T    | Nikhil Paul - Newark Lions Club Teenager of the Year  |
| H143-534 | Lee                             | 5/12/2005 | T    | Dee Comer - 14 Years - House Staff                    |
| H143-535 | Keeley                          | 5/12/2005 | T    | Melanie George & David Marshall - Marriage            |
| H143-536 | Hocker                          | 5/8/2005  | T    | Dan & Helen Selskis - 59th Wedding Anniversary        |
| H143-537 | Maier                           | 5/12/2005 | T    | Donna Stone - Heart Association Legislator Advocate   |
| H143-538 | Oberle                          | 4/26/2005 | M    | Dr. Walter W. Moore                                   |
| H143-539 | DiPinto                         | 5/13/2005 | T    | Elda Deramo DiMatteo - 90th Birthday                  |
| H143-540 | Ennis                           | 5/14/2005 | T    | L. Wayne Carrow - Commander - David Harrison Post #14 |
| H143-541 | Wagner                          | 5/21/2005 | T    | Christopher Barbour & Karon Lawson – Marriage         |
| H143-542 | Stone                           | 5/12/2005 | T    | John Friedman - Small Businessperson of the Year      |
| H143-543 | Spence                          | 5/17/2005 | T    | Robert Johnson - Checkpoint Strikeforce               |
|          | cosponsors: All Representatives |           |      |                                                       |
| H143-544 | Spence                          | 5/17/2005 | T    | Henry Cannon - Checkpoint Strikeforce                 |
|          | cosponsors: All Representatives |           |      |                                                       |
| H143-545 | Spence                          | 5/17/2005 | T    | James Peiffer - Checkpoint Strikeforce                |
|          | cosponsors: All Representatives |           |      |                                                       |
| H143-546 | Spence                          | 5/17/2005 | T    | Gerald Connor - Checkpoint Strikeforce                |
|          | cosponsors: All Representatives |           |      |                                                       |
| H143-547 | Spence                          | 5/17/2005 | T    | Shawn Gordon - Checkpoint Strikeforce                 |
|          | cosponsors: All Representatives |           |      |                                                       |

H143-548 Spence 5/17/2005 T James Wyatt - Checkpoint Strikeforce  
cosponsors: All Representatives

HOUSE TRIBUTE ANNOUNCEMENT #24

DATE: June 1, 2005

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>Date</u> | <u>Type</u> | <u>Description</u>                           |
|---------------|---------------------------------|-------------|-------------|----------------------------------------------|
| H143-549      | Spence                          | 5/17/2005   | T           | Michael Morrissey - Checkpoint Strikeforce   |
|               | cosponsors: All Representatives |             |             |                                              |
| H143-550      | Spence                          | 5/17/2005   | T           | Andrew Rubin - Checkpoint Strikeforce        |
|               | cosponsors: All Representatives |             |             |                                              |
| H143-551      | Spence                          | 5/17/2005   | T           | Nicholas Sansone - Checkpoint Strikeforce    |
|               | cosponsors: All Representatives |             |             |                                              |
| H143-552      | Spence                          | 5/17/2005   | T           | Christopher Jones - Checkpoint Strikeforce   |
|               | cosponsors: All Representatives |             |             |                                              |
| H143-553      | Spence                          | 5/17/2005   | T           | Michael Capriglione - Checkpoint Strikeforce |
|               | cosponsors: All Representatives |             |             |                                              |
| H143-554      | Spence                          | 5/17/2005   | T           | Dominic Giofre - Checkpoint Strikeforce      |
|               | cosponsors: All Representatives |             |             |                                              |
| H143-555      | Spence                          | 5/17/2005   | T           | H. John Brown - Checkpoint Strikeforce       |
|               | cosponsors: All Representatives |             |             |                                              |
| H143-556      | Spence                          | 5/17/2005   | T           | Mark Wohner - Checkpoint Strikeforce         |
|               | cosponsors: All Representatives |             |             |                                              |
| H143-557      | Spence                          | 5/17/2005   | T           | Dennis Sandusky - Checkpoint Strikeforce     |
|               | cosponsors: All Representatives |             |             |                                              |
| H143-558      | Spence                          | 5/17/2005   | T           | Domenic Maiorano - Checkpoint Strikeforce    |
|               | cosponsors: All Representatives |             |             |                                              |
| H143-559      | Spence                          | 5/17/2005   | T           | Christopher Marques - Checkpoint Strikeforce |
|               | cosponsors: All Representatives |             |             |                                              |
| H143-560      | Spence                          | 5/17/2005   | T           | Andrew Plastek - Checkpoint Strikeforce      |
|               | cosponsors: All Representatives |             |             |                                              |
| H143-561      | Spence                          | 5/17/2005   | T           | Neal Strauss - Checkpoint Strikeforce        |
|               | cosponsors: All Representatives |             |             |                                              |
| H143-562      | Spence                          | 5/17/2005   | T           | Robert Haug - Checkpoint Strikeforce         |
|               | cosponsors: All Representatives |             |             |                                              |
| H143-563      | Spence                          | 5/17/2005   | T           | Edward Dempsey - Checkpoint Strikeforce      |
|               | cosponsors: All Representatives |             |             |                                              |
| H143-564      | Spence                          | 5/17/2005   | T           | Michael Hartzfeld - Checkpoint Strikeforce   |
|               | cosponsors: All Representatives |             |             |                                              |

HOUSE TRIBUTE ANNOUNCEMENT #25

DATE: June 1, 2005

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>Date</u> | <u>Type</u> | <u>Description</u>                                      |
|---------------|---------------------------------|-------------|-------------|---------------------------------------------------------|
| H143-565      | Spence                          | 5/17/2005   | T           | Thomas Mason, Sr. - Checkpoint Strikeforce              |
|               | cosponsors: All Representatives |             |             |                                                         |
| H143-566      | Spence                          | 5/17/2005   | T           | Charles Dulin, Jr. - Checkpoint Strikeforce             |
|               | cosponsors: All Representatives |             |             |                                                         |
| H143-567      | Spence                          | 5/17/2005   | T           | Robert Jones - Checkpoint Strikeforce                   |
|               | cosponsors: All Representatives |             |             |                                                         |
| H143-568      | Schwartzkopf                    | 5/18/2005   | T           | Hazel McCourt - 100th Birthday                          |
| H143-569      | Buckworth                       | 5/8/2005    | T           | Judy & Lloyd Killen - 50th Wedding Anniversary          |
| H143-570      | Fallon                          | 5/10/2005   | T           | Bonnie Johnson - Distinguished Principal of the Year    |
| H143-571      | Wagner                          | 5/15/2005   | M           | Dr. Elizabeth C. Lloyd                                  |
| H143-572      | Booth                           | 5/18/2005   | T           | Dr. Dane Brandenberger - Retirement - Cape Henlopen     |
| H143-573      | Outten                          | 5/19/2005   | T           | Margaret Holden - Retirement - 13 Years – Lake Forest   |
| H143-574      | Booth                           | 5/19/2005   | T           | I. Gail Corder - Retirement - 25 Years - Lake Forest    |
| H143-575      | Buckworth                       | 5/19/2005   | T           | Elizabeth Reid - Retirement - 24 Years - Lake Forest    |
| H143-576      | Buckworth                       | 5/19/2005   | T           | Herbert Hobbs - Retirement - 31 Years - Lake Forest     |
| H143-577      | Buckworth                       | 5/19/2005   | T           | Lynne Singleton- Retirement - 30 Years – Lake Forest    |
| H143-578      | Buckworth                       | 5/19/2005   | T           | Betty Warner - Retirement - 32 Years - Lake Forest      |
| H143-579      | Caulk                           | 5/19/2005   | T           | Kathy Razzano - Retirement - 30 Years - Lake Forest     |
| H143-580      | Caulk                           | 5/19/2005   | T           | Patricia Borowski - Retirement - 33 Years – Lake Forest |
| H143-581      | Caulk                           | 5/19/2005   | T           | Frances McCreedy - Retirement - 20 Years – Lake Forest  |

|          |           |           |   |                                                      |
|----------|-----------|-----------|---|------------------------------------------------------|
| H143-582 | Outten    | 5/19/2005 | T | Patricia Pratt - Retirement - 25 Years - Lake Forest |
| H143-583 | Buckworth | 5/14/2005 | M | Dorothy Reed Mervine                                 |
| H143-584 | Ulbrich   | 5/14/2005 | M | Elizabeth Bart-Felin                                 |
| H143-585 | Atkins    | 6/3/2005  | T | Hersel Davis - 90th Birthday                         |
| H143-586 | Wagner    | 5/1/2005  | T | Andrew Zaback - Eagle Scout                          |
| H143-587 | Buckworth | 4/27/2005 | T | Eastern Shore Natural Gas Company - Safety Award     |
| H143-588 | Wagner    | 6/4/2005  | T | Christopher Isemann & Maria Avalos – Marriage        |

T- Tribute

M – Memoriam

Representative Smith brought the following prefiled **Consent Calendar #12** before the House for consideration.

**HR 22** – SPENCE & REPRESENTATIVE SMITH & REPRESENTATIVE LEE & REPRESENTATIVE GILLIGAN & REPRESENTATIVE VANSANT; REPRESENTATIVES ATKINS, BOOTH, BUCKWORTH, CAREY, CATHCART, DIPINTO, EWING, FALLON, HOCKER, HUDSON, LAVELLE, LOFINK, MAIER, MIRO, OBERLE, OUTTEN, ROY, STONE, THORNBURG, ULBRICH, VALIHURA, WAGNER, ENNIS, GEORGE, HALL-LONG, JOHNSON, KEELEY, LONGHURST, MCWILLIAMS, MULROONEY, PLANT, SCHOOLEY, SCHWARTZKOPF, VIOLA, WILLIAMS – Opposing the Department of Defense Realignment of the Delaware Air National Guard, New Castle County Airport.

**HCR 19** – WAGNER & REPRESENTATIVE STONE & REPRESENTATIVE THORNBURG & REPRESENTATIVE ENNIS & SENATOR STILL – Recognizing June 12, 2005 as Race Unity Day in the City of Dover.

**HCR 29** – WAGNER & REPRESENTATIVE STONE & REPRESENTATIVE THORNBURG & REPRESENTATIVE ENNIS & SENATOR STILL – Congratulating the World Champion Central Middle School for Their First Place Victory in the World Odyssey of the Mind Competition.

Representatives Schwartzkopf & Roy requested that they be marked present.

**Consent Calendar #12** was adopted by voice vote and **HR 22** was declared passed & **HCR 19** & **HCR 29** were sent to the Senate for concurrence.

Representative Wagner made comments and introduced guests.

Representative Wagner requested and was granted privilege of the floor for the Central Middle School Odyssey of the Mind World Champions. Hannah Lindsey and Erik Towne addressed the House. Representatives Wagner & Stone & Mr. Speaker Spence made comments. The students announced their names for the record.

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

Representative Smith deferred to Representative Maier.

The House observed a moment of silence in memory of Representative Al O. Plant at the request of Representative Maier. Representative Maier offered a prayer.

Representative Miro requested that he be marked present.

Representatives Booth made an announcement. Representative Hocker made comments.

Representatives Keeley & McWilliams requested that they be marked present.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:30 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:30 P.M.: Representatives Oberle, Stone, Ulbrich & Viola.

Mr. Acting Speaker Roy called the House to order at 2:18 p.m. on June 2, 2005.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 71 w/SA 1**, **SB 16 w/SA 1** & **SB 128 w/SA 1** and requests the concurrence of the House; **HCR 29** and is returning same to the House.

MEMO

JUNE 1, 2005

TO: JoAnn Hedrick  
Chief Clerk of the House

FROM: Bernard J. Brady  
Secretary of the Senate

While **HCR 29** was before the Senate, Senator Still requested Senator Cook be added as a co-sponsor.

June 1, 2005

TO: House Speaker Terry R. Spence

FROM: Representative William A. Oberle, Jr.

SUBJECT: Absence from Session

I will not be attending session on Thursday, June 2, 2005, as I will be out of state on official State business.

DATE: June 1, 2005

TO: Bernard J. Brady, Secretary of the Senate  
FROM: George H. Bunting, Jr., State Senator 20th District  
SUBJECT: Removal of Name as Co-sponsor of **House Bill #188**

By means of this memorandum, I would like to formally request that you take the necessary steps to remove my name as a co-sponsor of **House Bill #188 – AN ACT TO AMEND TITLES 14 AND 19 OF THE DELAWARE CODE RELATING TO THE RIGHT TO WORK.**

If there is anything further that I can do to help you in carrying out this request, please feel free to contact me.

May 31, 2005

The Honorable Terry R. Spence  
Speaker of the House  
House of Representatives  
Legislative Hall  
Dover, Delaware

Dear Speaker Spence:

Please accept this request that my name be removed as a co-sponsor of **House Bill 112**, Relating to Drivers Licenses.

Thank you for your assistance.

Sincerely,  
Nancy H. Wagner

31st District State Representative

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

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 50** - 1F,3M; **HB 72** - 2F,2M; **HB 73** - 3F; **HB 74** - 2F,1M; **HB 75** - 1F,3M; **HB 122** - 1F,3M; **HB 172** - 1F,3M; **SB 73** - 1F,3M.

PUBLIC SAFETY: **HB 178** - 6M; **HB 182** - 1F,5M.

EDUCATION: **HB 147** - 6M.

BUSINESS/CORPORATIONS/COMMERCE: **HB 78** - 6M,1U; **SB 74 w/SA 1, 2 & 3** - 1F,7M; **HB 33** - 7M; **HB 176** - 6M.

HEALTH & HUMAN DEVELOPMENT: **HB 177** - 8M; **HB 184** - 8M; **SB 60** - 7M.

HOUSE ADMINISTRATION: **HB 161** - 5F; **HB 165** - 2F,3M.

REVENUE & FINANCE: **HB 141** - 6F,3M.

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 196** - 1F,7M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **SB 90** - 6M; **HJR 10** - 6M; **SB 44** - 7M; **SB 89 w/SA 1** - 7M.

HOUSING & COMMUNITY AFFAIRS: **HS 1 for HB 55** - 3F,5M; **HB 121** - 8M; **HB 166** - 8M; **HB 169** - 2F,6M; **HB 170** - 2F,5M.

Mr. Acting Speaker assigned **SB 60** & **SB 74** to the Appropriations Committee.

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

The Majority Leader moved to adjourn at 2:23 p.m., thereby ending the current legislative day.

The House reconvened at 2:24 p.m.

### **32nd LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session June 2, 2005**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Keeley, Oberle & Wagner – 3.

A prayer was offered by Representative Gregory F. Lavelle, Eleventh Representative District.

Mr. Acting Speaker introduced fourth grade students from St. John's Lutheran School, Dover, who led those present in a pledge of allegiance to the American Flag and sang "God Bless America".

The following prefiled legislation was introduced:

**HB 192** - OBERLE & SENATOR VAUGHN; REPRESENTATIVES SPENCE, SMITH, HUDSON, LAVELLE, VALIHURA, WAGNER, VANSANT, ENNIS, MCWILLIAMS, MULROONEY, VIOLA, WILLIAMS; SENATORS DELUCA, BLEVINS, BUNTING, MCBRIDE, PETERSON, SOKOLA, VENABLES, STILL, SORENSON, CLOUTIER, CONNOR, SIMPSON - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Meaningful Public Participation in the Administrative Consent Decree Process.

**HB 199** - OBERLE & REPRESENTATIVE ROY & REPRESENTATIVE VALIHURA & SENATOR DELUCA; REPRESENTATIVES SPENCE, SMITH, LEE, BUCKWORTH, DIPINTO, EWING, HUDSON, LAVELLE, MAIER, MIRO, OUTTEN, STONE, ULBRICH, WAGNER, ENNIS, KEELEY, LONGHURST, PLANT - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to the Rules of the Road. (2/3 bill)

**HB 200** - WAGNER & REPRESENTATIVE MAIER & SENATOR BLEVINS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend 73 Delaware Laws, Chapter 187, Relating to Abuse of Children.

**HB 201** - HALL-LONG & SENATOR VAUGHN & SENATOR CONNOR; REPRESENTATIVES BUCKWORTH, ENNIS, GEORGE, HOCKER, JOHNSON, LOFINK, MAIER, SCHOOLEY, SCHWARTZKOPF, SPENCE; SENATORS ADAMS, AMICK, BLEVINS, CLOUTIER, DELUCA, SOKOLA, SORENSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 6 Relating to Buyer Property Protection Act.

**HB 203** - WAGNER & SENATOR SOKOLA - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

**HB 204** - WAGNER & SENATOR STILL; REPRESENTATIVE WILLIAMS; SENATOR HENRY - EDUCATION - An Act to Amend Title 14 Relating to Delaware State University.

**HA 2 to HB 98** - HUDSON - Placed with the Bill.

**HA 1 to HB 176** - MIRO - Placed with the Bill.

**SB 16 w/SA 1** - STILL & SENATOR VAUGHN & REPRESENTATIVE HUDSON; SENATORS BONINI, COPELAND; REPRESENTATIVES HOCKER, SMITH, WAGNER - JUDICIARY - An Act Proposing an Amendment to the Constitution of the State of Delaware Relating to Appointment of Judges. (2/3 bill)

**SB 71 w/SA 1** - BUNTING & REPRESENTATIVE SCHWARTZKOPF - HOUSE ADMINISTRATION - 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 for Staggered Terms for Commissioners, to Require a Minimum of Four Commissioners and the Mayor be Residents and to Establish Standards and Procedures for Forfeiture of Office. (2/3 bill)

**SB 128 w/SA 1** - VENABLES & REPRESENTATIVE LEE - HOUSE ADMINISTRATION - An Act to Amend Chapter 288, Volume 64, Laws of Delaware, as Amended, the Charter of the Town of Laurel, as Amended, with Regard to Increasing the Limits for Authorizing General Obligation Bonds, Certificates of Indebtedness or Other Obligations by the Town Council as Well as Increasing the Ceiling for Bonded Indebtedness from 25% to 50% of the Assessed Value of Real Property within the Limits of the Town of Laurel.

Representative Stone requested and was granted personal privilege of the floor to introduce guests. Representatives Buckworth, Ewing, Gilligan & McWilliams requested that they be marked present.

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

Representative Smith requested and was granted privilege of the floor to make comments and to present House Tributes to George and Pam Williamson and Brigadier General Ronald B. Stewart. Catherine Patriquin, a St. John's Lutheran School fourth grade student, presented Mrs. Williamson with a bouquet. Representative Hudson made comments. Mr. Williamson and Brigadier General Stewart addressed the House.

Representative Smith deferred to Representative Schooley.

Representative Schooley introduced a guest.

The Reading Clerk read the following communications into the record:

MEMORANDUM

TO: Rep. Terry R. Spence  
Speaker of the House  
CC: JoAnn Hedrick  
FROM: Rep. Helene M. Keeley  
DATE: June 2, 2005  
RE: Absence from Session

I will be unable to attend today's session because I am traveling on legislative business.

Delaware General Assembly

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Fallon, do hereby request that my name be removed as cosponsor of **HB 188**.

Date: June 2, 2005

Signed: Representative Fallon

Representatives Miro & Spence requested that they be marked present.

The House observed a moment of silence in memory of Representative Clarice Heckert at the request of Representative Smith. Representative Smith deferred to Representative Maier. The House observed a moment of silence in memory of Senate staff member Wilma J. Roberts at the request of Representative Maier. Representative Maier offered a prayer.

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

Mr. Speaker Spence resumed the Chair.

The House reconvened at 3:58 p.m.

The Reading Clerk read the following communications into the record:

TO: The Honorable Terry R. Spence, Speaker of the House  
FROM: Representative DiPinto  
DATE: June 2, 2005

RE: Absence from Session

Please be advised that it is necessary for me to be absent from session on Wednesday and Thursday, June 8 and 9, because of my attendance at the CSG Leadership & Issues conference.

Delaware General Assembly

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Peter Schwartzkopf, do hereby request that my name be removed as cosponsor of **HB 181**.

Date: June 2, 2005

Signed: Peter C. Schwartzkopf

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

JUDICIARY: **HB 181** - 4F,3M.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HB 125**, jointly sponsored by Representative Wagner & Senator Vaughn, before the House for consideration.

**HB 125** - AN ACT TO PROPOSE AN AMENDMENT TO THE DELAWARE CONSTITUTION OF 1897 TO DELETE REFERENCES TO ASSOCIATE JUDGES IN SUPERIOR COURT AND FAMILY COURT. (2/3 bill)

Representative Valihura made comments.

Representatives Cathcart, Ulbrich & Hocker requested that they be marked present.

The roll call on **HB 125** was taken and revealed:

YES: 36.

ABSENT: Representatives Atkins, Caulk, Keeley, Oberle & Wagner - 5.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 125** was sent to the Senate for concurrence.

Representatives Lofink, Williams & Plant requested that they be marked present during the roll call.

Representative Smith deferred to Representative McWilliams.

Representative McWilliams brought **HCR 22**, jointly sponsored by Representative Johnson & Senator Henry & Senator McDowell & Representatives DiPinto, Ennis, Schooley, Atkins, Booth, Buckworth, Carey, Cathcart, Ewing, George, Gilligan, Hall-Long, Hocker, Lee, Lofink, Longhurst, Maier, Miro, Mulrooney, Oberle, Plant, Schwartzkopf, Spence, Ulbrich, VanSant, Viola & Wagner, before the House for consideration.

**HCR 22** - REQUESTING THAT THE DUPONT COMPANY FUND AND THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL ADMINISTER AN INDEPENDENT, THIRD-PARTY EVALUATION OF THE 500,000 TON DEPOSIT OF MATERIAL AT THE COMPANY'S EDGEMOOR SITE AND FURTHER REQUIRING THAT ANY SUCH EVALUATION BECOME A PART OF THE PUBLIC RECORD AND SUBJECT TO PUBLIC COMMENT.

Representative McWilliams made comments. Representative Lavelle made an announcement.

**HCR 22** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **SB 85 w/SA 1**, jointly sponsored by Senator Vaughn & Representative Wagner & cosponsored by Representative George, before the House for consideration.

**SB 85** - AN ACT TO AMEND CHAPTER 15, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY PARTNERSHIPS. (3/5 bill)

Representative Valihura made comments.

The roll call on **SB 85 w/SA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Caulk, Keeley, Oberle & Wagner - 4.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 85 w/SA 1** was returned to the Senate.

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

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **SB 86**, jointly sponsored by Senator Vaughn & Representative Wagner & cosponsored by Representative George, before the House for consideration.

**SB 86** - 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 Valihura made comments.

The roll call on **SB 86** was taken and revealed:

YES: 37.

ABSENT: Representatives Caulk, Keeley, Oberle & Wagner - 4.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 86** was returned to the Senate.



Representative Valihura introduced a guest.

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **HB 98**, jointly sponsored by Representative Ulbrich & Senator Blevins & Representatives Spence, Lavelle, Maier & Valihura, before the House for consideration.

**HB 98 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTS AND CHILDREN.**

Representative Hudson made comments. Representative Viola requested that **HA 1 to HB 98** be stricken. Representative Hudson made comments. Representative Hudson brought **HA 2 to HB 98** before the House for consideration. Representatives Viola & Hudson made comments. **HA 2** was adopted by voice vote.

The roll call on **HB 98 w/HA 2** was taken and revealed:

YES: 37.

ABSENT: Representatives Keeley, Oberle, Roy & Wagner - 4.

Therefore, having received a constitutional majority, **HB 98 w/HA 2** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Miro.

Representative Miro brought **HB 149**, jointly sponsored by Representative Stone & Senator Sorenson & Senator Henry, before the House for consideration.

**HB 149 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO THE SALE OF ALCOHOL TO CERTAIN PERSONS AND THE CONSUMPTION OF ALCOHOL BY BARTENDERS AND SERVERS WHILE ON DUTY.**

Representatives Miro & Mulrooney made comments. Representative Miro requested and was granted privilege of the floor for Ted Segletes, Paralegal, Legislative Council. Representative Mulrooney made comments.

Representative Miro moved to place **HB 149** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith deferred to Representative Miro.

Representative Miro brought **HB 176**, jointly sponsored by Representative Stone & Senator DeLuca & Representatives Spence, Buckworth, Carey, Cathcart, DiPinto, Hocker, Lavelle, Maier, Oberle, Ulbrich, Gilligan, Schwartzkopf & Caulk & Senators Henry, Sokola, Still, Sorenson, Cloutier, Connor, Copeland & Simpson, before the House for consideration.

**HB 176 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATED TO THE DELAWARE RESPONSIBLE ALCOHOLIC BEVERAGE SERVER TRAINING PROGRAM AND THE ENFORCEMENT OF LAWS RELATED TO RESPONSIBLE SERVING OF ALCOHOLIC BEVERAGES. (3/5 bill) (F/I)**

Representative Miro brought **HA 1 to HB 176** before the House for consideration.

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

The roll call on **HB 176 w/HA 1** was taken and revealed:

YES: 37.

NOT VOTING: Representative Ennis - 1.

ABSENT: Representative Keeley, Oberle & Wagner - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 176 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Stone.

Representative Stone requested that action on **SB 93** be Deferred to a Day Certain, Thursday, June, 9, 2005.

Representative Smith deferred to Representative Stone.

Representative Stone brought **HS 1 for HB 90**, jointly sponsored by Representative Keeley & Senator Blevins & Representatives Maier, Schooley & Viola & Senators DeLuca, Henry, McDowell & Sokola, before the House for consideration.

**HB 90 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO UNFAIR INSURANCE BUSINESS PRACTICES AND APPLICABLE PENALTIES.**

Representative Stone made comments.

The roll call on **HS 1 for HB 90** was taken and revealed:

YES: 37.

ABSENT: Representatives Keeley, Longhurst, Oberle & Wagner - 4.

Therefore, having received a constitutional majority, **HS 1 for HB 90** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Stone.

Representative Stone moved to suspend the rules which interfere with action on **HB 196**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Stone brought **HB 196**, jointly sponsored by Representative Keeley & Senator Blevins & Representatives Smith, Carey, DiPinto, Hudson, Lavelle, Maier, Oberle, Roy, Spence, Gilligan &

Hall-Long & Senators Sokola, Venables, Sorenson, Cloutier, Connor & Simpson, before the House for consideration.

**HB 196** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE LICENSURE OF AUTOMOBILE CLUBS.

Representative Stone made comments.

The roll call on **HB 196** was taken and revealed:

YES: 36.

ABSENT: Representatives Fallon, Keeley, Longhurst, Oberle & Wagner - 5.

Therefore, having received a constitutional majority, **HB 196** was sent to the Senate for concurrence.

Representative Lee deferred to Representative DiPinto.

Representatives DiPinto & Gilligan made comments regarding **HR 25**.

Representative DiPinto introduced and brought **HR 25**, sponsored on behalf of All Representatives, before the House for consideration.

**HR 25** - CONGRATULATING URSULINE ACADEMY FOR WINNING THE 2004-2005 STATE VARSITY BASKETBALL CHAMPIONSHIP.

**HR 25** was adopted by voice vote.

Representative DiPinto made comments regarding **HR 26**.

Representative DiPinto introduced and brought **HR 26**, sponsored on behalf of All Representatives, before the House for consideration.

**HR 26** - CONGRATULATING URSULINE ACADEMY FOR WINNING THE 2004-2005 STATE VARSITY VOLLEYBALL CHAMPIONSHIP.

**HR 26** was adopted by voice vote.

Representative Lee deferred to Representative Maier.

Representative Maier brought **HB 67**, jointly sponsored by Senator Blevins & Representatives Booth, Buckworth, Carey, Ewing, Fallon, Hall-Long, Hocker, Hudson, Lee, Miro, Schooley, Smith, Spence, Stone, Thornburg, Ulbrich, Viola & Wagner & Senators Connor, Sokola & Still, before the House for consideration.

**HB 67** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF DENTAL EXAMINERS.

Representative Maier introduced guests.

Representatives Maier & Ulbrich made comments.

The roll call on **HB 67** was taken and revealed:

YES: 34.

ABSENT: Representatives Fallon, Keeley, Longhurst, Oberle, Schooley, Smith & Wagner - 7.

Therefore, having received a constitutional majority, **HB 67** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Miro.

Representative Miro moved to lift **HB 149** from the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Miro brought **HB 149**, jointly sponsored by Representative Stone & Senator Sorenson & Senator Henry, before the House for consideration.

**HB 149** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO THE SALE OF ALCOHOL TO CERTAIN PERSONS AND THE CONSUMPTION OF ALCOHOL BY BARTENDERS AND SERVERS WHILE ON DUTY.

Representative Miro made comments. Representative Miro introduced and brought **HA 1 to HB 149** before the House for consideration. **HA 1** was adopted by voice vote. Representatives George, Miro & Gilligan made comments. Representative Miro requested and was granted privilege of the floor for John H. Cordrey, Alcoholic Beverage Control Commissioner. Representatives Miro, Cathcart, Viola, VanSant, Ennis, Miro & Gilligan made comments.

Representative Miro moved to place **HB 149 w/HA 1** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Gilligan requested and was granted personal privilege of the floor to make comments regarding **HB 149**.

Representative DiPinto made comments.

Representative Lee deferred to Representative Cathcart.

Representative Cathcart introduced **HB 210**, jointly sponsored by Representative Ennis & Representative Hall-Long & Representatives DiPinto, Lofink, Oberle, Roy, Keeley & Longhurst & Senators Henry, Sokola & Vaughn.

**HB 210** - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO ANNEXATIONS BY MUNICIPAL CORPORATIONS. (2/3 bill)

Mr. Speaker Spence assigned **HB 210** to the Transportation/Land Use and Infrastructure Committee.

Representative Lee introduced **HB 211**, jointly sponsored by Representatives Outten, Valihura & Ennis & Senators Cook, Vaughn & Connor.

**HB 211** - AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO SPORTS AND AMUSEMENTS. (3/5 bill)

Mr. Speaker Spence assigned **HB 211** to the Gaming & Parimutuels Committee.

Representative Smith deferred to Representative Lavelle.

Representative Lavelle brought **HS 1 for HB 55**, jointly sponsored by Senator Sokola & Representatives DiPinto, Hudson, Johnson, Maier, Smith, Ulbrich & Valihura & Senators Copeland, DeLuca & Sorenson, before the House for consideration.

**HB 55 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE COUNTY AUDITOR.**

Representative Lavelle introduced and brought **HA 1 to HS 1 for HB 55** before the House for consideration. Representative Lavelle made comments. **HA 1** was adopted by voice vote. Representative Lavelle made comments.

The roll call on **HS 1 for HB 55 w/HA 1** was taken and revealed:

YES: 31.

ABSENT: Representatives Ennis, Fallon, Keeley, Longhurst, Maier, Oberle, Plant, VanSant, Wagner & Williams - 10.

Therefore, having received a constitutional majority, **HS 1 for HB 55 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Booth.

Representative Booth brought **HJR 3**, jointly sponsored by Senator Venables & Representatives Spence, Lee, Atkins, Buckworth, Carey, Hocker, Hudson, Lavelle, Maier, Miro, Oberle, Outten, Stone, Ennis, Johnson, Keeley, Mulrooney, Plant & Schwartzkopf & Senators Bunting & Simpson, before the House for consideration.

**HJR 3 - REQUIRING THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO UPDATE AND RE-BASE MEDICAID INPATIENT REIMBURSEMENT RATES. (F/N)**

Representative Booth made comments.

The roll call on **HJR 3** was taken and revealed:

YES: 31.

ABSENT: Representatives Ennis, Fallon, Keeley, Longhurst, Maier, Oberle, Roy, Smith, Wagner & Williams - 10.

Therefore, having received a constitutional majority, **HJR 3** was sent to the Senate for concurrence.

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

VETERANS AFFAIRS: **SB 81 w/SA 1** - 2F,7M.

The Majority Leader moved to recess to the call of the Chair at 5:34 p.m.

Mr. Acting Speaker Booth called the House to order at 2:15 p.m. on June 8, 2005.

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

Mr. Acting Speaker Booth appointed Representative Oberle as Acting Speaker.

Representative Wagner requested that she be marked present for the current Legislative Day.

Representative Ewing made an announcement.

Representative Hall-Long introduced **HB 215**, jointly sponsored by Representative Maier & Senators Sorenson & Blevins.

**HB 215 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. (2/3 bill)**

Mr. Acting Speaker assigned **HB 215** to the Health & Human Development Committee.

Representative Hall-Long introduced **HB 219**, jointly sponsored by Senator Blevins & Representatives Maier, Oberle, Lofink, George & Spence & Senators Connor & Sorenson & Representatives Buckworth, VanSant, Schooley, Mulrooney, McWilliams, Longhurst, Viola & Ulbrich.

**HB 219 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE CREATING AN OCCUPATIONAL HEALTH PROGRAM.**

Mr. Acting Speaker assigned **HB 219** to the Labor Committee.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 87** and requests the concurrence of the House; **HB 18 w/SA 1 & HB 120 w/HA 1** and is returning same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative John C. Atkins, do hereby request that my name be removed as cosponsor of **HB 188**.

Date: June 2, 2005

Signed: John C. Atkins

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.

**33rd LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session  
June 8, 2005**

The Chief Clerk called the roll:

Members Present: 30.

Members Absent: Representatives Buckworth, Carey, Caulk, DiPinto, Hudson, Miro, Roy, Spence, Stone, Ulbrich & Williams – 11.

A prayer was offered by Representative Bruce C. Ennis, Twenty-Eighth Representative District. The House observed a moment of silence in memory of Ida W. Bunting at the request of Representative Atkins.

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

The following prefiled legislation was introduced:

**HS 1 for HB 184** - MAIER & REPRESENTATIVE SPENCE & REPRESENTATIVE SMITH & SENATOR BLEVINS & SENATOR CONNOR; REPRESENTATIVES LEE, ATKINS, BOOTH, BUCKWORTH, CAREY, DIPINTO, EWING, HOCKER, HUDSON, OUTTEN, STONE, THORNBURG, ULBRICH, WAGNER, ENNIS, GEORGE, HALL-LONG, JOHNSON, PLANT, SCHOOLEY; SENATORS DELUCA, VENABLES, STILL, SORENSON, AMICK, BONINI, CLOUTIER, COPELAND, SIMPSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Patient Safety and Quality Improvement in Delaware's Health Care System.

**HB 202** - MAIER & REPRESENTATIVE MCWILLIAMS & REPRESENTATIVE MULROONEY & SENATOR BLEVINS; REPRESENTATIVES SPENCE, EWING, HUDSON, LAVELLE, MIRO, OBERLE, GILLIGAN, GEORGE, HALL-LONG, KEELEY, SCHOOLEY; SENATORS HENRY, SOKOLA, SORENSON, CLOUTIER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Health of Mothers, Expectant Mothers and Infants.

**HB 206** - EWING & REPRESENTATIVE SCHWARTZKOPF; REPRESENTATIVES GILLIGAN, HALL-LONG, LEE, VANSANT; SENATORS BLEVINS, BUNTING, SOKOLA, VENABLES - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Absentee Voting.

**HB 207** - SPENCE - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to State Parks.

**HB 208** - WAGNER & REPRESENTATIVE HOCKER & REPRESENTATIVE ENNIS & REPRESENTATIVE KEELEY; REPRESENTATIVES BUCKWORTH, HALL-LONG, MULROONEY, VIOLA - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to the Merit System.

**HB 209** - EWING & SENATOR COOK; REPRESENTATIVES ATKINS, BUCKWORTH, CATHCART, GEORGE, HOCKER, OUTTEN, SPENCE, THORNBURG, ULBRICH; SENATOR ADAMS - PUBLIC SAFETY - An Act to Amend Title 11 of the Delaware Code Relating to State Police.

**HB 212** - BOOTH & REPRESENTATIVE SCHWARTZKOPF; REPRESENTATIVES SPENCE, SMITH, BUCKWORTH, CAREY, CATHCART, EWING, HOCKER, HUDSON, LAVELLE, MIRO, OUTTEN, VALIHURA, WAGNER, KEELEY; SENATORS HENRY, SOKOLA - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Titles 16 and 21 of the Delaware Code Relating to Litter Control and Rules of the Road.

**HB 213** - SPENCE & SENATOR MCBRIDE - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Special License Plates for Vietnam War Veterans.

**HB 214** - SPENCE & SENATOR MCBRIDE - PUBLIC SAFETY - An Act to Amend Title 21, Delaware Code, Relating to Insurance Verification Information to be Provided to State Police and Insurance Identification Cards.

**HB 216** - STONE & SENATOR BLEVINS - ECONOMIC DEVELOPMENT BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to the Delaware Insurance Guaranty Association Act.

**HB 217** - STONE & SENATOR BLEVINS - ECONOMIC DEVELOPMENT BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to the Delaware Insurance Guaranty Association Act.

**HB 218** - STONE & SENATOR BLEVINS - ECONOMIC DEVELOPMENT BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Captive Insurance Companies.

**SB 79 w/SA 2** - MCDOWELL; SENATORS MARSHALL, HENRY, VENABLES, BONINI & REPRESENTATIVE SCHWARTZKOPF - JUDICIARY - An Act to Amend Section 904 of Title 4 of the Delaware Code Relating to Offenses by Persons Under the Age of 21.

**SB 87** - BLEVINS & REPRESENTATIVE HUDSON; SENATORS COPELAND, SIMPSON, VAUGHN, SENATORS CLOUTIER, CONNOR, MARSHALL, PETERSON, SOKOLA, HENRY; REPRESENTATIVES GILLIGAN, LAVELLE, MAIER, MIRO, VALIHURA & REPRESENTATIVE SPENCE - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Graffiti and Graffiti Implements. (2/3 bill)

**SB 131** - COOK & REPRESENTATIVE ROY - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Notices of Open Meetings.

**SJR 7** - DELUCA & REPRESENTATIVE DIPINTO; SENATORS ADAMS, BLEVINS, BUNTING, COOK, HENRY, MARSHALL, MCBRIDE, MCDOWELL, PETERSON, SOKOLA, VAUGHN, VENABLES, AMICK, BONINI, CLOUTIER, CONNOR, COPELAND, SIMPSON, SORENSON, STILL; REPRESENTATIVES ATKINS, BOOTH, BUCKWORTH, EWING, FALLON, GILLIGAN, HALL-LONG, HOCKER, HUDSON, JOHNSON, LONGHURST, MCWILLIAMS, MULROONEY, SPENCE, THORNBURG, WAGNER, STONE, VIOLA - PUBLIC SAFETY -

Establishing an Independent, Bi-partisan Task Force to Develop Strategies to Prevent the Base Realignment and Closure Commission from Approving the May 13, 2005, Department of Defense Recommendations to Realign the Delaware Air National Guard by Transferring All (8) Eight C130 Aircraft to Other States and Eliminating Hundreds of Associated Positions in the Delaware Air National Guard.

**HA 1 to SS 1 for SB 30** - BOOTH - Placed with the Bill.

**HA 1 to SB 74** - ROY - Placed with the Bill.

Representative Smith deferred to Representative Booth.

Representative Booth introduced and brought **HR 27** before the House for consideration.

**HR 27** - CONGRATULATING SUSSEX CENTRAL HIGH SCHOOL'S GOLDEN KNIGHTS GIRLS SOFTBALL TEAM FOR WINNING THE 2005 STATE CHAMPIONSHIP.

Representative Booth introduced guests and made comments. Representative Atkins made comments. Representative Booth requested and was granted privilege of the floor for himself and Representative Atkins to present a House Tribute to Coach Wells for the Golden Knight's girl's softball team, Sussex Central High School. Head Coach John Wells made a comment. Representative Lee made comments.

**HR 27** was adopted by voice vote.

The coaches and members of the Golden Knight's girls softball team announced their names for the record. Representatives Lavelle, Cathcart, Keeley, George, Johnson & Valihura requested that they be marked present. Representative Smith requested and was granted privilege of the floor for George C. Wright, Executive Director, Delaware League of Local Governments. Mr. Acting Speaker appointed Representative Maier as Acting Speaker. Representative Smith made comments. The mayors of municipalities in Delaware announced their names and jurisdictions for the record.

Representative Smith brought the following prefiled **Consent Calendar #13** before the House for consideration.

**HR 23** – WAGNER & REPRESENTATIVE BUCKWORTH & REPRESENTATIVE EWING & REPRESENTATIVE HOCKER & REPRESENTATIVE STONE & REPRESENTATIVES LEE, ATKINS, BOOTH, CAREY, FALLON, OUTTEN, THORNBURG, SCHWARTZKOPF – A Resolution Requesting WHYH Establish a Television Station in Dover.

**HCR 30** – SMITH & SENATOR BUNTING – Commemorating 350 Years of Service by Delaware's National Guard to Our Country, State and Local Community.

**SCR 16** – DELUCA & REPRESENTATIVE VALIHURA & SENATORS MCBRIDE & MCDOWELL & REPRESENTATIVES THORNBURG & HUDSON – Creating a Task Force to Study the Use of Reformulated Gasoline Containing Oxygenates in Delaware.

Representative Smith requested that **SCR 16** be removed from **Consent Calendar #13**.

Madame Acting Speaker assigned **SCR 16** to the Transportation, Land Use & Infrastructure Committee.

**Consent Calendar #13** was adopted by voice vote and **HR 23** was declared passed & **HCR 30** was sent to the Senate for concurrence.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #26

DATE: June 8, 2005

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   | Date      | Type | Description                                              |
|-----------------------|-----------|-----------|------|----------------------------------------------------------|
| H143-589              | Buckworth | 5/19/2005 | M    | Donald Knight                                            |
| H143-590              | Thornburg | 5/22/2005 | M    | Raymond Henry Morris, Sr.                                |
| H143-591              | Atkins    | 5/19/2005 | T    | Tamara Cohee - Installation - Frankford Postmaster       |
| H143-592              | Wagner    | 6/25/2005 | T    | Chanel Meza & Erdy Bailey - Marriage                     |
| H143-593              | Smith     | 6/1/2005  | T    | Marianne Cinaglia - Arden Trustee – Community Service    |
| H143-594              | Carey     | 6/7/2005  | T    | Craig Chandler - KSI Employee of the First Quarter       |
| H143-595              | Carey     | 6/7/2005  | T    | Leon Ayres - KSI Employee of the Second Quarter          |
| H143-596              | Carey     | 6/7/2005  | T    | Ernest Watkinson - KSI Employee of the Third Quarter     |
| H143-597              | Carey     | 6/7/2005  | T    | Preston Mosley - KSI Employee of the Fourth Quarter      |
| H143-598              | Carey     | 6/7/2005  | T    | Marion DiRubbio - KSI Staff Employee of the Year         |
| H143-599              | Carey     | 6/7/2005  | T    | Marge MacKenzie - KSI Employee of the Fourth Quarter     |
| H143-600              | Lee       | 6/24/2005 | T    | Jack & Iris Benson – 50th Wedding Anniversary            |
| H143-601              | Lofink    | 3/16/2005 | T    | Ruth Hazzard - 90th Birthday                             |
| cosponsor: Rep. Plant |           |           |      |                                                          |
| H143-602              | Stone     | 6/30/2005 | T    | Gary Andres - Retirement - Capital Schools – 24 Years    |
| H143-603              | Buckworth | 6/30/2005 | T    | Lenora Kingery - Retirement - Capital Schools - 28 Years |
| H143-604              | Wagner    | 6/30/2005 | T    | Cheryl Oxford - Retirement - Capital Schools – 39 Years  |
| H143-605              | Wagner    | 6/30/2005 | T    | James Oxford - Retirement - Capital Schools – 40 Years   |
| H143-606              | Wagner    | 6/30/2005 | T    | Jean Peppard - Retirement - Capital Schools – 40 Years   |
| H143-607              | Wagner    | 6/30/2005 | T    | Denise Tuck - Retirement - Capital Schools – 37 Years    |

|          |         |           |   |                                                             |
|----------|---------|-----------|---|-------------------------------------------------------------|
| H143-608 | Stone   | 6/30/2005 | T | Maureen Thompson - Retirement - Capital Schools - 20 Years  |
| H143-609 | Outten  | 6/30/2005 | T | Michael Sponaugle - Retirement - Capital Schools - 25 Years |
| H143-610 | Lavelle | 6/11/2005 | T | Daniel M. Hafich - Eagle Scout                              |
| H143-611 | Carey   | 5/28/2005 | T | 2nd Lt. Jamie Dayton, En - Graduation - West Point          |
| H143-612 | Wagner  | 6/30/2005 | T | Colette Wheatley - Retirement - Capital Schools - 31 Years  |
| H143-613 | Wagner  | 6/30/2005 | T | Raymond Summers - Retirement - Capital Schools - 19 Years   |

#### HOUSE TRIBUTE ANNOUNCEMENT #27

DATE: June 8, 2005

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                         | Date      | Type | Description                                                        |
|----------|---------------------------------|-----------|------|--------------------------------------------------------------------|
| H143-614 | Ennis                           | 6/30/2005 | T    | Susan Durham - Retirement - Capital Schools – 21 Years             |
| H143-615 | DiPinto                         | 5/25/2005 | T    | Sister Jeannette Murray - Benedictine Order - 60 Years             |
| H143-616 | DiPinto                         | 5/25/2005 | T    | Sister Frances Acton - Sister of St. Francis - 50 Years            |
| H143-617 | DiPinto                         | 5/25/2005 | T    | Sister Marie Becker - Benedictine Order - 50 Years                 |
| H143-618 | DiPinto                         | 5/25/2005 | T    | Sister Mary Cassidy- Benedictine Order - 50 Years                  |
| H143-619 | DiPinto                         | 5/25/2005 | T    | Sister Mary Dugan - Benedictine Order - 50 Years                   |
| H143-620 | DiPinto                         | 5/25/2005 | T    | Sister Catherine Hendren - Sisters of Notre Dame - 50 Years        |
| H143-621 | DiPinto                         | 5/25/2005 | T    | Sister Mary Ann Schroeder - Sisters of Notre Dame - 50 Years       |
| H143-622 | DiPinto                         | 5/25/2005 | T    | Brother Edward Quintal - Brothers of the Holy Cross - 45 Years     |
| H143-623 | DiPinto                         | 5/25/2005 | T    | Brother Thomas Meany - Brothers of the Holy Cross - 45 Years       |
| H143-624 | DiPinto                         | 5/25/2005 | T    | Sister Raymond Kortenhof - Little Sisters of the Poor - 25 Years   |
| H143-625 | Lofink                          | 6/3/2005  | T    | Bryan Mey - Christ the Teacher Student Leadership Award            |
| H143-626 | Hocker                          | 5/29/2005 | M    | William R. Powell                                                  |
| H143-627 | Outten                          | 6/1/2005  | T    | Lake Forest Schools Flag Program - 25th Anniversary                |
| H143-628 | Buckworth                       | 6/14/2005 | T    | Eileen Pallace - Retirement - Caesar Rodney Schools - 31 Years     |
| H143-629 | Hall-Long                       | 6/1/2005  | T    | Charles Murray - Retirement - Townsend Town Council & Mayor        |
| H143-630 | Hall-Long                       | 6/1/2005  | T    | Kevin Knotts - Retirement - Townsend Town Council                  |
| H143-631 | Hall-Long                       | 5/21/2005 | T    | Rebecca Pernol - Eastern States President – Ladies Auxiliary - VFW |
| H143-632 | Mulrooney                       | 5/30/2005 | T    | Mary & Francis O'Neill - 63rd Wedding Anniversary                  |
|          | cosponsors: All Representatives |           |      |                                                                    |
| H143-633 | Atkins                          | 5/31/2005 | T    | Horace & Terry Daisey - 50th Wedding Anniversary                   |
| H143-634 | Hudson                          | 5/21/2005 | T    | Kristin Beahm & Ken Grant - Marriage                               |
| H143-635 | DiPinto                         | 5/25/2005 | T    | Sister Regina Gagnier - Ursuline Order - 70 Years                  |
| H143-636 | DiPinto                         | 5/25/2005 | T    | Sister Eileen Lally - Mission Helper - 60 Years                    |
| H143-637 | DiPinto                         | 5/25/2005 | T    | Sister Ann Miller - Benedictine Order - 60 Years                   |

#### HOUSE TRIBUTE ANNOUNCEMENT #28

DATE: June 8, 2005

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                         | Date      | Type | Description                                                    |
|----------|---------------------------------|-----------|------|----------------------------------------------------------------|
| H143-638 | Williams                        | 5/18/2005 | M    | Carvel Ross                                                    |
| H143-639 | DiPinto                         | 6/4/2005  | T    | Delaware Museum of Natural History - Grand Re-opening          |
| H143-640 | Johnson                         | 6/30/2005 | T    | Edward Smith - Retirement – Brandywine Schools                 |
| H143-641 | Oberle                          | 6/2/2005  | T    | 150th Regiment - Army National Guard – Humanitarian Assistance |
|          | cosponsors: All Representatives |           |      |                                                                |
| H143-642 | Oberle                          | 6/2/2005  | T    | George & Pam Williamson - Compassionate Cause - Iraqi Children |
|          | cosponsors: All Representatives |           |      |                                                                |
| H143-643 | Ewing                           | 5/28/2005 | M    | Jackson P. Esham                                               |
| H143-644 | Booth                           | 5/11/2005 | T    | William & Elizabeth Melson - 60th Wedding Anniversary          |
| H143-645 | Johnson                         | 5/29/2005 | M    | Wilma Jean Roberts                                             |
|          | cosponsor: Rep. Maier           |           |      |                                                                |
| H143-646 | Lofink                          | 6/24/2005 | T    | Damian & Chrissy Wing - 10th Wedding Anniversary               |
| H143-647 | DiPinto                         | 6/2/2005  | T    | Ursuline Academy - Basketball State Champions                  |
|          | cosponsors: All Representatives |           |      |                                                                |
| H143-648 | Wagner                          | 6/30/2005 | T    | Maureen Thompson - Retirement - Capital Schools - 19 Years     |



|          |                                 |           |   |                                                                             |
|----------|---------------------------------|-----------|---|-----------------------------------------------------------------------------|
| H143-649 | DiPinto                         | 6/2/2005  | T | Ursuline Academy - Volleyball State Champions                               |
|          | cosponsors: All Representatives |           |   |                                                                             |
| H143-650 | Mulrooney                       | 6/2/2005  | T | Maryann Cavanaugh - School Nurse of the Year                                |
|          | cosponsor: Rep. Viola           |           |   |                                                                             |
| H143-651 | Schooley                        | 6/14/2005 | T | Diana Advani - Odyssey of the Mind Team –<br>Downes Elementary School       |
| H143-652 | Schooley                        | 6/14/2005 | T | Joseph Krusko - Odyssey of the Mind Team –<br>Downes Elementary School      |
| H143-653 | Schooley                        | 6/14/2005 | T | Michael Czerwinski - Odyssey of the Mind<br>Team - Downes Elementary School |
| H143-654 | Schooley                        | 6/14/2005 | T | Madelyn Warren - Odyssey of the Mind Team<br>- Downes Elementary School     |
| H143-655 | Schooley                        | 6/14/2005 | T | Selby Seador - Odyssey of the Mind Team –<br>Downes Elementary School       |
| H143-656 | Schooley                        | 6/14/2005 | T | Ravi Barua - Odyssey of the Mind Team –<br>Downes Elementary School         |
| H143-657 | Schooley                        | 6/14/2005 | T | Suresh Advani - Odyssey of the Mind Coach –<br>Downes Elementary School     |
| H143-658 | Schooley                        | 6/14/2005 | T | Yolanda Chetwynd - Odyssey of the Mind<br>Coach - Downes Elementary School  |
| H143-659 | Schooley                        | 6/14/2005 | T | Gitu Barua - Odyssey of the Mind Coach –<br>Downes Elementary School        |

T – Tribute

M - Memoriam

Madame 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 passed **SB 131, SB 79 w/SA 2, SCR 16 & SJR 7** and requests the concurrence of the House; **HB 69, HB 139, HB 140, HB 142, HCR 19 & HCR 22** and is returning same to the House.

#### MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives

FROM: Representative V. George Carey

RE: Absence from Session

Please be advised that I will be unable to attend session on June 8, 2005.

Thank you for your consideration in this matter.

#### MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives

FROM: Representative Gerald A. Buckworth

RE: Absence from Session

Please be advised that I will be unable to attend session on June 8, 2005.

Thank you for your consideration in this matter.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:47 p.m.

Madame Acting Speaker Fallon called the House to order at 2:12 p.m. on June 9, 2005.

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

Mr. Speaker Spence resumed the Chair.

Representatives Roy, Carey, Williams, Ulbrich, Hudson, Stone, Miro, Caulk & Mulrooney requested that they be marked present for the current Legislative Day.

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

JUDICIARY: **HB 189 – 5M; SB 82 – 5M; SB 84 – 5M; SB 91 - 5M.**

GAMING & PARIMUTUELS: **HB 211 – 4F,3M.**

PUBLIC SAFETY: **HB 214 – 5M; HB 209 – 5M.**

EDUCATION: **SS 1 for SB 30 – 6M,1U; SB 52 – 8M; HB 204 – 8M.**

HEALTH & HUMAN DEVELOPMENT: **HB 190 – 6M; HB 194 – 6M; HB 195 – 6M; HB 200 – 6M; SB 118 – 6M; SB 120 – 6M; SCR 12 – 6M.**

LABOR: **HB 180 – 6M; HB 129 – 6M.**

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **SJR 6 – 8M; SB 113 – 10M; SB 112 – 7M.**

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 88 w/HA 2 & 3 & HCR 6 w/SA 2** and is returning same to the House.



Delaware General Assembly  
WITHDRAWAL OF SPONSORSHIP REQUEST

I, Helene M. Keeley, do hereby request that my name be removed as cosponsor of **SB 135**.

Date: June 8, 2005

Signed: Helene M. Keeley

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

HOUSE ADMINISTRATION: **SB 57 w/SA 2** - 3F.

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.

**34th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session**  
**June 9, 2005**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Buckworth & DiPinto – 2.

A prayer was offered by Representative Pamela S. Maier, Twenty-First Representative District.

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

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

The following prefiled legislation was introduced:

**HB 220** – SPENCE & SENATOR MCBRIDE - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

**HB 221** – CAREY & SENATOR ADAMS & REPRESENTATIVE EWING; REPRESENTATIVES SPENCE, SMITH, LEE, ATKINS, BUCKWORTH, GILLIGAN, OUTTEN, THORNBURG, VALIHURA; SENATORS BUNTING, VENABLES, STILL, AMICK, SIMPSON - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicles.

**HB 222** - VALIHURA - SUBCOMMITTEE MANUFACTURED HOUSING - An Act to Amend Title 25 of the Delaware Code Relating to Manufactured Homes and Manufactured Home Communities.

**HB 223** – ENNIS & SENATOR COOK & SENATOR VAUGHN; REPRESENTATIVES BUCKWORTH, CAREY, CAULK, EWING, GEORGE, GILLIGAN, HALL-LONG, HOCKER, JOHNSON, KEELEY, MCWILLIAMS, MULROONEY, OUTTEN, PLANT, SCHOOLEY, SCHWARTZKOPF, THORNBURG, VANSANT, VIOLA - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Section 8722, Chapter 87, Chapter II, Title 9, Delaware Code Relating to Praecipe, Judgment and Monition.

**HB 224** – VALIHURA & SENATOR CLOUTIER - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Suburban Community Improvements.

**HA 2 to HB 54** - WAGNER - Placed with the Bill.

**HA 1 to HB 145** - WAGNER - Placed with the Bill.

**HA 1 to HB 147** - WAGNER - Placed with the Bill.

**HA 1 to HS 1 for HB 184** - MAIER - Placed with the Bill.

**HJR 11** - HALL-LONG & SENATOR DELUCA; REPRESENTATIVES BUCKWORTH, CATHCART, ENNIS, HOCKER, HUDSON, LOFINK, LONGHURST, MAIER, MIRO, MULROONEY, PLANT, SPENCE, ULBRICH, VIOLA, WILLIAMS; SENATORS ADAMS, BLEVINS, BUNTING, CONNOR, SIMPSON, SORENSON, VAUGHN - EDUCATION - Support for the Evaluation of Implementing Stock or Prototypical Floor Plans for Delaware's Public Schools.

Representative Thornburg requested that she be marked present.

Mr. Speaker Spence reassigned **SCR 16** to the Natural Resources & Environmental Management Committee & **SB 106** to the House Administration Committee & assigned **HB 129** & **SS 1/SB 30** to the Appropriations Committee.

Representative Wagner requested that **HB 49** be stricken.

Representative George requested and was granted personal privilege of the floor to introduce second year law students who are Richards, Layton & Finger summer associates. The students announced their names and law schools for the record.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **HS 1/HB 47 w/HA 2 & 3** and is returning same to the House.

Representative Maier requested and was granted personal privilege of the floor to introduce guests

The Acting Majority Leader, Representative Hudson, moved to recess at 2:26 p.m.

The House reconvened at 2:36 p.m.

Representative Lee requested that he be marked present.

Mr. Speaker Spence granted privilege of the floor to the 2005 Miss Delaware contestants who announced their names, titles and platforms for the record. Linda Kurtz, Miss Delaware 2004, addressed the House. Representatives Lee, Atkins & Ennis & Mr. Speaker Spence made comments.

The Majority Whip moved to recess for caucus at 2:50 p.m.

The House reconvened at 5:55 p.m.

Representative Cathcart requested that he be marked present.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 17** and requests the concurrence of the House; **HB 71 w/HA 1**, **HB 104 w/SA 2** & **HB 196** and is returning same to the House.

Representative Hudson deferred to Representative VanSant.

Representative VanSant requested and was granted privilege of the floor to present a House Tribute to John M. Hedrick. Mr. Speaker Spence made comments and introduced guests.

Representative Lee deferred to Representative Stone.

Representative Stone brought **SB 93**, jointly sponsored by Senator DeLuca & Senators Sorenson, Sokola & Bunting & Representatives Viola, Keeley, Fallon, Atkins, Carey, Thornburg, Valihura & Hocker, before the House for consideration.

**SB 93 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATED TO BANKING.**

Representative Stone made comments.

The roll call on **SB 93** was taken and revealed:

YES: 36.

ABSENT: Representatives Buckworth, DiPinto, Miro, Roy & Smith - 5.

Therefore, having received a constitutional majority, **SB 93** was returned to the Senate.

Representatives Gilligan, Lavelle, Lofink, VanSant & Viola requested that they be marked present during the roll call.

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

Representative Lee deferred to Representative Maier.

Representative Maier moved to suspend the rules which interfere with action on **HS 1 for HB 184**.

The motion was seconded by Representative Lee and adopted by voice vote.

Representative Maier brought **HS 1 for HB 184**, jointly sponsored by Representative Spence & Representative Smith & Senator Blevins & Senator Connor & Representatives Lee, Atkins, Booth, Buckworth, Carey, DiPinto, Ewing, Hocker, Hudson, Outten, Stone, Thornburg, Ulbrich, Wagner, Ennis, George, Hall-Long, Johnson, Plant & Schooley & Senators DeLuca, Venables, Still, Sorenson, Amick, Bonini, Cloutier, Copeland & Simpson, before the House for consideration.

**HB 184 – AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PATIENT SAFETY AND QUALITY IMPROVEMENT IN DELAWARE’S HEALTH CARE SYSTEM.**

Representative Maier made a comment. Representative Maier brought **HA 1 to HS 1 for HB 184** before the House for consideration. **HA 1** was adopted by voice vote. Representative Maier introduced and brought **HA 2 to HS 1 for HB 184** before the House for consideration. Representative Maier made a comment. **HA 2** was adopted by voice vote. Representative Maier introduced and brought **HA 3 to HS 1 for HB 184** before the House for consideration. Representative Maier made a comment. **HA 3** was adopted by voice vote. Representative Maier made comments.

The roll call on **HS 1 for HB 184 w/HA 1, 2 & 3** was taken and revealed:

YES: 38.

ABSENT: Representatives Buckworth, DiPinto & Smith - 3.

Therefore, having received a constitutional majority, **HS 1 for HB 184 w/HA 1, 2 & 3** was sent to the Senate for concurrence.

Representatives Miro & Roy requested that they be marked present during the roll call.

The House observed a moment of silence in memory of Representative Clarice Heckert at the request of Representative Valihura. Representative Maier introduced guests. Mr. Speaker Spence made comments.

Representative Lee deferred to Representative Valihura.

Representative Valihura brought **HB 124**, jointly sponsored by Senator Vaughn & Representative Wagner, before the House for consideration.

**HB 124 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTS AND CHILDREN IN THE FAMILY COURT OF THE STATE OF DELAWARE.**

Representative Valihura made comments.

The roll call on **HB 124** was taken and revealed:

YES: 38.

ABSENT: Representatives Buckworth, DiPinto & Smith - 3.

Therefore, having received a constitutional majority, **HB 124** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Wagner.

Representative Wagner brought **HB 175**, jointly sponsored by Senator Sokola, before the House for consideration.

**HB 175 - AN ACT TO AMEND CHAPTER 1, TITLE 14 OF THE DELAWARE CODE RELATING TO THE CREATION OF A P-20 COUNCIL.**

Representative Wagner made comments.

The roll call on **HB 175** was taken and revealed:

YES: 38.

ABSENT: Representatives Buckworth, DiPinto & Smith - 3.

Therefore, having received a constitutional majority, **HB 175** was sent to the Senate for concurrence. Representative Lee deferred to Representative Wagner.

Representative Wagner brought **HJR 9**, jointly sponsored by Senator Sokola & Representative Schooley, before the House for consideration.

**HJR 9 - SUPPORTING THE STATE BOARD OF EDUCATION'S EFFORTS TO REVISE THE GRADUATION REQUIREMENTS.**

Representative Wagner made comments.

The roll call on **HJR 9** was taken and revealed:

YES: 38.

ABSENT: Representatives Buckworth, DiPinto & Smith - 3.

Therefore, having received a constitutional majority, **HJR 9** was sent to the Senate for concurrence.

Mr. Speaker Spence introduced guests.

Representative Lee deferred to Representative Keeley.

Representative Keeley brought **HB 141**, jointly sponsored by Representatives DiPinto, Gilligan, Johnson, Smith & Spence & Senators Henry, Marshall, McDowell & Sorenson, before the House for consideration.

**HB 141 - AN ACT TO AMEND VOLUME 74, DELAWARE LAWS, CHAPTER 117, RELATING TO MUNICIPAL LODGING TAX.**

Representative Keeley made comments.

The roll call on **HB 141** was taken and revealed:

YES: 36.

NO: Representative Caulk - 1.

ABSENT: Representatives Buckworth, DiPinto, Lavelle & Smith - 4.

Therefore, having received a constitutional majority, **HB 141** was sent to the Senate for concurrence.

Representative Keeley made comments regarding **HB 141**.

Representative Lee deferred to Representative Oberle.

Representative Oberle brought **HB 190**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 190 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO A PERSONAL ASSISTANCE SERVICES AGENCY ACT. (3/5 bill)**

Representative Oberle made comments.

The roll call on **HB 190** was taken and revealed:

YES: 37.

ABSENT: Representatives Buckworth, DiPinto, Lavelle & Smith - 4.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 190** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Oberle.

Representative Oberle brought **HB 180**, jointly sponsored by Senator Marshall & Representatives Spence, Buckworth, Lofink, Johnson, Mulrooney, Plant & Viola, before the House for consideration.

**HB 180 - AN ACT TO AMEND CHAPTER 34, TITLE 19 OF THE DELAWARE CODE RELATING TO COUNSELING, TRAINING AND PLACEMENT ACTIVITIES.**

Representative Oberle made comments.

The roll call on **HB 180** was taken and revealed:

YES: 38.

ABSENT: Representatives Buckworth, DiPinto & Smith - 3.

Therefore, having received a constitutional majority, **HB 180** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Maier.

Representative Maier brought **HB 194**, jointly sponsored by Senator Blevins & Representatives Booth, Buckworth, Cathcart, DiPinto, Ewing, Fallon, Hocker, Hudson, Lavelle, Outten, Wagner, Ulbrich & Schooley & Senators Sorenson, Connor & Copeland, before the House for consideration.

**HB 194 - AN ACT TO AMEND CHAPTER 334 OF VOLUME 72, LAWS OF DELAWARE, ENTITLED "AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO AN INTERSTATE NURSE LICENSURE COMPACT", AND CHAPTER 19A OF TITLE 24 OF THE DELAWARE CODE TO EXTEND THE STATE'S PARTICIPATION IN THE INTERSTATE COMPACT.**

Representative Maier made a comment.

The roll call on **HB 194** was taken and revealed:

YES: 38.

ABSENT: Representatives Buckworth, DiPinto & Smith - 3.

Therefore, having received a constitutional majority, **HB 194** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Atkins.

Representative Atkins moved to suspend the rules which interfere with introduction of and action on **HB 237**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Atkins introduced and brought **HB 237**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 237** - AN ACT TO AMEND CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLSBORO, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO", WITH REGARD TO STRIKING THE LIMITATION ON BORROWING IN ANTICIPATION OF REVENUES AND SUBSTITUTING IN LIEU THEREOF ADDITIONAL AUTHORITY TO BORROW AMOUNTS IN ANTICIPATION OF REVENUE. (2/3 bill)

Representatives Atkins, Wagner, Gilligan & Lofink made comments.

The roll call on **HB 237** was taken and revealed:

YES: 38.

ABSENT: Representatives Buckworth, DiPinto & Smith - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 237** was sent to the Senate for concurrence.

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

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 212** - 10F.

The Majority Leader moved to recess to the call of the Chair at 6:50 p.m.

Mr. Acting Speaker Roy called the House to order at 2:10 p.m. on June 14, 2005.

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.

### **35th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session June 14, 2005**

The Chief Clerk called the roll:

Members Present: 41.

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

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

The following prefiled legislation was introduced:

**HB 205** - SCHOOLEY & REPRESENTATIVE OBERLE & REPRESENTATIVE ULBRICH & SENATOR BLEVINS; REPRESENTATIVES ENNIS, GEORGE, GILLIGAN, HALL-LONG, JOHNSON, KEELEY, LONGHURST, MAIER, MCWILLIAMS, MIRO, MULROONEY, SCHWARTZKOPF, SPENCE, VANSANT, VIOLA, WAGNER, WILLIAMS; SENATORS CLOUTIER, CONNOR, HENRY, SOKOLA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Titles 16 and 18 of the Delaware Code Relating to Hospitals and Universal Newborn and Infant Hearing Screening.

**HB 225** - EWING & SENATOR VAUGHN; REPRESENTATIVE BUCKWORTH; SENATOR ADAMS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Trademark Counterfeiting. (2/3 bill)

**HB 226** - VALIHURA & SENATOR SOKOLA; REPRESENTATIVES ENNIS, KEELEY, LAVELLE, MCWILLIAMS, PLANT - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 31 of the Delaware Code Relating to Housing and the Delaware State Housing Authority.

**HB 227** - OBERLE & SENATOR SOKOLA; REPRESENTATIVES HUDSON, LOFINK, ENNIS, KEELEY, VANSANT - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 16 and Title 9 of the Delaware Code Relating to Health and Safety and New Castle County.

**HB 228** - HUDSON & REPRESENTATIVE DIPINTO & SENATOR ADAMS & SENATOR SORENSON; REPRESENTATIVES MAIER, VALIHURA, KEELEY; SENATORS MCDOWELL, BLEVINS, HENRY, MARSHALL, PETERSON, SOKOLA, VAUGHN, CONNOR - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Related to Land and Historic Resource Tax Credit.

**HB 229** - BOOTH & REPRESENTATIVE SMITH & SENATOR BUNTING; REPRESENTATIVES ATKINS, EWING, HOCKER, HUDSON, LAVELLE, LEE, MAIER, STONE, ULBRICH, VALIHURA - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7, Title 23, and Title 29 of the Delaware Code Relating to Archaeological Resources. (3/5 bill)

**HB 230** - KEELEY; REPRESENTATIVES BUCKWORTH, CAULK, ENNIS, EWING, HALL-LONG, HOCKER, HUDSON, JOHNSON, LONGHURST, MAIER, MCWILLIAMS, MIRO, PLANT, SCHOOLEY, SCHWARTZKOPF, SMITH, STONE; SENATORS BLEVINS, BUNTING, DELUCA, HENRY, SOKOLA - JUDICIARY - An Act to Amend Chapter 5, Title 11 of the Delaware Code Relating to False Reporting of an Incident. (2/3 bill)

**HB 231** - ATKINS & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Chapter 457, Volume 60, Laws of Delaware, as Amended, the Charter of the Town of Millsboro, to Provide for Municipal Tax Increment Financing and to Provide for Municipal Special Development Districts and to Provide for an Exception to Competitive Bidding for Certain Contracts in Connection with Municipal Tax Increment Financing and Municipal Development Districts. (2/3 bill)

**HB 232** - WAGNER & SENATOR BUNTING - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Registration of Vehicles.

**HB 233** - MCWILLIAMS; REPRESENTATIVES ENNIS, HALL-LONG, KEELEY, PLANT, SCHOOLEY, SPENCE; SENATORS HENRY, SIMPSON - EDUCATION - An Act to Amend Chapter 85, Title 14 of the Delaware Code Relating to Private Business and Trade Schools.

**HB 234** - ATKINS & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Chapter 138, Volume 68, Laws of Delaware, as Amended, Entitled "An Act to Incorporate the Town of Dagsboro", to Amend Section 18 by Clarifying the Requirements and Duties of a Town Administrator. (2/3 bill)

**HB 235** - KEELEY & SENATOR BLEVINS & REPRESENTATIVE MAIER; REPRESENTATIVES ATKINS, BOOTH, CAREY, CAULK, ENNIS, EWING, FALLON, GEORGE, HALL-LONG, HOCKER, HUDSON, JOHNSON, LONGHURST, MAIER, MCWILLIAMS, MIRO, MULROONEY, OUTTEN, SCHOOLEY, SPENCE, STONE, ULBRICH, VIOLA, WAGNER, WILLIAMS; SENATORS AMICK, CLOUTIER, CONNOR, HENRY, MARSHALL, MCDOWELL, PETERSON, SIMPSON, SOKOLA, VAUGHN - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Delaware Healthy Children Program.

**HB 236** - WAGNER & SENATOR SOKOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Physically Impaired and Traumatic Brain Injured Students.

**HA 1 to HB 50** - WAGNER - Placed with the Bill.

**HA 1 to HB 51** - WAGNER & REPRESENTATIVE WILLIAMS - Placed with the Bill.

**HA 1 to HB 166** - KEELEY - Placed with the Bill.

**HA 2 to SS 1 for SB 30** - WAGNER - Placed with the Bill.

**HA 3 to SS 1 for SB 30** - BOOTH - Placed with the Bill.

**HA 1 to SB 50** - WAGNER - Placed with the Bill.

**HA 1 to SB 81** - VALIHURA - Placed with the Bill.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart requested and was granted personal privilege of the floor to introduce guests. Representative Williams requested that he be marked present. Representative Smith requested and was granted privilege of the floor for Jennifer Crouse, President, Kent County 4H Teen Council. Representative DiPinto requested and was granted personal privilege of the floor to introduce guests. Representative Smith deferred to Representative Schooley. Representative Schooley made comments. Representative Smith deferred to Representative Stone. Representative Stone made an announcement. Representative Wagner requested that she be marked present and requested and was granted personal privilege of the floor to introduce guests. Representatives Hall-Long & Gilligan requested that they be marked present. Representative Ewing made an announcement. Representative Miro requested that he be marked present. Representative Maier made an announcement. Representative Hudson requested that she be marked present and made an announcement. Representative Lavelle requested that he be marked present. Representative Smith made an announcement. Representative Smith deferred to Representative Fallon. Representative Fallon made comments and requested and was granted privilege of the floor for Angela Tinsman, 2005 Governor, YMCA Youth in Government. Representative Fallon presented a House Tribute to Miss Tinsman. Representative Fallon introduced guests.

Representative Wagner made an announcement.

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

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

HEALTH & HUMAN DEVELOPMENT: **HB 215** - 6M.

Representative George made comments. Representative Lee deferred to Representative Maier. Representative Maier made an announcement.

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

The House reconvened at 6:25 p.m. with Representative Buckworth as Acting Speaker.

Representative Spence requested that he be marked present.

Mr. Speaker Spence resumed the Chair.

Representative Smith made an announcement.

Representative Smith deferred to Representative Hudson.

Representative Hudson requested that action on **HB 122** be Deferred to a Day Certain, Thursday, June, 16, 2005.

Representative Hudson made an announcement.

Mr. Speaker Spence assigned **HB 214** to the Economic Development/Banking & Insurance Committee.

Representative Smith deferred to Representative Keeley.

Representative Keeley requested that **HB 166** be stricken.

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

Representative Stone made an announcement.

Representative Smith deferred to Representative Lee.

Representative Lee moved to suspend the rules which interfere with introduction of and action on **HS 1 for HB 211**. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Lavelle made an announcement.

Representative Lee introduced and brought **HS 1 for HB 211**, jointly sponsored by Representatives Outten, Valihura & Ennis & Senators Cook, Vaughn & Connor, before the House for consideration.

**HB 211 - AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO SPORTS AND AMUSEMENTS. (3/5 bill)**

Representative Lee introduced and brought **HA 1 to HS 1 for HB 211** before the House for consideration. Representative Lee made a comment. **HA 1** was adopted by voice vote. Representatives Lee, Oberle, Wagner, Gilligan, Ennis, Lavelle, Ulbrich, Oberle & Lee made comments.

The roll call on **HS 1 for HB 211 w/HA 1** was taken and revealed:

YES: 33.

NO: Representatives Booth, Hocker, Maier, Plant, Smith, Ulbrich & Williams - 7.

NOT VOTING: Representative Keeley - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HS 1 for HB 211 w/HA 1** was sent to the Senate for concurrence.

Representative Lee made comments regarding **HS 1 for HB 211**.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 50**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 50 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACY.**

Representative Wagner brought **HA 1 to HB 50** 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 50 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 50 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 51**, jointly sponsored by Senator Blevins & Representative Williams, before the House for consideration.

**HB 51 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF PHARMACY.**

Representative Wagner brought **HA 1 to HB 51**, jointly sponsored by Representative Williams, before the House for consideration. Representative Wagner made comments. **HA 1** was adopted by voice vote.

The roll call on **HB 51 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Buckworth - 1.

Therefore, having received a constitutional majority, **HB 51 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Booth.

Representative Booth brought **HB 161**, jointly sponsored by Senator Adams, before the House for consideration.

**HB 161 - AN ACT TO AMEND CHAPTER 276 OF VOLUME 65, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF GEORGETOWN" TO INCREASE THE AMOUNT THE TOWN COUNCIL MAY BORROW, TO ALTER THE INDEBTEDNESS LIMITATION AND TO SPECIFY THE ORGANIZATION AND POWERS OF THE POLICE FORCE. (2/3 bill)**

Representative Booth made comments.

The roll call on **HB 161** was taken and revealed:

YES: 40.

ABSENT: Representative Buckworth - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 161** was sent to the Senate for concurrence.

Representative Smith brought the following **Consent Agenda B** before the House for concurrence on Senate Amendments.

**HB 100 w/HA 1 & 2 & SA 1 –KEELEY & REPRESENTATIVE WAGNER & SENATOR HENRY - An Act to Amend Title 21 of the Delaware Code Concerning Camera Enforcement of Traffic Light Signals. (F/N)**

**HB 18 w/SA 1 – ENNIS & SENATORS VAUGHN, SIMPSON & BLEVINS & REPRESENTATIVES LEE & OUTTEN - An Act to Amend Title 16 of the Delaware Code Relating to Ambulance Attendants.**

**HCR 6 w/SA 2 – Establishing the Compulsory Education Age Task Force.**



**HB 104 w/SA 2 – SMITH & SENATOR ADAMS - An Act to Amend Title 29 of the Delaware Code Relating to the Filing of Financial Disclosure Reports and Certain Other Documents.**

The roll call on **Consent Agenda B** was taken and revealed:

YES: 40.

ABSENT: Representative Buckworth - 1.

Therefore, having received a constitutional majority, **HB 100 w/HA 1 & 2 & SA 1, HB 18 w/SA 1 & HB 104 w/SA 2** were sent to the Governor & **HCR 6 w/SA 2** was declared passed.

The Majority Leader moved to recess to the call of the Chair at 7:06 p.m.

Mr. Speaker Spence called the House to order at 2:29 p.m. on June 15, 2005.

Mr. Speaker Spence reassigned **HB 225** to the Public Safety Committee.

Representative Ewing made an announcement.

The Majority Leader moved to adjourn at 2:30 p.m., thereby ending the current legislative day. The House reconvened at 2:31 p.m.

**36th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session  
June 15, 2005**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Caulk & Williams – 2.

Mr. Speaker Spence introduced guests.

Representatives Keeley & Thornburg requested that they be marked present.

A prayer was offered by Representative Joseph W. Booth, Thirty-Seventh Representative District.

Mr. Speaker Spence invited Brad, Ben & Jack Smith to join him in leading those present in a pledge of allegiance to the American Flag.

Representative Fallon requested that she be marked present.

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

The following prefiled legislation was introduced:

**HB 238 - STONE & SENATOR DELUCA; REPRESENTATIVES VALIHURA, GEORGE; SENATOR AMICK - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 6 of the Delaware Code Relating to Commerce and Trade.**

**HB 239 - ROY & SENATOR MCBRIDE & SENATORS BLEVINS, PETERSON, VENABLES - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 29, Chapter 80 of the Delaware Code Relating to the Wastewater Facilities Advisory Council.**

**HB 240 - MIRO & SENATOR HENRY; REPRESENTATIVES SPENCE, KEELEY - PUBLIC SAFETY - An Act to Amend Titles 11 and 22 of the Delaware Code Relating to Stun Guns. (2/3 bill)**

**HB 241 - SMITH & SENATOR BLEVINS; REPRESENTATIVES EWING, JOHNSON, KEELEY, OUTTEN, SPENCE, WAGNER - JUDICIARY - An Act Relating to Criminal Consequences of Conduct that Involves Certain Trafficking of Persons and Involuntary Servitude.**

**HB 242 - THORNBURG - APPROPRIATIONS - An Act Awarding Special Pension Benefits to Raymond H. Malenfant.**

**HB 243 - LEE & SENATOR VAUGHN - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 23 of Title 24 of the Delaware Code Relating to Pawnbrokers and Junk Dealers. (2/3 bill)**

**HB 244 - ROY & REPRESENTATIVE GILLIGAN; SENATORS SOKOLA, COPELAND - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Charter Schools.**

**HA 1 to HB 72 - ULBRICH - Placed with the Bill.**

**HA 1 to HB 75 - VALIHURA & REPRESENTATIVE OBERLE - Placed with the Bill.**

**HA 1 to HB 133 - VALIHURA - Placed with the Bill.**

**HA 1 to HB 191 - VALIHURA - Placed with the Bill.**

**HA 1 to HB 195 - BUCKWORTH - Placed with the Bill.**

**HA 1 to HB 205 - SCHOOLEY - Placed with the Bill.**

**HA 1 to HB 206 - SCHWARTZKOPF - Placed with the Bill.**

**HA 1 to HB 215 - HALL-LONG - Placed with the Bill.**

**SB 80 - VENABLES & SENATOR BLEVINS & SENATOR SORENSON & REPRESENTATIVE HUDSON & REPRESENTATIVE MAIER & REPRESENTATIVE GEORGE; SENATORS HENRY, MCDOWELL & SOKOLA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code by Adopting the Delaware Regenerative Medicine Act, Prohibiting Human Reproductive Cloning, and Authorizing Human Embryonic Stem Cell Research.**

**HA 1 to SB 60 - ULBRICH - Placed with the Bill.**

Representatives Johnson & DiPinto made comments. Representative Cathcart requested and was granted personal privilege of the floor to make an announcement. Representatives Gilligan, Schwartzkopf & Valihura requested that they be marked present. Mr. Speaker Spence & Representatives Gilligan & Schwartzkopf made comments. Representative Plant requested that she be marked present.



Representative Smith brought the following prefiled **Consent Calendar #14** before the House for consideration.

**HR 28** – WAGNER & REPRESENTATIVE OBERLE; REPRESENTATIVES LEE, CAREY, EWING, HUDSON, LAVELLE, LOFINK, OUTTEN, STONE, THORNBURG, ULBRICH, VALIHURA, VANSANT, ENNIS, HALL-LONG, JOHNSON, MCWILLIAMS, PLANT, SCHOOLEY, VIOLA – A Resolution Recognizing Delaware’s First Class Harness Racing Farms, “Rainbow Blue”, the 2004 Harness Writers Horse of the Year Being Trained in Delaware and to Encourage the Delaware Development Office to Promote Accordingly.

**HR 29** – DIPINTO – Recognizing Timothy Golding as He Leaves Tower Hill School and Congratulating the Tower Hill School Boy’s Lacrosse Team for Winning the State Championship Last Month.

**HCR 32** – HUDSON & REPRESENTATIVE VIOLA; SENATOR CONNOR; REPRESENTATIVES HOCKER, LAVELLE, VALIHURA, HALL-LONG – Requesting the Office of Retail Gasoline Sales to Provide Education Materials Relating to Refueling Assistance Requirements and Relating to the Retail Station Advisory Council.

**SCR 17** – MARSHALL & REPRESENTATIVE MAIER – Recognizing June 9, 2005 as National Nursing Assistants Day and Recognizing the Vital Role that Certified Nursing Assistants Play in Providing Health Care Services.

Representative Smith made an announcement.

**Consent Calendar #14** was adopted by voice vote and **HR 28** & **HR 29** were declared passed, **HCR 32** was sent to the Senate for concurrence & **SCR 17** was returned to the Senate.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #29

DATE: June 15, 2005

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                                                                                   | Date      | Type | Description                                                                 |
|----------|-------------------------------------------------------------------------------------------|-----------|------|-----------------------------------------------------------------------------|
| H143-660 | Maier                                                                                     | 5/28/2005 | M    | George Randolph Truet                                                       |
| H143-661 | Wagner                                                                                    | 7/16/2005 | T    | Michael Angelo - Retirement - DelDOT - 25 Years                             |
| H143-662 | Schooley                                                                                  | 6/8/2005  | T    | Third Grade Class - Maclary Elementary Fundraiser                           |
| H143-663 | Booth                                                                                     | 7/2/2005  | T    | Robert & Shirley Wilson - 50th Wedding Anniversary                          |
| H143-664 | Booth                                                                                     | 6/15/2005 | T    | Nelson Swain - 78th Birthday                                                |
| H143-665 | Booth                                                                                     | 6/8/2005  | T    | Sussex Central Girls Softball Team - State Champions                        |
|          | cosponsors: All Representatives                                                           |           |      |                                                                             |
| H143-666 | DiPinto                                                                                   | 6/9/2005  | T    | Charles Richards, Jr. - Outstanding Service to the Courts & Bar Award       |
|          | cosponsors: Reps. George & Valihura                                                       |           |      |                                                                             |
| H143-667 | McWilliams                                                                                | 6/9/2005  | T    | Francis Jones, Jr. - Distinguished Mentoring Award                          |
|          | cosponsors: Reps. George & Valihura                                                       |           |      |                                                                             |
| H143-668 | DiPinto                                                                                   | 6/9/2005  | T    | Patricia Schwartz - Women's Leadership Award                                |
|          | cosponsors: Reps. George & Valihura                                                       |           |      |                                                                             |
| H143-669 | Hudson                                                                                    | 6/9/2005  | T    | Tania Culley - New Lawyers Distinguished Service Award                      |
|          | cosponsors: Reps. George & Valihura                                                       |           |      |                                                                             |
| H143-670 | Hudson                                                                                    | 6/9/2005  | T    | E. Norman Veasey - Hermann Professional Conduct Award                       |
|          | cosponsors: Reps. George & Valihura                                                       |           |      |                                                                             |
| H143-671 | Williams                                                                                  | 6/9/2005  | T    | Sidney Balick - First State Distinguished Service Award                     |
|          | cosponsors: Reps. George & Valihura                                                       |           |      |                                                                             |
| H143-672 | Lavelle                                                                                   | 5/31/2005 | M    | Clarice U. Heckert                                                          |
| H143-673 | Thornburg                                                                                 | 6/4/2005  | M    | Dolores Jeane Jess                                                          |
| H143-674 | Wagner                                                                                    | 6/17/2005 | T    | Yvette Brinkley & Jahi Davenport - Marriage                                 |
| H143-675 | Wagner                                                                                    | 5/24/2005 | T    | Dover Central Middle School - First Place – Odyssey of the Mind Competition |
|          | cosponsors: Reps. Thornburg Stone, Ennis                                                  |           |      |                                                                             |
| H143-676 | Ewing                                                                                     | 6/10/2005 | T    | Col. L. Aaron Chaffinch - Retirement - State Police                         |
|          | cosponsors: Reps. Atkins, Ennis, Lee, Schwartzkopf, Spence, VanSant & All Representatives |           |      |                                                                             |
| H143-677 | Wagner                                                                                    | 6/5/2005  | M    | Dale Shuirman                                                               |
| H143-678 | VanSant                                                                                   | 6/9/2005  | T    | John Hedrick - Senior Athlete of the Year                                   |
|          | cosponsors: All Representatives                                                           |           |      |                                                                             |
| H143-679 | Wagner                                                                                    | 6/11/2005 | T    | Kathryn Keller & Brian Oppermann – Marriage                                 |

T- Tribute

M - Memoriam

Representative Hall-Long requested and was granted personal privilege of the floor to introduce guests. Mr. Speaker Spence introduced a guest. Representative Cathcart requested and was granted

personal privilege of the floor to make comments. Representative Gilligan & Mr. Speaker Spence made comments.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 80** and requests the concurrence of the House.

Representative Smith made an announcement.

Representatives Ulbrich & Wagner & Mr. Speaker Spence made comments regarding **HR 28**.

The Majority Leader moved to recess for committee meetings and to the call of the

Chair at 2:45 p.m.

Mr. Speaker Spence called the House to order at 2:12 p.m. on June 16, 2005.

Representative Caulk 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 62, SB 125 w/SA 1, SB 147, SB 136, SB 139, SB 159, SB 160, SB 138 w/SA 1, SB 48 w/SA 1, SB 155, SB 150 w/SA 1, SB 156 w/SA 1 & SB 161** and requests the concurrence of the House; **HS 1/HB 90** and is returning same to the House.

Delaware General Assembly

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Booth, do hereby request that my name be removed as cosponsor of **HB 239**.

Date: June 14, 2005

Signed: Joseph W. Booth

MEMORANDUM

TO: THE HONORABLE TERRY R. SPENCE  
SPEAKER OF THE HOUSE OF REPRESENTATIVES  
FROM: REPRESENTATIVE Gregory F. Lavelle  
DATE: June 15, 2005  
RE: Absence from Session

Please be advised that it is necessary for me to be absent on Thursday June 16, 2005 due to a previous business commitment. Thank you for your understanding.

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

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

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 133 - 2F,4M,1U; HB 216 - 9M; HB 217 - 10M; HB 218 - 2F,9M; HB 238 - 11M.**

EDUCATION: **HB 233 - 6M; HB 236 - 6M; HJR 11 - 6M.**

HEALTH & HUMAN DEVELOPMENT: **HB 205 - 6M; HB 235 - 7M; HB 202 - 6M.**

HOUSE ADMINISTRATION: **HB 206 - 5M; HB 231 - 4M; SB 71 w/SA 1 - 1F,4M; SB 128 w/SA 1 - 1F,4M.**

HOUSING & COMMUNITY AFFAIRS: **HB 226 - 8M; SB 102 - 1F,4M,2U; HB 227 - 5F,3M.**

JUDICIARY: **SB 16 w/SA 1 - 5M; SB 87 - 2F,4M.**

LABOR: **HB 219 - 5M; SB 1 w/SA 1 & HA 1 & SA 3 - 1F,4M; HB 198 - 1F,4M.**

PUBLIC SAFETY: **HB 126 - 6M; HB 199 - 7M; HB 225 - 6M; SB 117 - 7M; HB 213 - 7M; HB 221 - 7M.**

REVENUE & FINANCE: **HB 228 - 2F,4M.**

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **HB 210 - 2F,2M.**

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.

**37th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session  
June 16, 2005**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives George, Lavelle & Stone – 3.

A prayer was offered by Representative Wayne A. Smith, Seventh Representative District.

Mr. Speaker Spence 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 39 - GEORGE & SENATOR DELUCA; REPRESENTATIVES EWING, HALL-LONG, LONGHURST, MCWILLIAMS, SCHOOLEY; SENATOR HENRY - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Unfair Practices in Insurance.**

**HB 245 - HOCKER; REPRESENTATIVES BUCKWORTH, DIPINTO, EWING, FALLON; SENATORS AMICK, CLOUTIER, CONNOR, COPELAND, SIMPSON - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Registration of Vehicles.**

**HB 246 - HOCKER & SENATOR BUNTING; REPRESENTATIVES BUCKWORTH, CAREY, DIPINTO, EWING, FALLON, ULBRICH, VALIHURA, GEORGE, CAULK; SENATORS BONINI,**

STILL, SORENSON, AMICK, CLOUTIER, CONNOR, COPELAND, SIMPSON - JUDICIARY - An Act to Amend Title 10, Chapter 81 of the Delaware Code Relating to Limitations from Civil Liability for Certain Volunteers.

**HB 247** - VALIHURA & REPRESENTATIVE FALLON; SENATOR SOKOLA - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Primary Elections.

**HB 248** - VALIHURA; REPRESENTATIVES BUCKWORTH, DIPINTO, EWING, FALLON, HOCKER, HUDSON, MIRO, STONE, THORNBURG, ULBRICH; SENATORS CLOUTIER, CONNOR - PUBLIC SAFETY - An Act to Amend Title 21 Relating to Motor Vehicles and Special Registration Plates.

**HB 249** - VALIHURA & REPRESENTATIVE OBERLE & SENATOR CLOUTIER; REPRESENTATIVES HUDSON, WAGNER - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Taxes.

**HB 250** - ULBRICH & REPRESENTATIVE OBERLE & SENATOR BLEVINS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Abuse of Children.

**HB 251** - VALIHURA; REPRESENTATIVES FALLON, STONE - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 29 of the Delaware Code Relating to Facilities Management.

**HB 252** - VALIHURA & REPRESENTATIVE SCHWARTZKOPF; REPRESENTATIVES DIPINTO, FALLON, LAVELLE, MAIER, MIRO, MULROONEY, SPENCE, THORNBURG, WAGNER; SENATORS CONNOR, SORENSON, CLOUTIER - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax Returns.

**HB 253** - VALIHURA & SENATOR SORENSON & SENATOR CLOUTIER; REPRESENTATIVES DIPINTO, STONE - HOUSE ADMINISTRATION - An Act Proposing an Amendment to Article II, § 4 of the Constitution of the State of Delaware of 1897, as Amended, Relating to the Time and Frequency of Legislative Sessions.

**HB 254** - STONE & SENATOR BLEVINS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Expenses and Fees for Form and Rate Filings. (3/5 bill)

**HB 255** - WAGNER & SENATOR BLEVINS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to the Practice of Pharmacy.

**HB 256** - VANSANT; REPRESENTATIVE EWING; SENATORS VAUGHN, SORENSON - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Drivers Licenses.

**HB 257** - KEELEY & SENATOR BLEVINS; REPRESENTATIVES MAIER, SCHOOLEY, VIOLA; SENATORS DELUCA, HENRY, MCDOWELL, SOKOLA - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Unfair Insurance Claim Setting Practices.

**HB 259** - ULBRICH & REPRESENTATIVE MAIER & SENATOR BLEVINS; REPRESENTATIVES CAULK, GEORGE, HALL-LONG, MCWILLIAMS, MIRO, SCHOOLEY; SENATORS HENRY, PETERSON, SORENSON - APPROPRIATIONS - An Act to Amend Title 31 of the Delaware Code Relating to Medicaid Dental Assistance.

**HB 260** - MAIER & SENATOR BLEVINS - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to Rabies Control in Animal and Human Populations.

**HB 261** - MAIER & SENATOR BLEVINS & SENATOR SORENSON; REPRESENTATIVES HUDSON, ENNIS, HALL-LONG, KEELEY, SCHOOLEY; SENATORS SOKOLA, CONNOR - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Collection of Health Information. (2/3 bill)

**HA 1 to HB 202** - MAIER - Placed with the Bill.

**HA 1 to HB 219** - HALL-LONG - Placed with the Bill.

**HA 1 to HB 221** - CAREY - Placed with the Bill.

**SB 48 w/SA 1** - SORENSON & REPRESENTATIVE MAIER; SENATORS BLEVINS, CLOUTIER, CONNOR, MCDOWELL, PETERSON; REPRESENTATIVES BUCKWORTH, CAREY, ENNIS, EWING, FALLON, HUDSON, MIRO, PLANT, VALIHURA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to Prescriptions.

**SB 62** - MARSHALL & SENATOR PETERSON & REPRESENTATIVE VIOLA; SENATORS DELUCA, HENRY, MCBRIDE, MCDOWELL, BLEVINS; REPRESENTATIVES OBERLE, ENNIS, GEORGE, GILLIGAN, HALL-LONG, KEELEY, MULROONEY, PLANT, VANSANT, WILLIAMS; SENATOR CONNOR - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to the Minimum Wage.

**SB 125 w/SA 1** - DELUCA & REPRESENTATIVE LAVELLE; SENATORS BLEVINS, HENRY, MCDOWELL, SOKOLA; REPRESENTATIVES DIPINTO, ENNIS, HALL-LONG, KEELEY, LONGHURST, VALIHURA, VANSANT, VIOLA - HOUSE ADMINISTRATION - An Act to Amend Chapter 11, Title 9 of the Delaware Code Relating to the New Castle County Government, County Council, and County Council Vacancies.

**SB 136** - SIMPSON & SENATOR ADAMS & REPRESENTATIVE OUTTEN & SENATOR COOK & REPRESENTATIVE SPENCE - BUSINESS/CORPORATIONS/COMMERCE - An Act to Amend Title 4 of the Delaware Code Relating to Farm Wineries.

**SB 138 w/SA 1** - CLOUTIER; SENATORS CONNOR, COPELAND, MARSHALL, SORENSON; REPRESENTATIVES KEELEY, MAIER, SCHOOLEY, VIOLA - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to the Use of Social Security Numbers on Insurance Cards.

**SB 139** - BLEVINS - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Primary Elections.

**SB 147** - ADAMS & REPRESENTATIVE EWING - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 5 of the Delaware Code Relating to Building Loan Associations.

**SB 150 w/SA 1** - DELUCA & REPRESENTATIVE STONE & SENATOR AMICK; REPRESENTATIVES GEORGE & VALIHURA - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act Amending Title 12 of the Delaware Code Relating to Wills and Trusts.

**SB 155** - HENRY & REPRESENTATIVE EWING - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Commercial Drivers Licenses and the Length of Issuance for a Commercial Driver's License with a Hazardous Materials Endorsement.

**SB 156 w/SA 1** - HENRY & REPRESENTATIVE EWING - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Medical Standards Pertaining to Intra-state Only Commercial Driver Licensed Drivers and for Employees Who Operate Commercial Motor Vehicles for State and Other Government Entities.

**SB 159** - HENRY & REPRESENTATIVE EWING - PUBLIC SAFETY - An Act to Amend Title 11 and Title 21 of the Delaware Code Relating to Probation Before Judgment and Requiring All Traffic Control Law Violations to be Posted on a Commercial Driver's License Holder's Driving Record.

**SB 160** - HENRY & REPRESENTATIVE EWING - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Driver's Licenses and Nondriver Identification Cards.

**SB 161** - HENRY & REPRESENTATIVE EWING - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Commercial Driver's Licenses and Penalties.

**HA 2 to SB 81** - MIRO - Placed with the Bill.

Representatives Ennis, Atkins & Roy requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:21 p.m.

The House reconvened at 4:30 p.m. with Representative Buckworth as Acting Speaker.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought **HB 225**, jointly sponsored by Senator Vaughn & Representative Buckworth & Senator Adams, before the House for consideration.

**HB 225** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TRADEMARK COUNTERFEITING. (2/3 bill)

Representative Ewing made comments.

The roll call on **HB 225** was taken and revealed:

YES: 38.

ABSENT: Representatives George, Lavelle & Stone - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 225** was sent to the Senate for concurrence.

Representatives Hudson, Keeley, Mulrooney, Oberle, Plant, Valihura, Viola, Miro, Cathcart, Maier & DiPinto requested that they be marked present during the roll call.

Representative Smith deferred to Representative Atkins.

Representative Atkins brought **HB 231**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 231** - AN ACT TO AMEND CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLSBORO, TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND TO PROVIDE FOR MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS AND TO PROVIDE FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL DEVELOPMENT DISTRICTS. (2/3 bill)

Representative Atkins made comments.

The roll call on **HB 231** was taken and revealed:

YES: 36.

ABSENT: Representatives George, Lavelle, Spence, Stone & Williams - 5.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 231** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Atkins.

Representative Atkins brought **HB 182**, jointly sponsored by Representative Booth & Representative Ewing & Representative Hocker & Representative Wagner & Representative Gilligan & Representative Schwartzkopf & Senator Adams & Senator DeLuca & Senator Vaughn & Senator Venables &

Representatives Spence, Smith, Lee, Buckworth, Cathcart, DiPinto, Hudson, Lavelle, Lofink, Oberle, Outten, Stone, Thornburg, Ulbrich, VanSant, Ennis, Johnson, Keeley & Williams, before the House for consideration.

**HB 182 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH CARE INSURANCE. (F/N)**

Representative Atkins made comments.

The roll call on **HB 182** was taken and revealed:

YES: 38.

ABSENT: Representatives George, Lavelle & Stone - 3.

Therefore, having received a constitutional majority, **HB 182** was sent to the Senate for concurrence.

Representative Ewing introduced a guest.

Mr. Acting Speaker assigned **HB 219, SB 117 & HB 228** to the Appropriations Committee.

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

JUDICIARY: **HB 158** - 7M; **HB 168** - 1F,5M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 229** - 9M,1U.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 175 & SCR 18** and requests the concurrence of the House.

MEMORANDUM

TO: Terry R. Spence, Speaker  
House of Representatives  
cc: JoAnn Hedrick

DATE: June 16, 2005

FROM: Representative Donna D. Stone

RE: Absence from session

Because of illness, I will not be able to attend today's session.

MEMORANDUM

TO: Terry R. Spence, Speaker of the House

FROM: Melanie L. George  
Representative, 5th District

DATE: June 16, 2005

RE: Absence from Session

Mr. Speaker:

I will be absent from session today, June 16th, due to illness.

Representative Smith deferred to Representative Spence.

Representative Spence moved to suspend the rules which interfere with introduction of and action on **HJR 12**. The motion was seconded by Representative Carey and adopted by voice vote.

Representative Spence introduced and brought **HJR 12**, sponsored on behalf of All Representatives & jointly sponsored by Senator DeLuca, before the House for consideration.

**HJR 12 - PROCLAIMING THE DELAWARE STATE POLICE TROOP 5 AND PARAMEDIC UNIT NO. 107 FACILITY TO BE NAMED THE ADAMS-EWING PUBLIC SAFETY COMPLEX.**

WHEREAS, the longest-serving member of the Delaware State Senate, Senator Thurman G. Adams, has made public safety issues a top priority during his Senate career, which is well illustrated with his sponsorship of the legislation establishing Delaware's "Enhanced 911" emergency telephone system; and

WHEREAS, Representative J. Benjamin Ewing has dedicated his life to public safety, beginning with his service in the 1st Marine Division, then serving a 20-year tenure with the Delaware State Police where he obtained the rank of Lt. Colonel, and serving as Chair of the House Public Safety Committee during his entire legislative career; and

WHEREAS, when the Bridgeville Visitors Center was no longer in usage and was temporarily shut down, Sen. Adams and Rep. Ewing saw an opportunity to resolve the spacing shortage being experienced by Delaware State Police Troop 5; and

WHEREAS, Sen. Thurman Adams and Rep. Benjamin Ewing were instrumental in engineering the State's purchase and renovation of the former Bridgeville Visitors Center to host Delaware State Police Troop 5 and Paramedic Unit No. 107; and

WHEREAS, the conversion of this facility will be beneficial in protecting the health, safety and welfare of the residents of Delaware.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives and the Senate of the 143rd General Assembly of the State of Delaware, with the approval of the Governor, that the Delaware State Police Troop 5 and Paramedic Unit No. 107 facility will be named the Adams-Ewing Public Safety Complex.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be presented to Sen. Thurman G. Adams and Rep. J. Benjamin Ewing.

Representatives Spence, Smith & Mr. Acting Speaker made comments.

The roll call on **HJR 12** was taken and revealed:

YES: 37.

NOT VOTING: Representative Ewing - 1.

ABSENT: Representatives George, Lavelle & Stone - 3.

Therefore, having received a constitutional majority, **HJR 12** was sent to the Senate for concurrence.

Representative Ewing made comments regarding **HJR 12**.

Representative Smith deferred to Representative Hall-Long.

Representative Hall-Long brought **HB 215**, jointly sponsored by Representative Maier & Senators Sorenson & Blevins, before the House for consideration.

**HB 215** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. (2/3 bill)

Representative Hall-Long brought **HA 1** to **HB 215** before the House for consideration.

Representative Hall-Long made comments. **HA 1** was adopted by voice vote. Representative Hall-Long made comments.

The roll call on **HB 215 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representative George, Lavelle & Stone - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 215 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth brought **HB 195**, jointly sponsored by Senator Blevins & Representatives Spence, Hudson, Valihura, Wagner, Keeley & Schooley & Senator Still, before the House for consideration.

**HB 195** - AN ACT TO AMEND CHAPTER 6, TITLE 13 OF THE DELAWARE CODE, THE UNIFORM INTERSTATE FAMILY SUPPORT ACT.

Representative Buckworth brought **HA 1** to **HB 195** before the House for consideration.

Representative Buckworth made comments. **HA 1** was adopted by voice vote. Representatives Buckworth & Valihura made comments.

The roll call on **HB 195 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives George, Lavelle & Stone - 3.

Therefore, having received a constitutional majority, **HB 195 w/HA 1** was sent to the Senate for concurrence.

Representative Buckworth made comments.

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **HB 122**, jointly sponsored by Representative Valihura & Senator Sokola & Representatives Hocker, Lavelle, Mulrooney, Schwartzkopf, Stone, Thornburg & Viola & Senators Bonini, Copeland & Peterson, before the House for consideration.

**HB 122** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO BROKERAGE RELATIONSHIPS AND REAL ESTATE BROKERS, SALESPERSONS, AND APPRAISERS.

Representative Hudson introduced and brought **HA 1** to **HB 122** before the House for consideration. Representative Hudson made comments. **HA 1** was adopted by voice vote.

Representative Hudson made comments.

The roll call on **HB 122 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives George, Lavelle & Stone - 3.

Therefore, having received a constitutional majority, **HB 122 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Roy.

Representative Roy brought **HB 78**, jointly sponsored by Representative Smith & Senator Vaughn, before the House for consideration.

**HB 78** - AN ACT TO AMEND TITLE 26, DELAWARE CODE, RELATING TO THE PUBLIC SERVICE COMMISSION AND THE ASSESSMENT PUBLIC UTILITIES AND CABLE TELEVISION SYSTEMS PAY. (3/5 bill) (F/I)

Representative Roy brought **HA 1** to **HB 78** before the House for consideration.

Representative Roy made a comment. **HA 1** was adopted by voice vote. Representative Roy requested that **HA 2** to **HB 78** be stricken. Representative Roy brought **HA 3** to **HB 78** before the House for consideration. Representative Roy made a comment. **HA 3** was adopted by voice vote. Representative Roy deferred to Representative Smith. Representative Smith made comments.

The roll call on **HB 78 w/HA 1 & 3** was taken and revealed:

YES: 36.

NO: Representatives Hudson & Maier - 2.

ABSENT: Representatives George, Lavelle & Stone - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 78 w/HA 1 & 3** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ewing.

Mr. Speaker Spence reassigned **HB 251** to the Housing & Community Affairs Committee.

Representative Ewing moved to suspend the rules which interfere with action on **SJR 7**. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Ewing brought **SJR 7**, jointly sponsored by Senator DeLuca & Representative DiPinto & All Senators & Representatives Booth, Fallon, Gilligan, Hall-Long, Hocker, Hudson, Johnson, Longhurst, McWilliams, Mulrooney, Stone & Viola & cosponsored by Representatives Atkins, Ewing, Spence, Thornburg, Wagner & Buckworth, before the House for consideration.

**SJR 7 - ESTABLISHING AN INDEPENDENT, BI-PARTISAN TASK FORCE TO DEVELOP STRATEGIES TO PREVENT THE BASE REALIGNMENT AND CLOSURE COMMISSION FROM APPROVING THE MAY 13, 2005, DEPARTMENT OF DEFENSE RECOMMENDATIONS TO REALIGN THE DELAWARE AIR NATIONAL GUARD BY TRANSFERRING ALL (8) EIGHT C130 AIRCRAFT TO OTHER STATES AND ELIMINATING HUNDREDS OF ASSOCIATED POSITIONS IN THE DELAWARE AIR NATIONAL GUARD.**

The roll call on **SJR 7** was taken and revealed:

YES: 38.

ABSENT: Representatives George, Lavelle & Stone - 3.

Therefore, having received a constitutional majority, **SJR 7** was returned to the Senate.

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

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 145**, jointly sponsored by Senator Sokola & Representatives Buckworth & Ewing, before the House for consideration.

**HB 145 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LICENSURE AND CERTIFICATION OF DEPARTMENT OF EDUCATION EMPLOYEES, PRISON EDUCATION EMPLOYEES, AND ADULT EDUCATION EMPLOYEES.**

Representative Wagner brought **HA 1 to HB 145** before the House for consideration.

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

The roll call on **HB 145 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives George, Lavelle & Stone - 3.

Therefore, having received a constitutional majority, **HB 145 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Booth.

Representative Booth brought **HB 169**, jointly sponsored by Senator Simpson & Representatives Hocker & Schwartzkopf, before the House for consideration.

**HB 169 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO PLANNING AND ZONING.**

Representative Booth made a comment.

The roll call on **HB 169** was taken and revealed:

YES: 38.

ABSENT: Representatives George, Lavelle & Stone - 3.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Therefore, having received a constitutional majority, **HB 169** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Spence.

Representative Spence brought **HB 198**, jointly sponsored by Senator McBride & Representatives Cathcart, Caulk, Ennis, Ewing, George, Gilligan, Hall-Long, Hocker, Johnson, Keeley, Longhurst, McWilliams, Mulrooney, Oberle, Plant, Schooley, Schwartzkopf, Thornburg, Ulbrich & VanSant & Senator Connor & cosponsored by Senator Amick, before the House for consideration.

**HB 198 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE EMPLOYEE LEAVE OF ABSENCE.**

Representatives Spence, Miro & Viola made comments. Representative Spence requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Miro, Spence, Viola, McWilliams & Spence made comments.

The roll call on **HB 198** was taken and revealed:

YES: 38.

ABSENT: Representatives George, Lavelle & Stone - 3.

Therefore, having received a constitutional majority, **HB 198** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Hocker.

Representative Hocker introduced **HB 267** jointly sponsored by Representative Booth & Senator Venables & Representatives Buckworth, Carey, Cathcart, Ewing, Fallon, Hudson, Lee, Maier, Miro, Ulbrich, Valihura, Wagner, Gilligan, Plant & Williams & Senators Bunting, Sorenson, Bonini & Cloutier.



**HB 267** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CIVIL ACTIONS.

Mr. Acting Speaker assigned **HB 267** to the Judiciary Committee.

The Majority Leader moved to recess to the call of the Chair at 5:45 p.m.

Mr. Acting Speaker Atkins called the House to order at 2:12 p.m. on June 21, 2005.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 123 w/SA 1, SB 111 w/SA 1, SB 176 & SS 1/SB 143 w/SA 1** and requests the concurrence of the House; **HCR 30 & HCR 32** and is returning same to the House.

Representative Valihura made an announcement.

Representative Smith deferred to Representative Miro.

Representative Miro requested that **HB 240** be stricken.

Representative Miro introduced **HA 1 to HB 33** before the House for consideration.

**HA 1 to HB 33** was placed with the bill.

Representative Miro introduced **HB 270**, jointly sponsored by Senator Henry & Senator Blevins & cosponsored by Senator Sorenson.

**HB 270** - AN ACT TO AMEND TITLES 11 OF THE DELAWARE CODE RELATING TO STUN GUNS.

Mr. Acting Speaker assigned **HB 270** to the Public Safety Committee.

Representative Ewing made an announcement. Representative Smith deferred to Representative Hudson. Representative Hudson made an announcement. Representative Smith deferred to Representative Stone. Representative Stone made an announcement.

The Majority Leader moved to adjourn at 2:19 p.m., thereby ending the current legislative day. The House reconvened at 2:20 p.m.

### **38th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session June 21, 2005**

The Chief Clerk called the roll:

Members Present: 41.

The House observed a moment of silence in memory of Retired State Police Captain William V. Steen, III at the request of Representative Hocker.

A prayer was offered by Representative Bethany A. Hall-Long, Eighth Representative District.

Mr. 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 258** - MAIER & SENATOR BLEVINS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Persons with Mental Retardation, Mental Illness and Other Significant Disabilities.

**HB 262** - ROY & SENATOR SOKOLA - APPROPRIATIONS - An Act Awarding Special Pension Benefits to Alice Alper and Directing the Board of Pension Trustees to Administer Payment of the Pension Provided by this Act as if the Award were Pursuant to Chapter 55, Title 29, Delaware Code.

**HB 263** - WAGNER & SENATOR MCDOWELL; REPRESENTATIVES SPENCE, LEE, BUCKWORTH, CATHCART, EWING, MIRO, OBERLE, STONE, ULBRICH, GILLIGAN, ENNIS, GEORGE, JOHNSON, LONGHURST, MCWILLIAMS, MULROONEY, SCHOOLEY, SCHWARTZKOPF, CAULK; SENATORS ADAMS, DELUCA, BLEVINS, BUNTING, COOK, HENRY, MARSHALL, MCBRIDE, PETERSON, SOKOLA, VAUGHN, VENABLES, STILL, SORENSON, AMICK, CLOUTIER, CONNOR, COPELAND - EDUCATION - An Act to Implement and Fund the Delaware Seed Scholarship Program.

**HB 264** - HUDSON & SENATOR COOK - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Taxation.

**HB 265** - SMITH & REPRESENTATIVE VALIHURA & SENATOR ADAMS & SENATOR SOKOLA & SENATOR VAUGHN - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Teacher Control of the Classroom.

**HB 266** - HALL-LONG & REPRESENTATIVE MAIER & SENATOR BLEVINS - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24, Chapter 35 of the Delaware Code Relating to the Board of Examiners in Psychology.

**HB 268** - SPENCE & SENATOR MCDOWELL; REPRESENTATIVES LEE, BOOTH, BUCKWORTH, CAREY, CATHCART, DIPINTO, EWING, HOCKER, LAVELLE, THORNBURG, GILLIGAN, VANSANT, ENNIS, JOHNSON, MULROONEY, SCHWARTZKOPF, VIOLA, WILLIAMS, CAULK; SENATORS DELUCA, BLEVINS, BUNTING, HENRY, MARSHALL, PETERSON, STILL, SORENSON - PUBLIC SAFETY - An Act to Amend Title 11 of the Delaware Code Relating to Establishment of a Delaware County and Municipal Police Firefighters' Retiree Pension Plan.

**HA 1 to HB 102** - SCHWARTZKOPF - Placed with the Bill.

**HA 1 to HB 218** - STONE - Placed with the Bill.

**HA 1 to HB 242** - THORNBURG - Placed with the Bill.

**HA 1 to HB 253** - VALIHURA - Placed with the Bill.

**SB 111 w/SA 1** - MCBRIDE; SENATORS DELUCA, SIMPSON; REPRESENTATIVES OBERLE, VIOLA, WAGNER, BOOTH - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 28, Title 24 of the Delaware Code Relating to the Powers of the Council of the Delaware Association of Professional Engineers.

**SB 123 w/SA 1** - BLEVINS & REPRESENTATIVE OBERLE; SENATORS SIMPSON, CONNOR, SORENSON, BONINI, DELUCA, HENRY, MCBRIDE, MCDOWELL, PETERSON, SOKOLA, VENABLES; REPRESENTATIVES GILLIGAN, MAIER, VIOLA, SCHWARTZKOPF, CAREY - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Chapter 1, Title 16 and Chapter 68, Title 18 of the Delaware Code Relating to the Creation of a Special Fund for Medical Negligence Insurance Premium Relief. (3/5 bill)

**SS 1 for SB 143 w/SA 1** - PETERSON & REPRESENTATIVE VALIHURA & REPRESENTATIVE KEELEY; SENATORS BLEVINS, HENRY, MARSHALL, MCDOWELL, CLOUTIER, & COPELAND; REPRESENTATIVES DIPINTO, MAIER, GILLIGAN & MCWILLIAMS; SENATOR BONINI - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Exemptions from Executions in Bankruptcy and in Insolvency.

**SB 175** - ADAMS & REPRESENTATIVE SPENCE; SENATORS MCDOWELL, BLEVINS, DELUCA, MCBRIDE, SOKOLA, VAUGHN, CONNOR, AMICK, STILL, SIMPSON, BONINI, COPELAND; REPRESENTATIVES SMITH, LEE, GILLIGAN, VANSANT, MULROONEY, BUCKWORTH, EWING, VIOLA, KEELEY, ATKINS, LAVELLE, HUDSON - HOUSE ADMINISTRATION - An Act to Amend Title 26 of the Delaware Code Relating to Rate Base.

**SB 176** - DELUCA & REPRESENTATIVE CATHCART; SENATOR ADAMS; REPRESENTATIVE EWING - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Registration of Vehicles.

**HA 1 to SB 90** - BOOTH - Placed with the Bill.

**HA 1 to SB 123** - CATHCART & REPRESENTATIVE ROY - Placed with the Bill.

Representative Longhurst requested that she be marked present. Representative Buckworth requested and was granted privilege of the floor for himself and Representative Fallon to present a House Tribute to Ken-Crest Services. Mr. William J. Nolan, Chief Executive Officer of Ken-Crest Services, addressed the House. Representative Lee deferred to Representative Hudson. Representative Hudson requested and was granted privilege of the floor to present a House Tribute to Stephanie Mantegna, staff member, on the occasion of earning her Master's Degree. Representative Lavelle requested that he be marked present.

Representative Lee deferred to Representative Stone.

Representative Stone brought **SB 20 w/SA 1**, jointly sponsored by Senator Sokola & Senators Blevins, DeLuca & Amick & Representative Lavelle, before the House for consideration.

**SB 20** - AN ACT TO AMEND TITLES 18 AND 21 OF THE DELAWARE CODE TO INCREASE ENFORCEMENT OF DELAWARE'S UNINSURED MOTORIST LAWS.

Representatives Stone, Wagner, Schwartzkopf, Stone & Miro made comments.

The roll call on **SB 20 w/SA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Caulk, DiPinto, Oberle & Williams - 4.

Therefore, having received a constitutional majority, **SB 20 w/SA 1** was returned to the Senate.

Representatives Maier, Spence, Ulbrich, Valihura & Wagner requested that they be marked present during the roll call.

Mr. Speaker Spence resumed the Chair.

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

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 147**, jointly sponsored by Senator Sokola & Representatives Lee, Buckworth, Carey, Ewing, Maier & Miro, before the House for consideration.

**HB 147** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATOR LICENSURE, CERTIFICATION AND EVALUATION.

Representative Wagner brought **HA 1 to HB 147** before the House for consideration.

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

The roll call on **HB 147 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Oberle & Williams - 3.

Therefore, having received a constitutional majority, **HB 147 w/HA 1** was sent to the Senate for concurrence.

Representatives DiPinto requested that he be marked present during the roll call.

Representative Smith deferred to Representative Miro.

Representative Miro brought **HB 33**, jointly sponsored by Senator DeLuca & Representatives Spence, Lee, Buckworth, Carey, Caulk, DiPinto, Ewing, Fallon, Hocker, Hudson, Maier, Stone, Wagner, Gilligan, Hall-Long, Plant, Schooley, Schwartzkopf & Williams, before the House for consideration.

**HB 33 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACIES.**

Representative Miro brought **HA 1 to HB 33** before the House for consideration.

Representative Miro made a comment. **HA 1** was adopted by voice vote. Representative Miro made comments.

The roll call on **HB 33 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Williams - 2.

Therefore, having received a constitutional majority, **HB 33 w/HA 1** was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Oberle.

Representative Oberle made an announcement.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 204**, jointly sponsored by Senator Still & Representative Williams & Senator Henry, before the House for consideration.

**HB 204 - AN ACT TO AMEND TITLE 14 RELATING TO DELAWARE STATE UNIVERSITY.**

Representative Wagner made comments.

The roll call on **HB 204** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Williams - 2.

Therefore, having received a constitutional majority, **HB 204** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought **HB 209**, jointly sponsored by Senator Cook & Representatives Atkins, Buckworth, Cathcart & George & Senator Adams & cosponsored by Representatives Hocker, Outten, Spence, Thornburg & Ulbrich, before the House for consideration.

**HB 209 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO STATE POLICE. (F/N)**

Representative Ewing made comments.

The roll call on **HB 209** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Williams - 2.

Therefore, having received a constitutional majority, **HB 209** was sent to the Senate for concurrence.

Representative Wagner made an announcement.

Representative Smith deferred to Representative Stone.

Representative Stone moved to suspend the rules which interfere with action on **HB 238**. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Stone brought **HB 238**, jointly sponsored by Senator DeLuca & Representatives Valihura & George & Senator Amick, before the House for consideration.

**HB 238 - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE.**

Representative Stone made comments.

The roll call on **HB 238** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Williams - 2.

Therefore, having received a constitutional majority, **HB 238** was sent to the Senate for concurrence.

The Majority Leader moved to recess for caucus at 3:06 p.m.

The House reconvened at 4:20 p.m. with Representative Hudson 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 12** and is returning same to the House.

June 20, 2005

#### LEGISLATIVE ADVISORY #7

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/9/05 - **HB 120 aab HA 1**; 6/14/05 – **HS 1 for HB 47 aab HA 2 & 3, HB 69, HB 71 aab HA 1, HB 88 aab HA 2 & 3, HB 139, HB 140, HB 142, HB 196, SB 85 aab SA 1, SB 86 & SS 1 for SB 110 aab SA 1**. The following is a constitutional amendment and does not require the Governor's signature: **SB 61**.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **HB 227**, jointly sponsored by Senator Sokola & Representatives Hudson, Ennis & Keeley & cosponsored by Representatives Lofink & VanSant, before the House for consideration.

**HB 227 - AN ACT TO AMEND TITLE 16 AND TITLE 9 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND NEW CASTLE COUNTY.**

Representative Oberle made comments. Representative Oberle requested and was granted privilege of the floor for Nicole Majeski, Policy Director, New Castle County. Representative Oberle made comments.

The roll call on **HB 227** was taken and revealed:

YES: 40.

ABSENT: Representative Keeley - 1.

Therefore, having received a constitutional majority, **HB 227** was sent to the Senate for concurrence.

Representatives Caulk & Williams requested that they be marked present during the roll call.

Representative Smith deferred to Representative Booth.

Mr. Speaker Spence resumed the Chair.

Representative Booth brought **HB 212**, jointly sponsored by Representative Schwartzkopf & Representatives Spence, Smith, Buckworth, Carey, Cathcart, Ewing, Hocker, Hudson, Lavelle, Miro, Outten, Valihura, Wagner & Keeley & Senators Henry & Sokola, before the House for consideration.

**HB 212 - AN ACT TO AMEND TITLES 16 AND 21 OF THE DELAWARE CODE RELATING TO LITTER CONTROL AND RULES OF THE ROAD.**

Representative Booth made comments.

The roll call on **HB 212** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 212** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Stone.

Representative Stone brought **HB 217**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 217 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE DELAWARE INSURANCE GUARANTY ASSOCIATION ACT.**

Representative Stone deferred to Representative Hudson. Representative Hudson introduced and brought **HA 1 to HB 217** before the House for consideration. Representative Hudson made comments. **HA 1** was adopted by voice vote. Representatives Stone & Oberle made comments. Representative Stone requested and was granted privilege of the floor for Lars Kristiansen, Vice President, Delaware Insurance Guaranty Association. Representative Oberle made comments.

The roll call on **HB 217 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Roy - 1.

Therefore, having received a constitutional majority, **HB 217 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative DiPinto. Representative DiPinto made an announcement. Representatives Wagner & DiPinto made comments. Representative Wagner made an announcement. Representative Maier requested that **HB 197** be stricken. Representative Maier made an announcement.

Representative Smith deferred to Representative Stone.

Representative Stone brought **HB 218**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 218 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO CAPTIVE INSURANCE COMPANIES.**

Representative Stone made a comment. Representative Stone brought **HA 1 to HB 218** before the House for consideration. Representative Stone made a comment. **HA 1** was adopted by voice vote. Representative Stone made comments.

The roll call on **HB 218 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 218 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 236**, jointly sponsored by Senator Sokola, before the House for consideration.

**HB 236 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PHYSICALLY IMPAIRED AND TRAUMATIC BRAIN INJURED STUDENTS.**

Representative Wagner introduced and brought **HA 1 to HB 236** before the House for consideration. Representative Wagner made comments. **HA 1** was adopted by voice vote.

Representatives Wagner & Lavelle made comments.

The roll call on **HB 236 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 236 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Lavelle.

Representative Lavelle brought **HB 121**, jointly sponsored by Representative Hudson & Representative Cathcart & Senators Copeland, Sokola & Sorenson, before the House for consideration.

**HB 121 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE TERM OF OFFICE OF THE COUNTY EXECUTIVE.**

Representative Lavelle made comments.

The roll call on **HB 121** was taken and revealed:

YES: 39.

NOT VOTING: Representative Roy - 1.

ABSENT: Representative Wagner - 1.

Therefore, having received a constitutional majority, **HB 121** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Atkins. Representative Atkins requested and was granted personal privilege of the floor to introduce guests.

Representative Smith deferred to Representative Carey.

Representative Carey brought **HB 221**, jointly sponsored by Senator Adams & Representative Ewing & Representatives Spence, Smith, Lee, Atkins, Buckworth, Gilligan, Outten, Thornburg & Valihura & Senators Bunting, Venables, Still, Amick & Simpson, before the House for consideration.

**HB 221 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES.**

Representative Carey brought **HA 1 to HB 221** before the House for consideration. Representative Carey made a comment. **HA 1** was adopted by voice vote. Representatives Carey, Booth & Schwartzkopf made comments.

The roll call on **HB 221 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 221 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Hall-Long. Representative Hall-Long requested that **HJR 11** be stricken. Representative Smith made comments and deferred to Representative Keeley. Representative Keeley requested that **HB 189** be stricken.

Representative Keeley moved to suspend the rules which interfere with action on **HB 230**. The motion was properly seconded and adopted by voice vote.

Representative Keeley brought **HB 230**, jointly sponsored by Representatives Buckworth, Caulk, Ennis, Ewing, Hall-Long, Hocker, Hudson, Johnson, Longhurst, Maier, McWilliams, Miro, Plant, Schooley, Schwartzkopf, Smith & Stone & Senators Blevins, Bunting, DeLuca, Henry & Sokola, before the House for consideration.

**HB 230 - AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO FALSE REPORTING OF AN INCIDENT. (2/3 bill)**

Representative Keeley made comments.

The roll call on **HB 230** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 230** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Viola.

Representative Viola brought **HB 119**, jointly sponsored by Representatives Ennis, Johnson, Keeley, McWilliams, Miro, Mulrooney, Plant, Valihura & Williams & Senator DeLuca, before the House for consideration.

**HB 119 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PROCUREMENT.**

Representatives Viola, Cathcart, Booth, Williams & Cathcart made comments.

Representative Viola moved to place **HB 119** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith made comments.

Representative Smith deferred to Representative Johnson.

Representative Johnson brought **HB 165**, jointly sponsored by Representative Keeley, before the House for consideration.

**HB 165 - AN ACT TO AMEND TITLE 13, CHAPTER 1 RELATING TO MARRIAGE.**

Representatives Johnson, Ewing, Smith, George, Maier, Wagner, Ulbrich, Stone, Ennis, Smith, Cathcart, Lavelle, Gilligan, Oberle & Ewing made comments.

The roll call on **HB 165** was taken and revealed:

YES: 39.

NO: Representative Fallon - 1.

NOT VOTING: Representative Hudson - 1.

Therefore, having received a constitutional majority, **HB 165** was sent to the Senate for concurrence.

Mr. Speaker Spence & Representative Johnson made comments.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **HB 199**, jointly sponsored by Representative Roy & Representative Valihura & Senator DeLuca & Representatives Spence, Smith, Lee, Buckworth, DiPinto, Ewing, Hudson, Lavelle, Maier, Miro, Outten, Stone, Ulbrich, Wagner, Ennis, Keeley, Longhurst & Plant, before the House for consideration.

**HB 199 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE RULES OF THE ROAD. (2/3 bill)**

Representatives Oberle & Schwartzkopf made comments.

The roll call on **HB 199** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 199** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **HB 72**, jointly sponsored by Representative Ulbrich & Senator McBride & Representatives Hudson, Mulrooney, Valihura & Viola & Senators Bonini, Copeland, Peterson & Sokola, before the House for consideration.

**HB 72 - AN ACT TO AMEND TITLES 16 AND 24 OF THE DELAWARE CODE RELATING TO NURSING HOMES AND NURSING HOME ADMINISTRATORS.**

Representative Oberle deferred to Representative Ulbrich. Representative Ulbrich brought **HA 1** to **HB 72** before the House for consideration. Representative Ulbrich made comments. **HA 1** was adopted by voice vote. Representative Ulbrich made a comment.

The roll call on **HB 72 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Fallon & Williams - 3.

Therefore, having received a constitutional majority, **HB 72 w/HA 1** was sent to the Senate for concurrence.

Representative Hudson made an announcement.

The Majority Leader moved to recess to the call of the Chair at 6:00 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:05 p.m. on June 22, 2005.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 164, SB 107 w/SA 1, SB 152, SB 101 & SB 121 w/SA 1** and requests the concurrence of the House; **HJR 4 w/SA 2** and is returning same to the House; **SB 173, SB 165, SB 167, SS 1/SB 53 w/SA 1 & 2** and requests the concurrence of the House; **SB 129 w/SA 1** and requests the concurrence of the House; **SB 142 w/SA 1, SB 170 & SB 133** and requests the concurrence of the House; **HB 116 w/HA 1, HA 1 to HA 1, HA 2 to HA 1, HA 3 to HA 1, HA 4 to HA 1 & HA 6 to HA 1** and is returning same to the House; **SB 166 w/SA 1, SB 29, SB 97, SB 163, SB 27 & SB 122 w/SA 1** and requests the concurrence of the House.

#### MEMORANDUM

TO: JoAnn Hedrick, House Chief Clerk

FROM: Terry R. Spence, Speaker

DATE: June 21, 2005

RE: Absent from Session

Please be advised that I will be absent from Session on June 22, 2005, for personal reasons.

In my absence, I give Rep. William Oberle the full authority to act as Speaker of the House, on my behalf. Thank you.

Representative Maier made an announcement.

Representative Ewing made comments.

Representative Miro introduced **HB 277**, jointly sponsored by Senator Henry.

**HB 277 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIAMOND STATE PORT CORPORATION.**

Mr. Acting Speaker assigned **HB 277** to the House Administration Committee.

Mr. Acting Speaker made an announcement.

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.

#### 39th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session June 22, 2005

The Chief Clerk called the roll:

Members Present: 37.

Members Absent: Representatives Caulk, Gilligan, Lofink & Spence – 4.

A prayer was offered by Representative Deborah D. Hudson, Twelfth Representative District.

Mr. 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 269** - OBERLE - LABOR - An Act to Amend Titles 11 and 29 of the Delaware Code Relating to the Delaware State Police and Department of Justice.

**HB 271** - VALIHURA & SENATOR CLOUTIER; REPRESENTATIVE SMITH; SENATOR COPELAND - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Certain Local School Boards.

**HB 272** - VALIHURA & SENATOR COPELAND; SENATOR CLOUTIER; REPRESENTATIVE LAVELLE - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Certain Local School Boards.

**HB 273** - VALIHURA & REPRESENTATIVE MIRO & REPRESENTATIVE ULBRICH & SENATOR CLOUTIER & SENATOR COPELAND; REPRESENTATIVES MAIER, LAVELLE - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Certain Local School Boards.

**HB 274** - VALIHURA & SENATOR CLOUTIER & SENATOR COPELAND; REPRESENTATIVES SMITH, LAVELLE, HUDSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Rules and Regulations of the Department of Education Governing School District Financial Reporting Requirements.

**HB 275** - THORNBURG & SENATOR VAUGHN - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Clean Indoor Air Act.

**HB 276** - ATKINS & SENATOR ADAMS & SENATOR BUNTING; REPRESENTATIVES LEE, BOOTH, BUCKWORTH, CAREY, EWING, HOCKER, OUTTEN, THORNBURG, VALIHURA, ENNIS, CAULK - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to Pesticides.

**HA 2 to HB 73** - OBERLE - Placed with the Bill.

**HA 2 to HB 95** - WAGNER - Placed with the Bill.

**HA 1 to HS 1 for HB 108** - MAIER - Placed with the Bill.

**HA 1 to HB 168** - VANSANT - Placed with the Bill.

**HA 1 to HB 216** - VALIHURA - Placed with the Bill.

**HA 1 to HB 232** - WAGNER - Placed with the Bill.

**SB 27** - MCBRIDE; SENATORS COPELAND, SOKOLA; REPRESENTATIVES HUDSON, MULROONEY, VALIHURA, VIOLA; SENATOR CLOUTIER - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Accountancy.

**SB 29** - MCBRIDE; SENATORS COPELAND, SOKOLA; REPRESENTATIVES HUDSON, MULROONEY, VALIHURA, VIOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Accountancy.

**SS 1 for SB 53 w/SA 1 & 2** - MARSHALL & REPRESENTATIVE OBERLE; REPRESENTATIVES SCHOOLEY, MCWILLIAMS, LONGHURST, HALL-LONG, KEELEY, LOFINK, MULROONEY, PLANT, SPENCE, VIOLA, WILLIAMS; SENATORS BLEVINS, CONNOR, DELUCA, HENRY, MCBRIDE, MCDOWELL - LABOR - An Act to Amend Titles 19 and 29 of the Delaware Code Relating to the Public Employment Relations Act and the Merit System.

**SB 97** - PETERSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Professions and Occupations.

**SB 101** - DELUCA & REPRESENTATIVE SMITH - HOUSE ADMINISTRATION - An Act to Amend Title 26 of the Delaware Code Relating to Public Utility Facility Relocations that are Non-revenue Producing.

**SB 107 w/SA 1** - DELUCA & REPRESENTATIVE OBERLE - JUDICIARY - An Act to Amend Title 4 of the Delaware Code Relating to the Parties Charged with Violations of the Liquor Control Act. (2/3 bill)

**SB 121 w/SA 1** - BUNTING & REPRESENTATIVE THORNBURG; SENATORS BLEVINS, SOKOLA, COOK, ADAMS, DELUCA, SIMPSON; REPRESENTATIVES ENNIS, VALIHURA, FALLON, HALL-LONG, SCHWARTZKOPF, SCHOOLEY, BOOTH - AGRICULTURE - An Act to Establish a Forestland Preservation Program.

**SB 122 w/SA 1** - BUNTING & REPRESENTATIVE HOCKER - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of South Bethany, Chapter 268, Volume 69, Laws of Delaware, as Amended. (2/3 bill)

**SB 129 w/SA 1** - CONNOR & REPRESENTATIVE MULROONEY & SENATOR MCBRIDE; SENATORS VAUGHN, AMICK, HENRY & PETERSON & REPRESENTATIVES SPENCE, CATHCART, GEORGE, JOHNSON, LOFINK, LONGHURST & PLANT - HOUSING & COMMUNITY AFFAIRS - An Act Permitting the Colonial School District to Convey to the New Castle Senior Center the Building at 4th and South Streets, New Castle, Delaware. (3/4 bill)

**SB 133** - VAUGHN & REPRESENTATIVE ENNIS - HOUSE ADMINISTRATION - An Act to Amend Chapter 466, Volume 72, Laws of Delaware, Entitled "An Act to Reincorporate the Town of Leipsic", Relating to Annexation. (2/3 bill)

**SB 142 w/SA 1** - VAUGHN & REPRESENTATIVE ATKINS - PUBLIC SAFETY - An Act to Amend Title 11 of the Delaware Code Relating to the Use of Force in Law Enforcement.



**SB 152** - DELUCA & REPRESENTATIVE HUDSON; SENATORS BLEVINS, HENRY, SOKOLA, VAUGHN, VENABLES; REPRESENTATIVES BUCKWORTH, DIPINTO, HALL-LONG, JOHNSON, KEELEY, LAVELLE, SMITH, STONE, VANSANT - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Child Support Enforcement.

**SB 163** - SOKOLA & REPRESENTATIVE WAGNER; REPRESENTATIVES MIRO, SCHOOLEY - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Educator Mentoring.

**SB 164** - DELUCA & REPRESENTATIVE OBERLE; SENATOR ADAMS; REPRESENTATIVES KEELEY, LOFINK - JUDICIARY - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County.

**SB 165** - BLEVINS & REPRESENTATIVE ULBRICH & REPRESENTATIVE MAIER; REPRESENTATIVE HALL-LONG - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to the Practice of Dentistry and Dental Hygiene.

**SB 166 w/SA 1** - VAUGHN & REPRESENTATIVE WAGNER & REPRESENTATIVE KEELEY; REPRESENTATIVE OBERLE - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Service of Process.

**SB 167** - BLEVINS & REPRESENTATIVE VANSANT - HOUSE ADMINISTRATION - An Act to Amend an Act Entitled an Act to Reincorporate the Town of Elsmere as Found in 68 Delaware Laws Chapter 3 as Amended. (2/3 bill)

**SB 170** - VAUGHN & REPRESENTATIVE EWING; SENATORS PETERSON, BLEVINS; REPRESENTATIVES ENNIS, SCHWARTZKOPF - JUDICIARY - An Act to Amend Title 12 of the Delaware Code Relating to Decedent's Estates.

**SB 173** - SOKOLA & REPRESENTATIVE STONE; SENATORS CLOUTIER, CONNOR, PETERSON - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Related to Insurance.

**HA 1 to SB 19** - ENNIS - Placed with the Bill.

**HA 1 to SB 27** - HUDSON - Placed with the Bill.

**HA 2 to SB 112** - VALIHURA - Placed with the Bill.

Representative Carey requested that he be marked present.

Representative Smith brought the following prefiled **Consent Calendar #15** before the House for consideration.

**HCR 31** – THORNBURG & SENATOR BUNTING; REPRESENTATIVES ATKINS, BOOTH, CAREY, HOCKER, OUTTEN, HALL-LONG, MULROONEY, CAULK – Requesting that the Federal Government Continue Its Partnership with the States and the Land Grant University System to Provide Relevant, Local Research for Essential Natural Resource Based Industries.

**HCR 33** – GEORGE & REPRESENTATIVE MAIER & SENATOR BLEVINS & SENATOR SORENSON – Establishing an Early Child Care and Education Professional Development Task Force.

**SCR 18** – SORENSON & SENATOR DELUCA & SENATOR AMICK ON BEHALF OF ALL SENATORS & REPRESENTATIVE MAIER & REPRESENTATIVE THORNBURG & REPRESENTATIVE SCHWARTZKOPF ON BEHALF OF ALL REPRESENTATIVES – Commending the Class of 2004-2005 Eagle Scouts for Having Attained the Highest Rank One Can Earn in the Boy Scouts of America.

Representative Smith requested that **HCR 33** be removed from **Consent Calendar #15**.

Mr. Acting Speaker assigned **HCR 33** to the Education Committee.

**Consent Calendar #15** was adopted by voice vote and **HCR 31** was sent to the Senate for concurrence and **SCR 18** was returned to the Senate.

Representative Smith made an announcement.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #30

DATE: June 22, 2005

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    | Date      | Type | Description                                          |
|----------|------------|-----------|------|------------------------------------------------------|
| H143-680 | Ulbrich    | 6/10/2005 | T    | McVey Elementary - Reading is Fundamental Champions  |
| H143-681 | Ulbrich    | 6/7/2005  | M    | Dr. Carl Mulveny                                     |
| H143-682 | Wagner     | 6/19/2005 | T    | Lindsey Floriani & Pete Arterburn - Marriage         |
| H143-683 | Williams   | 4/16/2005 | T    | Ernest & Eleanor Watson - 50th Wedding Anniversary   |
| H143-684 | Williams   | 6/11/2005 | T    | Verdel & Betty Murray - 50th Wedding Anniversary     |
| H143-685 | McWilliams | 6/18/2005 | T    | Leonard & Joann Hayward - 50th Wedding Anniversary   |
| H143-686 | Gilligan   | 6/26/2005 | T    | Peter & Doris Grehawick - 65th Wedding Anniversary   |
| H143-687 | George     | 5/14/2005 | T    | William & Marianne Taylor - 50th Wedding Anniversary |
| H143-688 | Mulrooney  | 5/21/2005 | T    | Ann Marie & Joseph Mullin - 50th Wedding Anniversary |
| H143-689 | Mulrooney  | 5/30/2005 | T    | Laurine & Harold Lamarre - 50th Wedding Anniversary  |
| H143-690 | VanSant    | 6/4/2005  | T    | Suzanne & Peter Pittaccio - 50th Wedding Anniversary |
| H143-691 | VanSant    | 4/8/2005  | T    | Marguerite & John Conomon - 65th Wedding Anniversary |

|          |              |           |   |                                                                         |
|----------|--------------|-----------|---|-------------------------------------------------------------------------|
| H143-692 | Hall-Long    | 4/9/2005  | T | Peggy & Caesar Clay, Sr. - 50th Wedding Anniversary                     |
| H143-693 | Schwartzkopf | 4/16/2005 | T | Doris & Raymond Olliver - 50th Wedding Anniversary                      |
| H143-694 | Johnson      | 3/26/2005 | T | Joanne & Richard Tulowitzki - 50th Wedding Anniversary                  |
| H143-695 | Fallon       | 6/2/2005  | T | Vicki Bailey - Teacher of the Year - Seaford                            |
| H143-696 | Maier        | 5/7/2005  | T | John & Joan Krakowski - 50th Wedding Anniversary                        |
| H143-697 | Wagner       | 6/18/2005 | T | Angela Maximo & Charles Harvey, III – Marriage                          |
| H143-698 | Fallon       | 6/14/2005 | T | Angie Tinsman - YMCA Youth Governor                                     |
| H143-699 | Outten       | 7/1/2005  | T | Bonnie McKenzie - Retirement - Lake Forest Schools                      |
| H143-700 | DiPinto      | 6/3/2005  | M | Archie F. Rapposelli                                                    |
| H143-701 | Schooley     | 6/19/2005 | M | Dr. Richard Marion Robb                                                 |
| H143-702 | Hudson       | 4/30/2005 | T | Marjorie Wellborn - Hall of Fame Award –<br>Rehoboth Historical Society |
| H143-703 | Gilligan     | 5/19/2005 | M | Alice Crossan Woodward                                                  |
| H143-704 | Outten       | 7/1/2005  | T | Donald Brown - Retirement - Lake Forest Schools                         |

T- Tribute

M – Memoriam

Representative Roy requested that he be marked present.

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

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:15 P.M.: Representatives Buckworth, Cathcart, DiPinto, Fallon, Keeley, Schwartzkopf, Ulbrich & Williams.

Mr. Speaker Spence called the House to order at 2:17 p.m. on June 23, 2005.

Mr. Speaker Spence reassigned **SB 175** to the Revenue & Finance Committee.

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

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

AGRICULTURE: **HB 260** - 6M.

APPROPRIATIONS: **HB 163** - 6M; **HS 1/HB 108** - 5M; **HB 242** - 6M; **HB 228** - 1F,5M; **HB 219** - 6M; **HB 86** - 6M; **SS 1/SB 30 w/SA 1** - 6M; **SB 60** - 5M; **SB 74 w/SA 1, 2 & 3** - 6M; **SS 1/SB 114** - 1F,5M; **SB 117** - 6M; **SB 63 w/SA 1 & 2** - 4M; **HB 95** - 4M.

BUSINESS CORPORATIONS AND COMMERCE: **SB 136** – 6M;

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 254** - 7M;  
**SB 150 w/SA 1** - 1F,7M.

EDUCATION: **HB 244** - 5M,1U; **HB 263** - 6M; **HB 265** – 7M;

HEALTH & HUMAN DEVELOPMENT: **SB 80** - 5M,1U; **SB 48 w/SA 1** - 6M;  
**SB 165** - 6M; **HB 258** - 6M; **HB 261** - 6M.

HOUSE ADMINISTRATION: **HB 234** – 1F,2M; **HB 277** – 3M; **SB 106** - 3M;  
**SB 125** – 3M; **SB 131** – 3M; **SB 133** – 3M;

HOUSING & COMMUNITY AFFAIRS: **HB 223** – 6M;

JUDICIARY: **HB 246** - 5M; **HB 267** - 5M; **SS 1/SB 143 w/SA 1** - 5M.

LABOR: **HB 208** - 5M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 239** - 9M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **SB 111 w/SA 1** - 4M.

PUBLIC SAFETY: **HB 245** - 7M; **HB 256** - 5M; **HB 270** – 4M; **SB 142** – 1F,5M;

**SB 155** – 5M; **SB 156** – 5M; **SB 159** – 5M,1U; **SB 160** – 6M; **SB 161** – 6M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 169 w/SA 1**, **SB 177**,  
**SB 130**, **SB 162 w/SA 1 & 2**, **SB 197** & **SB 96 w/SA 1** and requests the concurrence of the House.

#### MEMORANDUM

TO: THE HONORABLE TERRY R. SPENCE  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

FROM: REPRESENTATIVE Gregory F. Lavelle

DATE: June 22, 2005

RE: Absence from Session

Please be advised that it is necessary for me to be absent on Thursday, June 23, 2005 due to a family business matter. Thank you for your understanding.

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

Mr. Speaker Spence appointed Representative Buckworth as Acting Speaker.

Representative Spence moved to suspend the rules which interfere with introduction of and action on **HJR 14**. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Spence introduced and brought **HJR 14**, jointly sponsored by Representative Smith & Representative Lee on behalf of All Representatives & Senator Adams & Senator McDowell & Senator DeLuca on behalf of All Senators, before the House for consideration.

**HJR 14** - CONGRATULATING THE DELAWARE FOUNDATION REACHING

CITIZENS WITH COGNITIVE DISABILITIES ON THE 50TH ANNIVERSARY OF  
DELAWARE'S ANNUAL BLUE-GOLD ALL-STAR FOOTBALL GAME.

WHEREAS, since 1956 the Delaware Foundation for Retarded Children now known as the Delaware Foundation Reaching Citizens with Cognitive Disabilities (DFRC) has been dedicated to identifying and funding programs based on community needs; and

WHEREAS, the first Blue-Gold All-Star Football Game was played on August 25, 1956, the inspiration of Bob Carpenter and Jim Williams, two local sports enthusiasts who were the parents of children with cognitive disabilities, to spread awareness about cognitive disabilities; and

WHEREAS, the DFRC has raised millions of dollars over the years through its signature fundraising events; and

WHEREAS, these events provide opportunities to promote understanding of people with cognitive disabilities; and

WHEREAS, Delaware is one of the only states to have an All-Star program known as the "Hand-in-Hand Program" that pairs the high school participants with a young person with a cognitive disability; and

WHEREAS, the "Hand-in-Hand Program", also known as the "buddy system", which was added in 1974, has received great recognition and is a model for other fundraising and awareness building programs throughout the United States; and

WHEREAS, the "buddy system" builds friendships and teaches valuable lessons about diversity and acceptance; and

WHEREAS, the Blue-Gold All-Star Football Game showcases Delaware's finest high school students who participate as football players, cheerleaders, band members and school ambassadors; and

WHEREAS, the extended DFRC family now exceeds over 5,000 alumni including former players, coaches, cheerleaders, volunteers, band members and ambassadors; and

WHEREAS, over five million dollars has been raised and allocated to programs by the Board of Trustees of the DFRC with all of these funds remaining within the State; and

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives and the Senate of the 143rd General Assembly of the State of Delaware, with the approval of the Governor, that congratulations be extended to the Delaware Foundation Reaching Citizens with Cognitive Disabilities and all participants, past and present, as it prepares to celebrate the 50th Anniversary of the Blue-Gold All-Star Football Game on June 25, 2005 and expresses their gratitude for DFRC's dedication to serving Delaware's special citizens with cognitive disabilities.

BE IT FURTHER RESOLVED that suitably prepared copies of this Resolution be sent to the Delaware Foundation Reaching Citizens with Cognitive Disabilities.

Representative Spence made comments.

The roll call on **HJR 14** was taken and revealed:

YES: 33.

ABSENT: Representatives Atkins, Carey, Cathcart, Lavelle, Lofink, Oberle, Roy & Smith - 8.

Therefore, having received a constitutional majority, **HJR 14** was sent to the Senate for concurrence.

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

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence made comments.

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

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

HOUSE ADMINISTRATION: **SB 122 w/SA 1** - 3M.

Representative Lee deferred to Representative Thornburg.

Representative Thornburg made comments and requested and was granted privilege of the floor for Angela Johnson, Girls' State Governor. Mr. Speaker Spence & Representatives Lee & Thornburg made comments.

The Majority Whip moved to adjourn at 2:37 p.m., thereby ending the current legislative day. The House reconvened at 2:38 p.m.

**40th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session**  
**June 23, 2005**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Atkins & Lavelle – 2.

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

Mr. Speaker Spence introduced Adam and Sam Kanefsky who led those present in a pledge of allegiance to the American Flag.

The following prefiled legislation was introduced:

**HS 1 for HB 84** - WILLIAMS; REPRESENTATIVES BUCKWORTH, ENNIS, GEORGE, HALL-LONG, JOHNSON, KEELEY, PLANT, SPENCE - JUDICIARY - An Act to Amend Chapter 90 of Title 11 of the Delaware Code Pertaining to Compensation for Innocent Victims of Crime.

**HB 278** - WAGNER & SENATOR BLEVINS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Health and Safety.

**HB 279** - MAIER & SENATOR SOKOLA; REPRESENTATIVES HUDSON, KEELEY, MULROONEY, PLANT, SCHOOLEY, ULBRICH, WAGNER; SENATORS BLEVINS, COOK, HENRY, SORENSON, CLOUTIER, CONNOR - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Public School Attendance of Foster Children.

**HB 281** - MAIER & SENATOR PETERSON; REPRESENTATIVE HUDSON; SENATORS SORENSON, CLOUTIER, CONNOR - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Public Health.

**HB 282** - LEE & REPRESENTATIVE OUTTEN & REPRESENTATIVE ENNIS & SENATOR BUNTING & SENATOR VAUGHN - PUBLIC SAFETY - An Act to Amend Title 16 of the Delaware Code Relating to Fire Departments and Fire Police.

**HB 283** - KEELEY - JUDICIARY - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors. (2/3 bill)

**HJR 13** - GEORGE & SENATOR SIMPSON; REPRESENTATIVES DIPINTO, KEELEY; SENATORS COPELAND, HENRY, SOKOLA, SORENSON - CORRECTIONS - Establishing an Independent, Non-partisan Commission on the Death Penalty to Study All Aspects of the Death Penalty as Currently Administered in Delaware.

**SB 96 w/SA 1** - HENRY & REPRESENTATIVE WILLIAMS; SENATOR MCDOWELL; REPRESENTATIVES PLANT, KEELEY, JOHNSON; SENATOR STILL - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 26 of the Delaware Code Relating to Public Utilities.

**SB 130** - MARSHALL & REPRESENTATIVE OBERLE & SENATOR VENABLES & REPRESENTATIVE VIOLA - LABOR - An Act to Amend Chapter 33, Title 19 of the Delaware Code Relating to Unemployment Compensation. (2/3 bill)

**SB 162 w/SA 1 & 2** - BLEVINS & REPRESENTATIVE SMITH; SENATOR COOK; REPRESENTATIVES LAVELLE, HALL-LONG - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Elections.

**SB 169 w/SA 1** - VAUGHN & REPRESENTATIVE VALIHURA - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to the Court of Common Pleas.

**SB 177** - VAUGHN & REPRESENTATIVE VALIHURA - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to the Court of Common Pleas for the State of Delaware.

**SB 197** - SOKOLA & REPRESENTATIVE OBERLE; SENATORS BLEVINS, PETERSON & SIMPSON; REPRESENTATIVE JOHNSON - JUDICIARY - An Act to Amend Title 9 of the Delaware Code Relating to Public Health and Welfare and Property Maintenance, Title 10 of the Delaware Code Relating to Code Enforcement Constables, Title 11 of the Delaware Code Relating to Justices of the Peace, and Title 25 of the Delaware Code Relating to Liens of the State and/or Its Political Subdivisions.

**HA 1 to SB 16** - GEORGE - Placed with the Bill.

Representative George requested and was granted privilege of the floor for Cathy Kanefsky, State Director, March of Dimes, Delaware Chapter. Representative Hall-Long requested and was granted personal privilege of the floor to introduce guests. Representative Hall-Long requested and was granted privilege of the floor for Zena Ghaleb Akroush, Jordanian teacher visiting the University of Delaware Language Program. Mr. Speaker Spence introduced a guest. Representative Hall-Long made comments. Mr. Speaker Spence introduced a guest.

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

Representative Lee deferred to Representative Booth. Representative Booth requested and was granted privilege of the floor to make comments. Representative Gilligan made a comment. Representative DiPinto made an announcement.

The Majority Whip moved to recess for caucus at 2:58 p.m.

Representative Oberle requested that he be marked present.

The House reconvened at 4:56 p.m. with Representative Oberle as Acting Speaker.

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

AGRICULTURE: **SB 121 w/SA 1** - 1F,5M.

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **SB 147** - 7M.

REVENUE & FINANCE: **HB 252** - 6M; **HB 264** - 6M; **SB 108 w/SA 1** - 6M;

Representative Carey requested that he be marked present.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 20** and requests the concurrence of the House; **HB 215 w/HA 1 & SA 1**, **HB 161**, **HB 175**, **HJR 14** & **HB 237** and is returning same to the House.

Representative Lofink requested that he be marked present.

Representative Smith deferred to Representative Plant.

Representative Plant brought **HB 135**, jointly sponsored by Representatives Johnson, Keeley & Williams & Senators Henry & Marshall, before the House for consideration.

**HB 135 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 2 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO VOTER QUALIFICATIONS. (2/3 bill)**

Representatives Plant & Smith made comments. Representative Plant brought **HA 1 to HB 135** before the House for consideration. **HA 1** was adopted by voice vote. Representative Williams made comments.

The roll call on **HB 135 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Lavelle - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 135 w/HA 1** was sent to the Senate for concurrence.

Representatives Fallon, Hudson, Roy, Smith, Stone & Valihura requested that they be marked present during the roll call.

Mr. Speaker Spence resumed the Chair.

Representatives Keeley & Plant & Mr. Speaker Spence made comments regarding **HB 135**.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **SB 16 w/SA 1**, sponsored by Senator Still & Senator Vaughn & Representative Hudson & Senators Bonini & Copeland & Representatives Hocker, Smith & Wagner, before the House for consideration.

**SB 16 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO APPOINTMENT OF JUDGES. (2/3 bill)**

Representative Valihura made comments. Representative George brought **HA 1 to SB 16** before the House for consideration. Representative George brought **HA 1 to SB 16** before the House for consideration. Representatives George, Stone & Valihura made comments. Representative George moved to place **HA 1** on the Speaker's Table. The motion was seconded by Representative Valihura and adopted by voice vote.

Representative Valihura moved to place **SB 16 w/SA 1** on the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **HB 73**, jointly sponsored by Representative Ulbrich & Senator McBride & Representatives Hudson, Mulrooney, Valihura & Viola & Senators Bonini, Copeland, Peterson & Sokola, before the House for consideration.

**HB 73 - AN ACT TO AMEND TITLE 24 AND TITLE 29 OF THE DELAWARE CODE RELATING TO REAL ESTATE APPRAISERS. (2/3 bill)**

Representative Lee introduced and brought **HA 1 to HB 73** before the House for consideration. Representative Lee requested that **HA 1** be stricken. Representative Oberle brought **HA 2 to HB 73** before the House for consideration. Representative Oberle made comments. **HA 2** was adopted by voice vote. Representative Lee introduced and brought **HA 3 to HB 73** before the House for consideration. Representative Lee introduced and brought **HA 1 to HA 3 to HB 73** before the House for consideration. Representative Lee made a comment. **HA 1 to HA 3** was adopted by voice vote. Representative Lee made comments. **HA 3 w/HA 1** was adopted by voice vote. Representative Oberle deferred to Representative Ulbrich. Representative Ulbrich made comments.

The roll call on **HB 73 w/HA 2 & 3 & HA 1 to HA 3** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Lavelle - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 73 w/HA 2 & 3 & HA 1 to HA 3** was sent to the Senate for concurrence.

Representative Wagner requested that action on **SS 1 for SB 30 w/SA 1** be Deferred to a Day Certain, Tuesday, June, 28, 2005.

Representative Wagner requested that action on **HB 263** be Deferred to a Day Certain, Tuesday, June, 28, 2005.

Representative Smith moved to suspend the rules which interfere with action on **SB 175**. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith brought **SB 175**, jointly sponsored by Senator Adams & Representative Spence & Senators McDowell, Blevins, DeLuca, McBride, Sokola, Vaughn, Connor, Amick, Still, Simpson, Bonini & Copeland & Representatives Lee, Gilligan, VanSant, Mulrooney, Buckworth, Ewing, Viola, Keeley, Atkins, Lavelle & Hudson, before the House for consideration.

**SB 175 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO RATE BASE.**

Representative Smith made comments.

The roll call on **SB 175** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Lavelle - 2.

Therefore, having received a constitutional majority, **SB 175** was returned to the Senate.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **HB 133**, jointly sponsored by Senator Blevins & Representatives Maier & Keeley, before the House for consideration.

**HB 133 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE TO IMPROVE TRACKING OF MEDICAL MALPRACTICE SETTLEMENT AND VERDICT TRENDS.**

Representative Oberle deferred to Representative Valihura. Representative Valihura brought **HA 1 to HB 133** before the House for consideration. Representative Valihura introduced and brought **HA 1 to HA 1 to HB 133** before the House for consideration. Representative Valihura made a comment. **HA 1 to HA 1** was adopted by voice vote. Representative Valihura made comments. **HA 1 w/HA 1** was adopted by voice vote. Representatives Valihura & Oberle made comments.

The roll call on **HB 133 w/HA 1 & HA 1 to HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Lavelle - 2.

Therefore, having received a constitutional majority, **HB 133 w/HA 1 & HA 1 to HA 1** was sent to the Senate for concurrence.

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

HOUSING & COMMUNITY AFFAIRS: **SB 129 w/SA 1 - 6M.**

Representative Smith moved to suspend the rules which interfere with action on **SB 129 w/SA 1**. The motion was properly seconded and adopted by voice vote.

Representative Smith deferred to Representative Stone.

Representative Stone brought **SB 129 w/SA 1**, sponsored by Senator Connor & Representative Mulrooney & Senator McBride & Senators Vaughn, Amick, Henry & Peterson & Representatives Spence, Cathcart, George, Johnson, Lofink, Longhurst & Plant, before the House for consideration.

**SB 129 - AN ACT PERMITTING THE COLONIAL SCHOOL DISTRICT TO CONVEY TO THE NEW CASTLE SENIOR CENTER THE BUILDING AT 4TH AND SOUTH STREETS, NEW CASTLE, DELAWARE. (3/4 bill)**

Representative Stone made comments.

The roll call on **SB 129 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Lavelle - 2.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **SB 129 w/SA 1** was returned to the Senate.

Representative Roy made an announcement. Mr. Speaker Spence & Representative Gilligan made comments.

Representative Smith brought the following **Consent Agenda C** before the House for consideration.

**HB 74 – OBERLE & REPRESENTATIVE ULBRICH & SENATOR MCBRIDE & REPRESENTATIVES HUDSON, MULROONEY, VALIHURA & VIOLA & SENATORS BONINI, COPELAND, PETERSON & SOKOLA – An Act to Amend Titles 11, 16 and 29 of the Delaware Code Relating to the Board of Pension Trustees.**

**SB 73 – MCDOWELL & SENATORS BLEVINS, CLOUTIER, COPELAND, HENRY, MARSHALL & PETERSON & REPRESENTATIVES ENNIS, GEORGE, KEELEY, LAVELLE, MCWILLIAMS, MULROONEY, ROY, VANSANT & VIOLA – An Act to Amend Title 29 of the Delaware Code Relating to the Energy Performance Contracting Act.**

**HB 158 – ROY; REPRESENTATIVE KEELEY – An Act to Amend Title 10 of the Delaware Code Relating to the Family Court.**

**HB 20 – ROY & SENATOR MCBRIDE – An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.**

**SB 118 – BLEVINS & REPRESENTATIVE MAIER– An Act to Amend Title 16 of the Delaware Code Relating to Persons Diagnosed with Mental Retardation and Other Specific Developmental Disabilities.**

**SB 120 w/SA 1 – BLEVINS & REPRESENTATIVE ULBRICH – An Act to Amend Title 29 of the Delaware Code Relating to the Division of State Service Centers.**

**SB 136 – SIMPSON & SENATOR ADAMS & REPRESENTATIVE OUTTEN & SENATOR COOK & REPRESENTATIVE SPENCE – An Act to Amend Title 4 of the Delaware Code Relating to Farm Wineries.**

**HB 200 – WAGNER & REPRESENTATIVE MAIER & SENATOR BLEVINS – An Act to Amend 73 Delaware Laws, Chapter 187, Relating to Abuse of Children.**

**HB 213 – SPENCE & SENATOR MCBRIDE – An Act to Amend Title 21 of the Delaware Code Relating to Special License Plates for Vietnam War Veterans.**

**HB 226 – VALIHURA & SENATOR SOKOLA & REPRESENTATIVES ENNIS, KEELEY, LAVELLE, MCWILLIAMS & PLANT – An Act to Amend Title 31 of the Delaware Code Relating to Housing and the Delaware State Housing Authority.**

The roll call on **Consent Agenda C** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Lavelle - 2.

Therefore, having received a constitutional majority, **HB 74, HB 158, HB 20, HB 200, HB 213, & HB 226** were sent to the Senate for concurrence and **SB 73, SB 118, SB 120 w/SA 1 & SB 136** were returned to the Senate.

Representative Smith brought the following **Consent Agenda D**, which requires a two-thirds vote, before the House for consideration.

**SB 87 – BLEVINS & REPRESENTATIVE HUDSON & SENATORS CONNOR, MARSHALL, PETERSON, SOKOLA & HENRY & REPRESENTATIVES GILLIGAN, LAVELLE, MAIER, MIRO & VALIHURA – An Act to Amend Title 11 of the Delaware Code Relating to Graffiti and Graffiti Implements. (2/3 bill)**

**SB 58 – HENRY & REPRESENTATIVE BUCKWORTH – An Act to Amend Title 21 of the Delaware Code Relating to Child Helmet Requirements. (2/3 bill)**

**SB 52 w/SA 2 – SOKOLA & REPRESENTATIVE MAIER – An Act to Amend Title 14 of the Delaware Code Relating to Expungement of Truancy Records. (2/3 bill) (F/N)**

**HB 234 – ATKINS & SENATOR BUNTING – An Act to Amend Chapter 138, Volume 68, Laws of Delaware, as Amended, Entitled “An Act to Incorporate the Town of Dagsboro”, to Amend Section 18 by Clarifying the Requirements and Duties of a Town Administrator. (2/3 bill)**

**SB 133 – VAUGHN & REPRESENTATIVE ENNIS – An Act to Amend Chapter 466, Volume 72, Laws of Delaware, Entitled “An Act to Reincorporate the Town of Leipsic”, Relating to Annexation. (2/3 bill)**

**SB 128 w/SA 1 – VENABLES & REPRESENTATIVE LEE - An Act to Amend Chapter 288, Volume 64, Laws of Delaware, as Amended, the Charter of the Town of Laurel, as Amended, with Regard to Increasing the Limits for Authorizing General Obligation Bonds, Certificates of Indebtedness or Other Obligations by the Town Council as Well as Increasing the Ceiling for Bonded Indebtedness from 25% to 50% of the Assessed Value of Real Property Within the Limits of the Town of Laurel. (2/3 bill)**

Representative Smith requested that **SB 58** be removed from **Consent Agenda C**.

Mr. Speaker Spence assigned **SB 58** to the House Administration Committee.

The roll call on **Consent Agenda D** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Lavelle - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 234** was sent to the Senate for concurrence and **SB 87, SB 52 w/SA 2, SB 133 & SB 128 w/SA 1** were returned to the Senate.

Representative Smith brought the following **Consent Agenda E** before the House for consideration.

Representative Smith made an announcement.

**HB 172 – VIOLA & SENATOR SOKOLA & REPRESENTATIVES BUCKWORTH, LONGHURST, MAIER, WAGNER & WILLIAMS – An Act to Amend Title 24, Chapter 23, Relating to Pawnbrokers and Junk Dealers.**

**HB 265 – SMITH & REPRESENTATIVE VALIHURA & SENATOR ADAMS & SENATOR SOKOLA & SENATOR VAUGHN – An Act to Amend Title 14 of the Delaware Code Relating to Teacher Control of the Classroom.**

**SB 150 w/SA 1 – DELUCA & REPRESENTATIVE STONE & SENATOR AMICK & REPRESENTATIVES GEORGE & VALIHURA – An Act Amending Title 12 of the Delaware Code Relating to Wills and Trusts.**

**SJR 6 – MCBRIDE & REPRESENTATIVE BOOTH & SENATORS VAUGHN, VENABLES & SIMPSON & REPRESENTATIVES HOCKER, ATKINS, CAREY, CAULK, MIRO, OUTTEN, THORNBURG, HALL-LONG, LONGHURST, MCWILLIAMS & MULROONEY – Extending the Life of the Delaware River and Bay Oversight Committee for the Purpose of Studying and Considering Additional Matters, Including the Effect of the Regulation 24, Section 46, Control of VOC Emissions and the Establishment of a Permanent Delaware River and Bay Oversight Commission.**

**HB 163 – ENNIS & SENATOR COOK & REPRESENTATIVES ATKINS, GEORGE, GILLIGAN, HALL-LONG, JOHNSON, LEE, MULROONEY, OBERLE, PLANT, SCHOOLEY, SCHWARTZKOPF, SPENCE & WAGNER & SENATORS CONNOR, COPELAND, SIMPSON & VAUGHN – An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax. (F/N)**

**HB 245 – HOCKER & REPRESENTATIVES BUCKWORTH, DIPINTO, EWING & FALLON & SENATORS AMICK, CLOUTIER, CONNOR, COPELAND & SIMPSON – An Act to Amend Title 21 of the Delaware Code Relating to Registration of Vehicles.**



**SB 111 w/SA 1 – MCBRIDE & SENATORS DELUCA & SIMPSON & REPRESENTATIVES OBERLE, VIOLA, WAGNER & BOOTH – An Act to Amend Chapter 28, Title 24, of the Delaware Code Relating to the Powers of the Council of the Delaware Association of Professional Engineers.**

**SB 165 – BLEVINS & REPRESENTATIVE ULBRICH & REPRESENTATIVE MAIER & REPRESENTATIVE HALL-LONG – An Act to Amend Title 24 of the Delaware Code Relating to the Practice of Dentistry and Dental Hygiene.**

Representative Smith requested that **HB 265** be removed from **Consent Agenda E**.

The roll call on **Consent Agenda E** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Lavelle - 2.

Therefore, having received a constitutional majority, **HB 172**, **HB 163** & **HB 245** were sent to the Senate for concurrence and , **SB 150 w/SA 1**, **SJR 6**, **SB 111 w/SA 1** & **SB 165** were returned to the Senate.

Representative Smith brought **HB 265**, jointly sponsored by Representative Valihura & Senator Adams & Senator Sokola & Senator Vaughn, before the House for consideration.

**HB 265 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TEACHER CONTROL OF THE CLASSROOM.**

Representative Smith introduced and brought **HA 1 to HB 265** before the House for consideration. Representative Smith made a comment. **HA 1** was adopted by voice vote. Representative Smith made comments. Representative Smith deferred to Representative Wagner. Representative Wagner made comments.

The roll call on **HB 265 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Lavelle - 2.

Therefore, having received a constitutional majority, **HB 265 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Hall-Long.

Representative Hall-Long brought **HB 219**, jointly sponsored by Senator Blevins & Representative Maier & Representative Oberle & Representative Lofink & Representative George & Representative Spence & Senators Connor & Sorenson & Representatives Buckworth, VanSant, Schooley, Mulrooney, McWilliams, Longhurst, Viola & Ulbrich, before the House for consideration.

**HB 219 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE CREATING AN OCCUPATIONAL HEALTH PROGRAM. (F/N)**

Representative Hall-Long brought **HA 1 to HB 219** before the House for consideration. Representatives Hall-Long, Maier & Oberle made comments. **HA 1** was adopted by voice vote. Representative Hall-Long made comments.

The roll call on **HB 219 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Atkins & Lavelle - 2.

Therefore, having received a constitutional majority, **HB 219 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Spence made comments. Representative Smith made an announcement.

Representative Smith deferred to Representative Hocker.

Representative Hocker brought **HB 267**, jointly sponsored by Representative Booth & Senator Venables & Representatives Buckworth, Carey, Cathcart, Ewing, Fallon, Hudson, Lee, Maier, Miro, Ulbrich, Valihura, Wagner, Gilligan, Plant & Williams & Senators Bunting, Sorenson, Bonini & Cloutier, before the House for consideration.

**HB 267 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CIVIL ACTIONS.**

Representative Hocker made comments.

The roll call on **HB 267** was taken and revealed:

YES: 35.

ABSENT: Representatives Atkins, DiPinto, Fallon, Lavelle, Ulbrich & Williams - 6.

Therefore, having received a constitutional majority, **HB 267** was sent to the Senate for concurrence.

Mr. Speaker Spence made an announcement.

The Majority Leader moved to recess to the call of the Chair at 6:20 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:35 p.m. on June 28, 2005.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 179**, **SB 70 w/SA 1 & 2** and requests the concurrence of the House; **HB 67 w/SA 1**, **HB 194**, **HB 195 w/HA 1** & **HB 238** and is returning same to the House; **SS 1/SB 178 w/SA 1**, **SB 189 w/SA 1** and requests the concurrence of the House; **SB 191 w/SA 1** & **SB 126 w/SA 1** and requests the concurrence of the House.

#### MEMORANDUM

TO: JoAnn Hedrick, Chief Clerk of the House

FROM: Rep. Pamela J. Thornburg

DATE: June 23, 2005

I would like to request to be officially re-instated as Prime Sponsor to **SB 121**. If you have any questions, please contact me at 744-4175.

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

Representative Lee deferred to Representative Thornburg.

Representative Thornburg brought **SCR 20**, sponsored on behalf of All Representatives & jointly sponsored by Senator Simpson on behalf of All Senators, before the House for consideration.

**SCR 20 – HONORING THE YOUNG WOMEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2005 SESSION OF DELAWARE’S GIRLS’ STATE.**

Representative Thornburg made comments.

**SCR 20** was adopted by voice vote and was returned to the Senate.

Mr. Acting Speaker assigned **HB 249** to the Appropriations Committee.

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

EDUCATION: **HB 279** – 6M.

HEALTH & HUMAN DEVELOPMENT: **HB 278** – 5M; **HB 281** – 5M.

REVENUE & FINANCE: **HB 249** – 5M, 1U.

Representative Stone made an announcement.

The Majority Whip moved to adjourn at 2:40 p.m., thereby ending the current legislative day. The House reconvened at 2:40 p.m.

**41st LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session  
June 28, 2005**

The Chief Clerk called the roll:

Members Present: 41.

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

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

The House observed a moment of silence in memory of Joshua M. Twilley at the request of Representative Buckworth.

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

The following prefiled legislation was introduced:

**HB 280 - VALIHURA & SENATOR SOKOLA; REPRESENTATIVES ROY, LOFINK, GILLIGAN, LONGHURST, SCHOOLEY, MCWILLIAMS; SENATORS HENRY, SORENSON, BLEVINS, PETERSON - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 7 of the Delaware Code Relating to Wastewater Management and Sprawl Prevention.**

**HB 284 - LAVELLE & REPRESENTATIVE SPENCE & SENATOR SOKOLA; SENATORS CLOUTIER, CONNOR, COPELAND, SIMPSON, SORENSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County Council and Councilmanic Districts.**

**HB 285 - SMITH - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Expert Medical Testimony.**

**HB 286 - SMITH & REPRESENTATIVE HUDSON - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to Prevailing Wage Requirements.**

**HB 287 - SMITH & SENATOR VENABLES - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to School Construction.**

**HB 288 - HUDSON & SENATOR BUNTING - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Tobacco Products. (2/3 bill)**

**HB 289 - MAIER & SENATOR SOKOLA - EDUCATION - An Act to Amend Chapter 13, Title 14 of the Delaware Code Relating to Employment Formulas and Salaries of School Employees.**

**HA 1 to HB 229 - BOOTH - Placed with the Bill.**

**HA 1 to HB 256 - VANSANT - Placed with the Bill.**

**SB 70 w/SA 1 & 2 - HENRY & REPRESENTATIVE VALIHURA; SENATOR CLOUTIER; REPRESENTATIVES HUDSON, MAIER - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Traffic Signs, Signals, and Markings.**

**SB 126 w/SA 1 - STILL & REPRESENTATIVE STONE & REPRESENTATIVE WAGNER; SENATOR COOK - HOUSE ADMINISTRATION - An Act to Reincorporate the City of Dover. (2/3 bill)**

**SS 1 for SB 178 w/SA 1 - COOK & REPRESENTATIVE DIPINTO & REPRESENTATIVE WAGNER; SENATORS MCBRIDE, HENRY, VAUGHN, AMICK, CLOUTIER, STILL; REPRESENTATIVES BUCKWORTH, FALLON, ULBRICH, SCHWARTZKOPF, WILLIAMS - APPROPRIATIONS - An Act to Amend Title 29 of the Delaware Code Relating to the Establishment of a Disability Insurance Program.**

**SB 179 - BLEVINS; SENATOR MARSHALL & REPRESENTATIVE OBERLE & REPRESENTATIVE MAIER - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Occupational Therapy.**

**SB 189 w/SA 1** - COOK & REPRESENTATIVE DIPINTO & REPRESENTATIVE OBERLE & REPRESENTATIVE GILLIGAN; SENATORS MCBRIDE, HENRY, VAUGHN, AMICK, CLOUTIER; REPRESENTATIVES BUCKWORTH, FALLON, ULBRICH, SCHWARTZKOPF, WILLIAMS - APPROPRIATIONS - An Act to Amend Title 29 of the Delaware Code Relating to the Calculation of Pension Benefits in the County and Municipal General Employees' Pension Plan.

**SB 191 w/SA 1** - COOK & REPRESENTATIVE DIPINTO & REPRESENTATIVE OBERLE & REPRESENTATIVE GILLIGAN; SENATORS MCBRIDE, HENRY, VAUGHN, AMICK, CLOUTIER; REPRESENTATIVES BUCKWORTH, FALLON, ULBRICH, SCHWARTZKOPF, WILLIAMS - APPROPRIATIONS - An Act to Amend Title 11 of the Delaware Code Relating to the Calculation of Pension Benefits in the County and Municipal Police/Firefighters' Pension Plan.

Representatives Ulbrich, Ennis & Cathcart requested that they be marked present.

Representative Thornburg requested and was granted personal privilege of the floor to present a House Tribute to her grandmother, Margaret A. Garvine, on the occasion of her 90th birthday. Representative Thornburg introduced guests. Representative Thornburg requested and was granted privilege of the floor to present a House Tribute to Robert Walton, Capitol Police, on the occasion of his retirement. Mr. Acting Speaker made comments.

Representative Atkins requested and was granted personal privilege of the floor to introduce a guest. Mr. Acting Speaker made a comment. Representative DiPinto made an announcement. Representative DiPinto requested that action on **SB 60** be Deferred to a Day Certain, Wednesday, June, 29, 2005. Mr. Acting Speaker appointed Representative Buckworth as Acting Speaker. Representative Hocker requested and was granted personal privilege of the floor to introduce a guest. Representative Roy requested that he be marked present. Representatives Wagner & Ennis requested and were granted personal privilege of the floor to introduce guests. Representatives Mulrooney & Gilligan requested that they be marked present.

The Majority Whip moved to recess for caucus at 2:59 p.m.

The House reconvened at 6:31 p.m. with Representative Oberle as Acting Speaker.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 188 w/SA 1** and requests the concurrence of the House; **HB 225 w/SA 1** & **HB 125 w/SA 1** and is returning same to the House; **SB 132 w/SA 2**, **SB 127 w/SA 1**, **SB 193** & **SB 203** and requests the concurrence of the House; **HB 227** and is returning same to the House; **HB 231** & **HS 1/HB 211 w/HA 1** and is returning same to the House; **SB 195** and requests the concurrence of the House.

June 28, 2005

#### LEGISLATIVE ADVISORY #8

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/21/05 – **SJR 7**; 6/23/05 – **HB 18 aab SA 1**, **HS 1/HB 90**, **HB 100 aab HA 1 & 2 & SA 1**, **HB 104 aab SA 2**, **HB 161**, **SB 20 aab SA 1** & **SB 93**.

Representatives Spence & Smith requested that they be marked present.

Representative Smith requested and was granted personal privilege of the floor to make comments. Mr. Acting Speaker introduced a guest. Mr. Acting Speaker & Representative Smith made comments.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on **HB 300**. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative DiPinto made a comment.

Representative DiPinto introduced and brought **HB 300**, jointly sponsored by Senator Cook & Representatives Buckworth, Fallon, Ulbrich, Schwartzkopf & Williams & Senators Henry, McBride, Vaughn, Amick & Cloutier & cosponsored by Representative George, before the House for consideration.

**HB 300** - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2006; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

Representatives DiPinto, Valihura & Mr. Acting Speaker made comments.

Representative DiPinto moved to place **HB 300** on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representatives Schwartzkopf, Williams, Miro & Maier requested that they be marked present.

Representative Smith deferred to Representative Hudson.

Representatives Hudson made an announcement regarding **SB 80**.

Representatives Smith & Valihura made announcements.

Representative Smith deferred to Representative Atkins.

Representative Atkins brought **SB 102**, jointly sponsored by Senator Bunting, before the House for consideration.

**SB 102** - AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN SUSSEX COUNTY TO THE NANTICOKE INDIAN ASSOCIATION. (3/4 bill)

Representative Atkins made comments.

The roll call on **SB 102** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **SB 102** was returned to the Senate.

Mr. Acting Speaker made comments. Representative Atkins requested and was granted personal privilege of the floor to introduce guests.

Representative Smith brought the following **Consent Agenda G** before the House for consideration.

**HB 258** – MAIER & SENATOR BLEVINS – An Act to Amend Title 16 of the Delaware Code Relating to Persons with Mental Retardation, Mental Illness and Other Significant Disabilities.

**SB 48 w/SA 1** – SORENESEN & REPRESENTATIVE MAIER & SENATORS BLEVINS, CLOUTIER, CONNOR, MCDOWELL & PETERSON & REPRESENTATIVES BUCKWORTH, CAREY, ENNIS, EWING, FALLON, HUDSON, MIRO, PLANT & VALIHURA – An Act to Amend Title 24 of the Delaware Code Relating to Prescriptions.

**SB 142 w/SA 1** – VAUGHN & REPRESENTATIVE ATKINS – An Act to Amend Title 11 of the Delaware Code Relating to the Use of Force in Law Enforcement.

**SS 1/SB 143 w/SA 1** – PETERSON & REPRESENTATIVE VALIHURA & REPRESENTATIVE KEELEY & SENATORS BLEVINS, HENRY, MARSHALL, MCDOWELL, CLOUTIER & COPELAND & REPRESENTATIVES DIPINTO, MAIER, GILLIGAN, MCWILLIAMS & SENATOR BONINI – An Act to Amend Title 10 of the Delaware Code Relating to Exemptions from Executions in Bankruptcy and in Insolvency.

**HB 277** – MIRO & SENATOR HENRY – An Act to Amend Title 29 of the Delaware Code Relating to the Diamond State Port Corporation.

**HB 208** – WAGNER & REPRESENTATIVE HOCKER & REPRESENTATIVE ENNIS & REPRESENTATIVE KEELEY & REPRESENTATIVES BUCKWORTH, HALL-LONG, MULROONEY & VIOLA – An Act to Amend Title 29 of the Delaware Code Relating to the Merit System.

The roll call on **Consent Agenda G** was taken and revealed:

YES: 41.

Therefore having received a constitutional majority, **HB 258**, **HB 277** & **HB 208** were sent to the Senate for concurrence and **SB 48 w/SA 1**, **SB 142 w/SA 1** & **SS 1/SB 143 w/SA 1** were returned to the Senate.

Representative Smith brought the following **Consent Agenda F**, which requires a two-thirds vote, before the House for consideration and for concurrence on a Senate Amendment.

**HB 261** – MAIER & SENATOR BLEVINS & SENATOR SORENSON & REPRESENTATIVES HUDSON, ENNIS, HALL-LONG, KEELEY & SCHOOLEY & SENATORS SOKOLA & CONNOR – An Act to Amend Title 16 of the Delaware Code Relating to the Collection of Health Information. (2/3 bill)

**SB 71 w/SA 1** – BUNTING & REPRESENTATIVE SCHWARTZKOPF – 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 for Staggered Terms for Commissioners, to Require a Minimum of Four Commissioners and the Mayor be Residents and to Establish Standards and Procedures for Forfeiture of Office. (2/3 bill)

**SB 57 w/SA 2** – BUNTING & REPRESENTATIVE ATKINS – An Act to Amend the Charter of the Town of Dagsboro, Chapter 138, Volume 68, Laws of Delaware, as Amended, Entitled “An Act to Incorporate the Town of Dagsboro” Relating to Vacancies and Forfeiture of Office. (2/3 bill)

**HB 215 w/HA 1 & SA 1** – HALL-LONG & REPRESENTATIVE MAIER & SENATORS SORENSON & BLEVINS – An Act to Amend Title 24 of the Delaware Code Relating to Professions and Occupations. (2/3 bill)

**SB 122 w/SA 1** – BUNTING & REPRESENTATIVE HOCKER – An Act to Amend the Charter of the Town of South Bethany, Chapter 268, Volume 69, Laws of Delaware, as Amended. (2/3 bill)

Representative Smith requested that **HB 261** be removed from **Consent Agenda F**.

The roll call on **Consent Agenda F** was taken and revealed:

YES: 41.

Therefore having received a constitutional majority of at least two-thirds Members of the House, **HB 215 w/HA 1 & SA 1** was sent to the Senate for concurrence and **SB 71 w/SA 1**, **SB 57 w/SA 2** & **SB 122 w/SA 1** were returned to the Senate.

Representative Smith moved to suspend the rules which interfere with action on **HB 261**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **HB 261**, jointly sponsored by Senator Blevins & Senator Sorenson & Representatives Hudson, Ennis, Hall-Long, Keeley & Schooley & Senators Sokola & Connor, before the House for consideration.

**HB 261** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE COLLECTION OF HEALTH INFORMATION. (2/3 bill)

Representative Smith moved to place **HB 261** on the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Smith deferred to Representative Hocker.

Representative Hocker brought **HB 246**, jointly sponsored by Senator Bunting & Representatives Buckworth, Carey, DiPinto, Ewing, Fallon, Ulbrich, Valihura, George & Caulk & Senators Bonini, Still, Sorenson, Amick, Cloutier, Connor, Copeland & Simpson, before the House for consideration.

**HB 246 - AN ACT TO AMEND TITLE 10, CHAPTER 81 OF THE DELAWARE CODE RELATING TO LIMITATIONS FROM CIVIL LIABILITY FOR CERTAIN VOLUNTEERS.**

Representative Hocker made comments.

The roll call on **HB 246** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 246** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Schooley.

Representative Schooley brought **HB 205**, jointly sponsored by Representative Oberle & Representative Ulbrich & Senator Blevins & Representatives Ennis, George, Gilligan, Hall-Long, Johnson, Keeley, Longhurst, Maier, McWilliams, Miro, Mulrooney, Schwartzkopf, Spence, VanSant, Viola, Wagner & Williams & Senators Connor, Henry & Sokola & cosponsored by Senator Cloutier, before the House for consideration.

**HB 205 - AN ACT TO AMEND TITLES 16 AND 18 OF THE DELAWARE CODE RELATING TO HOSPITALS AND UNIVERSAL NEWBORN AND INFANT HEARING SCREENING.**

Representative Schooley introduced and brought **HA 1 to HB 205** before the House for consideration. Representative Schooley made comments. **HA 1** was adopted by voice vote. Representative Schooley introduced and brought **HA 2 to HB 205** before the House for consideration. Representative Schooley made comments. **HA 2** was adopted by voice vote. Representatives Schooley, Wagner, Keeley, Ennis, Lavelle, Ulbrich & Booth made comments.

The roll call on **HB 205 w/HA 1 & 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Lavelle - 2.

Therefore, having received a constitutional majority, **HB 205 w/HA 1 & 2** was sent to the Senate for concurrence.

Mr. Acting Speaker introduced guests and made an announcement. Representative Smith deferred to Representative Gilligan. Representative Gilligan requested and was granted privilege of the floor to present a House Tribute to Alan Davis, House Attorney, on the occasion of becoming Chief Magistrate. Mr. Speaker Spence resumed the Chair. Representatives Ewing, Lee, Carey, Keeley & Hall-Long & Mr. Speaker Spence made comments. Representative Smith deferred to Representative Fallon. Representative Fallon requested and was granted privilege of the floor to introduce guests. Representative Ewing made comments.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **SS 1 for SB 30 w/SA 1**, jointly sponsored by Senator McDowell & Representative Ulbrich & Senator Adams & Senators Blevins, Bunting, Cook, DeLuca, Henry, Marshall, McBride, Peterson, Sokola, Vaughn & Venables & Representatives Ennis, George, Gilligan, Johnson, Longhurst, McWilliams, Mulrooney, Schooley, Schwartzkopf, Buckworth, Cathcart, Ewing, Miro, Oberle & Stone & cosponsored by Representative Spence, before the House for consideration.

**SB 30 - AN ACT ESTABLISHING THE SEED SCHOLARSHIP PROGRAM AT DELAWARE TECHNICAL AND COMMUNITY COLLEGE. (F/N)**

Representative Wagner made comments. Representative Wagner deferred to Representative Booth. Representative Booth requested that **HA 1 to SS 1 for SB 30** be stricken. Mr. Speaker Spence made comments. Representative Wagner brought **HA 2 to SS 1 for SB 30** before the House for consideration. Representative Wagner made comments. **HA 2** was adopted by voice vote. Representative Wagner deferred to Representative Booth. Representative Booth made a comment. Representative Booth requested that **HA 3 to SS 1 for SB 30** be stricken. Representatives Wagner, Cathcart, Ulbrich, Thornburg, Plant, Gilligan, Wagner, Valihura & Lavelle made comments.

The Majority Leader moved to recess at 7:51 p.m.

The House reconvened at 8:08 p.m.

Representatives Maier & Wagner made comments.

The roll call on **SS 1 for SB 30 w/SA 1 & HA 2** was taken and revealed:

YES: 40.

ABSENT: Representative Hudson - 1.

Therefore, having received a constitutional majority, **SS 1 for SB 30 w/SA 1 & HA 2** was returned to the Senate for concurrence on **HA 2**.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 263**, jointly sponsored by Senator McDowell & Representatives Spence, Lee, Buckworth, Cathcart, Ewing, Miro, Oberle, Stone, Ulbrich, Gilligan, Ennis, George, Johnson, Longhurst, McWilliams, Mulrooney, Schooley, Schwartzkopf & Caulk & Senators Adams, DeLuca, Blevins, Bunting, Cook, Henry, Marshall, McBride, Peterson, Sokola, Vaughn, Venables, Still, Sorenson, Amick, Cloutier, Connor & Copeland, before the House for consideration.

**HB 263 - AN ACT TO IMPLEMENT AND FUND THE DELAWARE SEED SCHOLARSHIP PROGRAM.**

Representative Wagner made a comment.

The roll call on **HB 263** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 263** was sent to the Senate for concurrence.

Representative Wagner made comments.

Representative VanSant brought **HB 168**, jointly sponsored by Representative Ewing & Senator Bonini & Senator Vaughn, before the House for consideration.

**HB 168 - AN ACT TO AMEND TITLE 10 CHAPTER 66 OF THE DELAWARE CODE RELATING TO THE SALE OR TRANSFER OF STRUCTURED SETTLEMENTS.**

Representative VanSant brought **HA 1 to HB 168** before the House for consideration.

Representative VanSant made a comment. **HA 1** was adopted by voice vote. Representative VanSant introduced and brought **HA 2 to HB 168** before the House for consideration. Representative VanSant made comments. **HA 2** was adopted by voice vote. Representative VanSant requested and was granted privilege of the floor for Carl Danberg, Chief Deputy Attorney General, Department of Justice.

The roll call on **HB 168 w/HA 1 & 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 168 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Roy.

Representative Roy brought **HB 239**, jointly sponsored by Senator McBride & Senator Venables & cosponsored by Senators Blevins & Peterson., before the House for consideration.

**HB 239 - AN ACT TO AMEND TITLE 29, CHAPTER 80 OF THE DELAWARE CODE RELATING TO THE WASTEWATER FACILITIES ADVISORY COUNCIL.**

Representative Roy introduced and brought **HA 1 to HB 239** before the House for consideration.

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

Representatives Roy & Maier made comments.

The roll call on **HB 239 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Booth - 1.

Therefore, having received a constitutional majority, **HB 239 w/HA 1** was sent to the Senate for concurrence.

Mr. Speaker Spence introduced a guest.

Representative Smith deferred to Representative Booth.

Representative Booth brought **HB 229**, jointly sponsored by Representative Smith & Senator Bunting & Representatives Atkins, Ewing, Hocker, Hudson, Lavelle, Lee, Maier, Stone, Ulbrich & Valihura, before the House for consideration.

**HB 229 - AN ACT TO AMEND TITLE 7, TITLE 23, AND TITLE 29 OF THE DELAWARE CODE RELATING TO ARCHAEOLOGICAL RESOURCES. (3/5 bill)**

Representative Booth brought **HA 1 to HB 229** before the House for consideration. Representative Booth made a comment. **HA 1** was adopted by voice vote.

Representative Booth introduced and brought **HA 2 to HB 229** before the House for consideration.

Representative Booth made comments. **HA 2** was adopted by voice vote. Representative Booth made comments.

The roll call on **HB 229 w/HA 1 & HA 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 229 w/HA 1 & HA 2** was sent to the Senate for concurrence.

Representative Booth introduced guests.

Representative Smith deferred to Representative Maier.

Representative Maier moved to lift **HB 261** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Maier brought **HB 261**, jointly sponsored by Senator Blevins & Senator Sorenson & Representatives Hudson, Ennis, Hall-Long, Keeley & Schooley & Senators Sokola & Connor, before the House for consideration.

**HB 261 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE COLLECTION OF HEALTH INFORMATION. (2/3 bill)**

Representative Maier introduced and brought **HA 1 to HB 261** before the House for consideration.

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

The roll call on **HB 261 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.



Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 261 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Stone.

Representative Stone moved to suspend the rules which interfere with introduction of and action on **HB 301**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Stone introduced and brought **HB 301**, jointly sponsored by Senator DeLuca & Representatives Carey, Ennis, Keeley, Lofink, Oberle & Roy & Senators Blevins, Connor, Cook, Simpson & Venables, before the House for consideration.

**HB 301 - AN ACT TO AMEND THE LAWS OF DELAWARE TO RETROACTIVELY EXTEND CERTAIN EDUCATIONAL BENEFITS FOR HARRY SCOTT FULMER, THE SON OF ROBIN S. FULMER, A DECEASED EMPLOYEE OF THE DEPARTMENT OF TRANSPORTATION.**

Representative Stone made comments.

The roll call on **HB 301** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **HB 301** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought **HB 75**, jointly sponsored by Senator McBride & Representatives Hudson, Mulrooney, Valihura & Viola & Senators Bonini, Copeland & Sokola, before the House for consideration.

**HB 75 - AN ACT TO AMEND TITLE 16 AND TITLE 24 OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICES ACT.**

Representative Ulbrich brought **HA 1 to HB 75**, sponsored by Representative Valihura & Representative Oberle, before the House for consideration. Representative Valihura made comments. **HA 1** was adopted by voice vote. Representative Ulbrich made comments.

The roll call on **HB 75 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **HB 75 w/HA 1** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Booth.

Representative Booth brought **SB 112**, sponsored by Senator McBride & Representatives Valihura & Wagner & Senator Sokola & Representatives Longhurst, McWilliams, Mulrooney & Hall-Long & Senators Connor & McDowell, before the House for consideration.

**SB 112 - AN ACT TO AMEND CHAPTER 79, TITLE 7, OF THE DELAWARE CODE, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AS IT ADOPTS THE UNIFORM ENVIRONMENTAL COVENANTS ACT. THIS ACT WILL MAKE THESE COVENANTS ENFORCEABLE OVER THE LONG TERM AND BE ENFORCEABLE AGAINST SUCCESSIVE OWNERS OF THE PROPERTY AND AGAINST PARTIES LIABLE FOR MAINTAINING INSTITUTIONAL CONTROL OF THE PROPERTY.**

Representative Booth brought **HA 1 to SB 112**, sponsored by Representative Valihura, before the House for consideration. Representative Valihura made a comment. **HA 1** was adopted by voice vote. Representative Booth deferred to Representative Valihura. Representative Valihura made a comment. Representative Valihura brought **HA 2 to SB 112** before the House for consideration. Representative Valihura requested that **HA 2** be stricken. Representative Booth made comments.

The roll call on **SB 112 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **SB 112 w/HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Lee deferred to Representative Viola.

Representative Viola moved to suspend the rules which interfere with lifting **HB 119** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Viola brought **HB 119**, jointly sponsored by Representatives Ennis, Johnson, Keeley, McWilliams, Miro, Mulrooney, Plant, Valihura & Williams & Senator DeLuca, before the House for consideration.

**HB 119 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PROCUREMENT.**

Representative Viola introduced and brought **HA 1 to HB 119** before the House for consideration. Representatives Viola & Cathcart made comments. **HA 1** was adopted by voice vote. Representative Viola made comments.

The roll call on **HB 119 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, DiPinto & Smith - 3.



Therefore, having received a constitutional majority, **HB 119 w/HA 1** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Hudson.

Representative Hudson brought **HB 228**, jointly sponsored by Representative DiPinto & Senator Adams & Senator Sorenson & Representatives Maier, Valihura & Keeley & Senators McDowell, Blevins, Henry, Marshall, Peterson, Sokola, Vaughn & Connor before the House for consideration.

**HB 228 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATED TO LAND AND HISTORIC RESOURCE TAX CREDIT. (F/N)**

Representative Hudson made comments.

The roll call on **HB 228** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, DiPinto & Smith - 3.

Therefore, having received a constitutional majority, **HB 228** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with action on **SB 130**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Oberle brought **SB 130**, jointly sponsored by Senator Marshall & Senator Venables & Representative Viola, before the House for consideration.

**SB 130 - AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (2/3 bill)**

Representative Oberle made comments.

The roll call on **SB 130** was taken and revealed:

YES: 37.

ABSENT: Representatives Caulk, DiPinto, Lavelle & Smith - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 130** was returned to the Senate.

Representative Lee deferred to Representative Valihura.

Representative Valihura moved to suspend the rules which interfere with lifting **SB 16 w/SA 1** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Valihura brought **SB 16 w/SA 1**, sponsored by Senator Still & Senator Vaughn & Representative Hudson & Senators Bonini & Copeland & Representatives Hocker, Smith & Wagner, before the House for consideration.

**SB 16 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO APPOINTMENT OF JUDGES. (2/3 bill)**

Representative Valihura deferred to Representative George. Representative George made comments. Representative George requested that **HA 1 to SB 16** be stricken.

Representative George introduced and brought **HA 2 to SB 16** before the House for consideration.

Representative George requested that **HA 2** be stricken.

Representative George introduced and brought **HA 3 to SB 16** before the House for consideration.

Representatives George, Valihura & Lavelle made comments.

The roll call on **HA 3 to SB 16** was taken and revealed:

YES: Representatives Ennis, George, Gilligan, Hall-Long, Johnson, Keeley, Longhurst, McWilliams, Mulrooney, Plant, Schooley, Schwartzkopf, VanSant, Viola & Williams - 15.

NO: 15.

NOT VOTING: Representatives Fallon, Hudson, Lofink, Oberle, Roy, Stone, Valihura & Wagner - 8.

ABSENT: Representatives Caulk, DiPinto & Smith - 3.

Therefore, not having received a constitutional majority, **HA 3 to SB 16** was declared defeated.

Representative George made comments.

The roll call on **SB 16 w/SA 1** was taken and revealed:

YES: Representatives Atkins, Booth, Buckworth, Carey, Cathcart, Ewing, Fallon, Hocker, Hudson, Lavelle, Lee, Lofink, Maier, Miro, Oberle, Outten, Roy, Stone, Thornburg, Ulbrich, Valihura, Wagner & Spence - 23.

NO: 15.

ABSENT: Representatives Caulk, DiPinto & Smith - 3.

Therefore, not having received a constitutional majority of at least two-thirds Members of the House, **SB 16 w/SA 1** was declared defeated.

Representative Lee deferred to Representative Booth.

Representative Booth brought **SB 113**, jointly sponsored by Senator McBride & Senators Venables & Simpson & Representatives Carey, McWilliams & Hall-Long & Senator Connor, before the House for consideration.

**SB 113 - AN ACT TO AMEND TITLE 7, CHAPTER 60 OF THE DELAWARE CODE RELATING TO THE CLEAN AIR ACT TITLE V OPERATING PERMIT PROGRAM.**

Representative Booth made comments.

The roll call on **SB 113** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, DiPinto & Smith - 3.

Therefore, having received a constitutional majority, **SB 113** was returned to the Senate.

Representative Lee deferred to Representative Keeley.

Representative Keeley brought **HB 86**, jointly sponsored by Representative Smith & Representative Spence & Senators Blevins & Henry, before the House for consideration.

**HB 86** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO A PILOT PROGRAM FOR CONTINUOUS REMOTE ALCOHOL MONITORING. (F/N)

Representative Keeley brought **HA 1 to HB 86** before the House for consideration. Representative Keeley made comments. **HA 1** was adopted by voice vote. Representatives Keeley, Lavelle & Oberle made comments.

The roll call on **HB 86 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, DiPinto & Smith - 3.

Therefore, having received a constitutional majority, **HB 86 w/HA 1** was sent to the Senate for concurrence.

Representative George moved to restore **SB 16 w/SA 1**. The motion was seconded by Representative Ennis and adopted by voice vote.

Representative George brought **SB 16 w/SA 1**, jointly sponsored by Senator Still & Senator Vaughn & Representative Hudson & Senators Bonini & Copeland & Representatives Hocker, Smith & Wagner, before the House for consideration.

**SB 16** - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO APPOINTMENT OF JUDGES. (2/3 bill)

Representative Valihura made comments.

Representative Valihura moved to place **SB 16 w/SA 1** on the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Roy made an announcement.

Representative Buckworth requested that **HB 177** be stricken.

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

EDUCATION: **SB 163** - 7M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **SB 179** - 3M.

Representative Wagner requested that **HB 53** be stricken.

Representative Smith deferred to Representative Stone.

Representative Stone brought **HB 254**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 254** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO EXPENSES AND FEES FOR FORM AND RATE FILINGS. (3/5 bill)

Representative Stone made comments.

The roll call on **HB 254** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 254** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Booth.

Representative Booth brought **HB 170**, jointly sponsored by Senator Simpson & Representatives Hocker & Schwartzkopf, before the House for consideration.

**HB 170** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SUSSEX COUNTY COUNCILMANIC DISTRICTS.

Representatives Booth, Schwartzkopf & Ewing made comments.

The roll call on **HB 170** was taken and revealed:

YES: 34.

NO: Representatives Ewing, Fallon, Lee & Outten - 4.

NOT VOTING: Representatives Ennis & Thornburg - 2.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **HB 170** was sent to the Senate for concurrence.

Representative Gilligan requested and was granted personal privilege of the floor to make comments. Representatives Booth, Roy, Stone, Maier, Ewing & Valihura made comments.

The Majority Leader moved to recess to the call of the Chair at 10:05 p.m.

Mr. Speaker Spence called the House to order at 2:15 p.m. on June 29, 2005.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 182 w/SA 1** & **SB 181** and requests the concurrence of the House; **HB 209**, **HB 145 w/HA 1** & **HB 147 w/HA 1** and is returning same to the House.

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

APPROPRIATIONS: **SS 1/SB 178 w/SA 1 - 5F; SB 189 w/SA 1 - 5M; SB 191 w/SA 1 - 5M.**

PUBLIC SAFETY: **SB 176 - 4M.**

The Majority Leader moved to adjourn at 2:16 p.m., thereby ending the current legislative day.  
The House reconvened at 2:17 p.m.

**42nd LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session  
June 29, 2005**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Helene M. Keeley, Third Representative District.

Mr. Speaker Spence invited Olivia and Carley Smith to join him in leading those present in a pledge of allegiance to the American Flag.

Mr. Speaker Spence introduced guests.

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

The following prefiled legislation was introduced:

**HB 291 - SPENCE - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 31 and Title 16 of the Delaware Code Relating to the State Public Assistance Code.**

**HB 292 - SMITH & REPRESENTATIVE HUDSON & SENATOR VENABLES - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Health Care Providers for Workers' Compensation Cases.**

**HB 293 - SPENCE & REPRESENTATIVE OBERLE & REPRESENTATIVE SCHOOLEY & SENATOR BLEVINS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance Contracts and Group and Blanket Health Insurance.**

**HB 294 - SMITH & SENATOR MCBRIDE; REPRESENTATIVES BOOTH, HALL-LONG, MCWILLIAMS, MULROONEY; SENATORS CONNOR, VENABLES - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to the Transfer or Closure of Hazardous Substance Establishments.**

**HB 295 - SMITH & SENATOR BLEVINS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to a Prescription Monitoring Program.**

**HB 296 - SMITH & SENATOR MCDOWELL - HOUSE ADMINISTRATION - An Act to Amend the Laws of Delaware Relating to the Preservation of the Territorial Integrity of Delaware and the Marking of Our Northeastern Boundary.**

**HB 297 - ENNIS & REPRESENTATIVE LEE & REPRESENTATIVE EWING & SENATOR VAUGHN; REPRESENTATIVES BUCKWORTH, CAREY, CAULK, GEORGE, HALL-LONG, JOHNSON, KEELEY, LONGHURST, MCWILLIAMS, MULROONEY, OBERLE, OUTTEN, PLANT, SCHOOLEY, SPENCE, THORNBURG, ULBRICH, VANSANT, VIOLA - PUBLIC SAFETY - An Act to Amend Titles 9 and 22 Relating to Emergency Communication Systems.**

**HB 298 - DIPINTO & SENATOR MARSHALL - HOUSE ADMINISTRATION - An Act to Amend Certain Provisions of Section 5-400 of the City of Wilmington Home Rule Charter Relating to the Department of Public Works. (2/3 bill)**

**HB 302 - ROY & SENATOR COOK; REPRESENTATIVES SPENCE, SMITH, LEE, CAREY, LOFINK, OBERLE, GILLIGAN, VANSANT, ENNIS, KEELEY; SENATORS ADAMS, MCDOWELL, DELUCA, VENABLES, BLEVINS, STILL, SORENSON, CONNOR, SIMPSON - CAPITAL INFRASTRUCTURE - An Act Making a One-time Supplemental General Fund Appropriation of \$20 Million to the Department of Education for the Creation of a School Construction Market Pressure Fund.**

**HB 303 - HUDSON & SENATOR ADAMS; REPRESENTATIVES SPENCE, SMITH, LEE, GILLIGAN, VANSANT; SENATORS MARSHALL, MCDOWELL, DELUCA, STILL, SORENSON - REVENUE & FINANCE - An Act Relating to Gross Receipts and Tobacco Products Taxes.**

**HB 304 - ENNIS & SENATOR VAUGHN; REPRESENTATIVES BUCKWORTH, CAREY, CAULK, EWING, GEORGE, JOHNSON, KEELEY, LEE, LONGHURST, MCWILLIAMS, MULROONEY, OUTTEN, SCHOOLEY, SPENCE, VANSANT - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Electric Powered Bicycles.**

**HA 1 to HB 173 - LONGHURST - Placed with the Bill.**

**HA 1 to HB 241 - SMITH - Placed with the Bill.**

**HA 2 to HB 256 - VANSANT - Placed with the Bill.**

**HA 1 to HB 274 - VALIHURA - Placed with the Bill.**

**HA 1 to HB 284 - LAVELLE - Placed with the Bill.**

**SB 127 w/SA 1 - COPELAND & SENATOR MCDOWELL & REPRESENTATIVE HUDSON - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Outdoor Lighting.**

**SB 132 w/SA 2 - MCDOWELL & REPRESENTATIVE DIPINTO; SENATORS BLEVINS, CLOUTIER, COOK, COPELAND, DELUCA, SOKOLA, VAUGHN, VENABLES;**

REPRESENTATIVES ATKINS, CAREY, CAULK, ENNIS, HALL-LONG, HOCKER, KEELEY, LAVELLE, MULROONEY, OBERLE, ROY, VIOLA - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Titles 6, 7, 16, 29, and 30 of the Delaware Code Relating to Diesel and Biodiesel Fuel.

**SB 181** - MARSHALL & REPRESENTATIVE OBERLE; SENATORS BONINI, COPELAND, PETERSON, SOKOLA; REPRESENTATIVES HUDSON, MULROONEY, VALIHURA, VIOLA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Delaware Health Resources Board.

**SB 182 w/SA 1** - MARSHALL & REPRESENTATIVE OBERLE; SENATORS BONINI, COPELAND, PETERSON, SOKOLA; REPRESENTATIVES HUDSON, MULROONEY, VALIHURA, VIOLA - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Criminal Justice Council.

**SB 188 w/SA 1** - VAUGHN & REPRESENTATIVE HALL-LONG; REPRESENTATIVES ENNIS, SPENCE, OBERLE, CATHCART - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Authorize and Approve a Transfer of Certain Real Property in Blackbird Hundred to the Townsend Fire Company. (3/4 bill)

**SB 193** - MCDOWELL; SENATORS BLEVINS, HENRY, MARSHALL, CLOUTIER, CONNOR, COPELAND, STILL; REPRESENTATIVES GEORGE, MCWILLIAMS - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to License Plates for Persons with Disabilities which Limit or Impair the Ability to Walk.

**SB 195** - CLOUTIER & REPRESENTATIVE SMITH; SENATORS ADAMS, AMICK, BONINI, CONNOR, HENRY, SIMPSON, SORENSON, VENABLES; REPRESENTATIVES EWING, MAIER, VALIHURA, VANSANT - PUBLIC SAFETY - An Act to Amend Title 16 and Title 21 of the Delaware Code Relating to Pre-hospital Advanced Care Directives.

**SB 203** - BUNTING & SENATOR SOKOLA & REPRESENTATIVE VALIHURA; SENATORS CONNOR, COPELAND; REPRESENTATIVES ATKINS, ENNIS, HOCKER, HUDSON, LAVELLE, SCHWARTZKOPF, STONE - SUBCOMMITTEE MANUFACTURED HOUSING - An Act to Amend Title 24 of the Delaware Code Relating to Manufactured Home Installation. (3/5 bill)

Representative Smith deferred to Representative Maier.

The House observed a moment of silence in memory of Frances Gene Herzog at the request of Representative Maier.

Representative Smith deferred to Representative Maier.

Representative Maier brought **HB 279**, jointly sponsored by Senator Sokola & Representatives Hudson, Keeley, Mulrooney, Plant, Schooley, Ulbrich & Wagner & Senators Blevins, Cook, Henry, Sorenson, Cloutier & Connor, before the House for consideration.

**HB 279** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC SCHOOL ATTENDANCE OF FOSTER CHILDREN.

Representative Maier made a comment.

The roll call on **HB 279** was taken and revealed:

YES: 40.

ABSENT: Representative George - 1.

Therefore, having received a constitutional majority, **HB 279** was sent to the Senate for concurrence.

Representatives Miro, Roy, Viola, Wagner, Williams, Buckworth, DiPinto, Hudson & Carey requested that they be marked present during the roll call.

Representative Smith deferred to Representative Lofink.

Representative Lofink requested and was granted personal privilege of the floor to introduce a guest. Mr. Speaker Spence & Representatives Booth & Smith made comments.

Representative Smith deferred to Representatives Thornburg & Ennis.

Representative Thornburg requested and was granted personal privilege of the floor for herself and Representative Ennis to present House Tributes to wrestling and football champions Cody Carbine and Matt Hesseltine. Representatives Ennis & Thornburg made comments. Mr. Speaker Spence presented a House Tribute to Michael McLaughlin, Deputy Director, Administrative Office of the Courts, on the occasion of his retirement. Mr. Speaker Spence & Representative Wagner made comments.

Representative Smith deferred to Representative Stone.

Representative Stone introduced and brought **HR 35** before the House for consideration.

**HR 35** - CONGRATULATING SANDRA F. CLARK UPON HER GRADUATION FROM LAW SCHOOL, RECOGNIZING HER DEDICATION TO THE DIVISION OF RESEARCH, AND WISHING HER SUCCESS IN HER LAW CAREER.

WHEREAS, Sandra F. Clark joined the Division of Research in Legislative Council as a bill clerk in 2001 and has ably performed the duties of that position for almost four years; and

WHEREAS, Sandra promoted herself to the politically incorrect position of "Executive Bill Girl" in January 2005 and has retained that honorary title ever since; and

WHEREAS, during her tenure in the Division of Research, the irresistibly cute Sandra has entertained her co-workers and Legislative Hall regulars with happy dances, fashion shows, and free kisses with every bill that she handed out at the window; and

WHEREAS, Sandra was appointed to be a member of the task force which recommended the plan for the First State Historical Park, a “park without boundaries” which encompasses the State-owned historic sites within the Dover historic district; and

WHEREAS, Sandra proved that a sense of humor is highly compatible with an excellent work ethic; and

WHEREAS, although Sandra worked in the bill room fulltime while taking care of her devoted husband and two active sons, she did not have enough to keep her busy 24/7, so she threw law school into the mix; and

WHEREAS, while attending law school, Sandra was a class representative for the Student Bar Association, a member of the Moot Court Honor Society, and a competitor in the National Tax Law Moot Court Competition in Florida, and, always looking for another challenge, she lost 77 pounds along the way; and

WHEREAS, when Sandra graduated from Widener University School of Law on May 21, 2005 she felt that she was finally prepared to exchange her employment as a bill clerk in Legislative Hall for employment as a judicial law clerk in Delaware’s Superior Court in Dover; and

WHEREAS, Sandra’s stunning achievements at age 40 give inspiration to all that it’s never too late to enroll in college or change careers; and

WHEREAS, Sandra’s co-workers and other denizens of Legislative Hall are sorry to see her leave, but are happy for her educational, professional, and personal achievements;

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 143rd General Assembly of the State of Delaware that Sandra F. Clark be warmly congratulated for receiving her Juris Doctor degree from Widener University School of Law.

BE IT FURTHER RESOLVED that Sandra F. Clark be recognized for her loyalty and dedication to her job in the Division of Research, and be given our very best wishes for success in her law career.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be presented to Sandra F. Clark.

Representative Stone made comments.

**HR 35** was adopted by voice vote.

Representative Smith deferred to Representative Plant. Representative Plant introduced guests.

Representative Plant requested and was granted privilege of the floor for Theopalis K. Gregory, Sr., Councilman, City of Wilmington.

Representative Smith deferred to Representative Longhurst.

Representative Longhurst requested and was granted personal privilege of the floor to introduce guests. Mr. Speaker Spence introduced a guest. Representative Johnson made comments.

Representative Smith deferred to Representative McWilliams.

Representative McWilliams brought **HB 233**, jointly sponsored by Representatives Ennis, Hall-Long, Keeley, Plant, Schooley & Spence & Senators Henry & Simpson, before the House for consideration.

**HB 233 - AN ACT TO AMEND CHAPTER 85, TITLE 14 OF THE DELAWARE CODE RELATING TO PRIVATE BUSINESS AND TRADE SCHOOLS.**

Representatives McWilliams, Wagner, Ewing, Lofink, Oberle, Lavelle, Stone & McWilliams made comments.

The roll call on **HB 233** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 233** was sent to the Senate for concurrence.

Representative Booth made comments regarding **HB 233**.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 95**, jointly sponsored by Senator Henry & Representatives Buckworth, Ewing & Valihura, before the House for consideration.

**HB 95 - AN ACT TO AMEND TITLES 7 AND 21 OF THE DELAWARE CODE RELATING TO PARKING.**

Representative Wagner requested that **HA 1 to HB 95** be stricken. Representative Wagner brought **HA 2 to HB 95** before the House for consideration. Representative Wagner made comments. **HA 2** was adopted by voice vote. Representative Wagner made comments.

The roll call on **HB 95 w/HA 2** was taken and revealed:

YES: 40.

ABSENT: Representative Roy - 1.

Therefore, having received a constitutional majority, **HB 95 w/HA 2** was sent to the Senate for concurrence.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto deferred to Representative Wagner.

Representative Wagner brought **SB 63 w/SA 1 & 2**, jointly sponsored by Senator Adams & Senators DeLuca & Vaughn & Representative Ewing & cosponsored by Representative Outten, before the House for consideration.

**SB 63 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CIVIL PENALTIES.**

Representative Wagner brought **HA 1 to SB 63** before the House for consideration. Representative Wagner made a comment. **HA 1** was adopted by voice vote. Representatives Wagner & Oberle made comments. Representative Wagner requested and was granted privilege of the floor for Edward Davis, Justice of the Peace. Representatives Oberle & Ewing made comments.

Representative Wagner moved to place **SB 63 w/SA 1 & 2 & HA 1** on the Speaker's Table. The motion was seconded by Representative Stone and adopted by voice vote.

Representative Lee deferred to Representative Wagner.

Representative Wagner brought **HB 278**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 278 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY.**

Representative Wagner made comments.

The roll call on **HB 278** was taken and revealed:

YES: 40.

NOT VOTING: Representative Ennis - 1.

Therefore, having received a constitutional majority, **HB 278** was sent to the Senate for concurrence.

Representative Smith brought **Consent Calendar #16** before the House for consideration.

**HR 30 – HUDSON & REPRESENTATIVE MAIER & REPRESENTATIVE SMITH & REPRESENTATIVE BUCKWORTH & REPRESENTATIVE DIPINTO & REPRESENTATIVE OBERLE & REPRESENTATIVE ROY – Creating a Task Force to Review and Evaluate Healthcare Associated Infections.**

**HR 31 – MULROONEY; REPRESENTATIVES GILLIGAN, KEELEY, MCWILLIAMS, VIOLA – A Resolution Calling on the Congress of the United States to Reject Plans to Privatize Social Security by Cutting Social Security's Guaranteed Benefits and Diverting Money Out of Social Security into Private Investment Accounts.**

**HR 32 – HOCKER; REPRESENTATIVES BOOTH, CAREY, CATHCART, HALL-LONG – Creating a Task Force to Study Lead Levels in Drinking Water in Schools and Child Care Facilities.**

**HR 33 – VALIHURA & REPRESENTATIVE ROY – Creating a Task Force to Examine the Laws and Procedures Pertaining to the Expungement of Criminal Records, and to Recommend Appropriate Changes Thereto.**

**HR 34 – LEE & REPRESENTATIVE OUTTEN & REPRESENTATIVE ENNIS – Urging the Fire Marshall to Investigate the "Reduced Ignition Propensity Cigarette".**

**HCR 34 – BUCKWORTH & SENATOR BONINI & SENATOR STILL – Congratulating the Caesar Rodney Boys Tennis Team for Winning the 2005 State Varsity Boys Tennis Championship.**

**HCR 35 – WAGNER & SENATOR BLEVINS – Requesting that the Department of Services for Children, Youth and Their Families Report to the Foster Care Review Board and the House of Representatives and Senate on the Number of Children in Foster Care and the Number of Times They have been Moved Between Placements on a Quarterly Basis.**

**HCR 36 – KEELEY – Requesting the Department of Health and Social Services to Apply for Federal Funds Available to Promote Awareness and Prevention of Heart Disease in Women.**

Representative Smith requested that **HR 31** be removed from **Consent Calendar #16**.

Mr. Speaker Spence assigned **HR 31** to the House Administration Committee.

**Consent Calendar #16** was adopted by voice vote and **HR 30, HR 32, HR 33 & HR 34** were declared passed and **HCR 34, HCR 35 & HCR 36** were sent to the Senate for concurrence.

The Majority Leader moved to recess for caucus at 3:16 p.m.

The House reconvened at 6:04 p.m.

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

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **SB 138 w/SA 1 - 7M.**

JUDICIARY: **SB 152 - 1F,4M; SB 169 w/SA 1 - 6M; SB 177 - 6M; SB 197 - 6M.**

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 266 - 3M; SB 27 - 3M; SB 29 - 3M; SB 97 - 3M.**

REVENUE & FINANCE: **HB 54 - 6M.**

MANUFACTURED HOUSING SUBCOMMITTEE: **SB 203 - 3F,4M.**

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #31

DATE: June 29, 2005

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    | Date      | Type | Description                                                  |
|----------|------------|-----------|------|--------------------------------------------------------------|
| H143-705 | Carey      | 6/16/2005 | T    | Adam Beauregard - Valedictorian - Cape Henlopen High         |
| H143-706 | Keeley     | 6/20/2005 | T    | Sean O'Connor - Scholarship Award                            |
| H143-707 | Keeley     | 6/20/2005 | T    | Jacklin Skibicki - Scholarship Award                         |
| H143-708 | Hudson     | 6/20/2005 | T    | Elizabeth Bleacher - Scholarship Award                       |
| H143-709 | Keeley     | 6/20/2005 | T    | Briea Carey - Scholarship Award                              |
| H143-710 | DiPinto    | 6/20/2005 | T    | Matthew Casale - Scholarship Award                           |
| H143-711 | Keeley     | 6/20/2005 | T    | Meleny Gonzalez - Scholarship Award                          |
| H143-712 | Keeley     | 6/20/2005 | T    | John Wilson - Scholarship Award                              |
| H143-713 | Booth      | 6/17/2005 | T    | Margaret Bradley - Retirement - Sussex Central School        |
| H143-714 | Maier      | 6/11/2005 | T    | James & Dolores Nolan - 50th Wedding Anniversary             |
| H143-715 | Buckworth  | 6/15/2005 | T    | Sharon Lapinski - All-State Girls Soccer – First Team        |
| H143-716 | Buckworth  | 6/15/2005 | T    | Kelly Doherty - All-State Girls Soccer - First Team          |
| H143-717 | Maier      | 6/16/2005 | T    | Diane Scobey - Retirement - Wilson Elementary                |
| H143-718 | Maier      | 6/16/2005 | T    | Carolyn Willing - Retirement - Wilson Elementary             |
| H143-719 | Booth      | 6/18/2005 | T    | Gretchen Wyshock - Girls' Lacrosse Coach of the Year         |
| H143-720 | Hall-Long  | 6/25/2005 | T    | Jane & Earl Hurd - 50th Wedding Anniversary                  |
| H143-721 | Buckworth  | 6/24/2005 | T    | Walter Billings - Retirement - US Air Force – 20 Years       |
| H143-722 | McWilliams | 6/14/2005 | T    | Mary Dungee - Retirement - Brandywine Schools                |
| H143-723 | Ennis      | 7/4/2005  | T    | City of Coventry, England - Corps of Drums - Parade          |
| H143-724 | Booth      | 5/10/2005 | T    | James Walls - Sports Hall of Fame Induction                  |
| H143-725 | Cathcart   | 6/16/2005 | T    | Thomas Davis - Board Leader of the Year – Transit Management |
| H143-726 | Hudson     | 5/28/2005 | T    | Stephanie Mantegna - Masters Degree - U of D                 |
| H143-727 | Carey      | 6/24/2005 | T    | Simmie Knox - Outstanding Artistic Talents                   |
| H143-728 | Wagner     | 6/30/2005 | T    | George Locke - Retirement - State Police 36+ Years           |
| H143-729 | Gilligan   | 6/22/2005 | T    | Robert Grabowski - 39 Years – Brandywine Schools             |
| H143-730 | Hudson     | 6/15/2005 | T    | Tim McIntosh - Eagle Scout                                   |

#### HOUSE TRIBUTE ANNOUNCEMENT #32

DATE: June 29, 2005

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   | Date      | Type | Description                                                       |
|----------|-----------|-----------|------|-------------------------------------------------------------------|
| H143-731 | Lee       | 5/7/2005  | T    | Johnny Janosik - Thomas Maloney Civic Award                       |
| H143-732 | Thornburg | 6/4/2005  | T    | Mr. & Mrs. Walter Coker, Sr. - 50th Wedding Anniversary           |
| H143-733 | Wagner    | 6/30/2005 | T    | Grover Biddle - Retirement - 32+ Years – State Service            |
| H143-734 | Buckworth | 6/30/2005 | T    | Peggie Birch - Teacher of the Year - Caesar Rodney High           |
| H143-735 | Buckworth | 6/30/2005 | T    | Joann Reynolds - Teacher of the Year - Air Base School            |
| H143-736 | Buckworth | 6/30/2005 | T    | Jean Tilley - Teacher of the Year - Fifer Middle School           |
| H143-737 | Buckworth | 6/30/2005 | T    | David Pearson - Teacher of the Year – Postlethwait Middle School  |
| H143-738 | Buckworth | 6/30/2005 | T    | Thomas Keyser - Teacher of the Year - Allen Frear Elementary      |
| H143-739 | Buckworth | 6/30/2005 | T    | Charlene Morrow - Teacher of the Year – Star Hill Elementary      |
| H143-740 | Buckworth | 6/30/2005 | T    | Terry Analore - Teacher of the Year – Stokes/McIlvaine School     |
| H143-741 | Buckworth | 6/30/2005 | T    | Pam Hill - Teacher of the Year - W. Reily Brown Elementary        |
| H143-742 | Buckworth | 6/30/2005 | T    | Jean Allen - Teacher of the Year - Caesar Rodney District         |
| H143-743 | Buckworth | 6/30/2005 | T    | Jennifer Meade - Teacher of the Year – Charlton School            |
| H143-744 | Buckworth | 6/30/2005 | T    | Amy Finley - Teacher of the Year - Welch Elementary               |
| H143-745 | Wagner    | 6/17/2005 | M    | Theodore Darlington                                               |
| H143-746 | George    | 6/14/2005 | T    | Mary Cole & Steven Barry, Jr. - Birth of Son                      |
| H143-747 | George    | 6/8/2005  | T    | Steven Barry, Jr. - Graduation - Christiana High                  |
| H143-748 | Carey     | 5/21/2005 | T    | Joy & Jack Hern - 50th Wedding Anniversary                        |
| H143-749 | Carey     | 6/26/2005 | T    | Ronald Jefferson - 70th Birthday                                  |
| H143-750 | Booth     | 6/18/2005 | T    | Judy Thompson - Teacher of the Year – North Georgetown Elementary |
| H143-751 | Hocker    | 6/21/2005 | M    | William V. Steen, III                                             |
| H143-752 | Maier     | 6/23/2005 | T    | Judy Austin - Retirement - Public Schools                         |



|          |        |           |   |                                                               |
|----------|--------|-----------|---|---------------------------------------------------------------|
| H143-753 | Maier  | 6/23/2005 | T | Mary Jo Davison - Retirement - Public Schools                 |
| H143-754 | Hudson | 6/15/2005 | M | Alex J. Ogorek                                                |
| H143-755 | Caulk  | 6/25/2005 | T | Henry McCann - Promotion - Brigadier General - National Guard |

cosponsors: All Representatives

T- Tribute

M - Memoriam

Mr. Speaker Spence introduced a guest. Representative Atkins made comments. Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on **HJR 15**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative DiPinto introduced and brought **HJR 15**, jointly sponsored by Senator Cook & Representatives Buckworth, Fallon, Schwartzkopf & Ulbrich & Senators Amick, Cloutier, Henry, McBride & Vaughn, before the House for consideration.

**HJR 15 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUE FOR FISCAL YEAR 2005.**

Representative DiPinto made comments.

The roll call on **HJR 15** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Viola - 2.

Therefore, having received a constitutional majority, **HJR 15** was sent to the Senate for concurrence.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on **HJR 16**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative DiPinto & Mr. Speaker Spence made comments.

Representative DiPinto introduced and brought **HJR 16**, jointly sponsored by Senator Cook & Representatives Buckworth, Fallon, Schwartzkopf & Ulbrich & Senators Amick, Cloutier, Henry, McBride & Vaughn, before the House for consideration.

**HJR 16 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUE FOR FISCAL YEAR 2006**

Representative DiPinto made comments.

The roll call on **HJR 16** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Viola - 2.

Therefore, having received a constitutional majority, **HJR 16** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Miro.

Representative Miro brought **HB 270**, jointly sponsored by Senator Henry & Senators Blevins & Sorenson, before the House for consideration.

**HB 270 - AN ACT TO AMEND TITLES 11 OF THE DELAWARE CODE RELATING TO STUN GUNS. (2/3 bill)**

Representatives Miro, George, Williams, Keeley, VanSant, Viola & Miro made comments.

The roll call on **HB 270** was taken and revealed:

YES: Representatives Booth, Buckworth, DiPinto, Ewing, Fallon, Miro, Outten, Roy & Valihura - 9.

NO: 24.

NOT VOTING: Representatives Thornburg & Spence - 2.

ABSENT: Representatives Caulk, Hudson, Lavelle, Smith, Stone & Wagner - 6.

Therefore, not having received a constitutional majority of at least two-thirds Members of the House, **HB 270** was declared defeated.

Representative Lee deferred to Representative Valihura.

Representative Valihura brought **SB 50 w/SA 2**, jointly sponsored by Senator Vaughn, before the House for consideration.

**SB 50 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POSSESSION OF INSTRUMENTS OF CERTAIN CRIMES.**

Representative Valihura made comments. Representative Wagner requested that **HA 1 to SB 50** be stricken.

The roll call on **SB 50 w/SA 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 50 w/SA 2** was returned to the Senate.

Representative Lee deferred to Representative Wagner.

Representative Wagner requested and was granted privilege of the floor to present a House Tribute to Representative Stephanie A. Ulbrich.

The Majority Whip moved to recess for dinner at 6:39 p.m.

The House reconvened at 7:55 p.m.

Representative Smith deferred to Representative Thornburg.

Representative Thornburg brought **SB 121 w/SA 1**, jointly sponsored by Senator Bunting & Senators Blevins, Sokola, Cook, Adams, DeLuca & Simpson & Representatives Ennis, Valihura, Fallon, Hall-Long, Schwartzkopf, Schooley & Booth, before the House for consideration.

**SB 121 - AN ACT TO ESTABLISH A FORESTLAND PRESERVATION PROGRAM. (F/N)**

Representative Thornburg made comments.

The roll call on **SB 121 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 121 w/SA 1** was returned to the Senate.

Representative Lee deferred to Representative Hudson.

Representative Hudson brought **HB 264**, jointly sponsored by Senator Cook, before the House for consideration.

**HB 264 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXATION.**

Representative Hudson made comments.

The roll call on **HB 264** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 264** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Ulbrich.

Representative Ulbrich introduced and brought **HCR 37**, jointly sponsored by Senator Bunting, before the House for consideration.

**HCR 37 - CREATING A TASK FORCE TO EXAMINE PHYSICAL ACTIVITY AND PHYSICAL EDUCATION POLICIES AND PROGRAMS IN DELAWARE AND TO DEVELOP A COMPREHENSIVE INTEGRATED PLAN TO INCREASE PHYSICAL ACTIVITY AND PHYSICAL EDUCATION AND REDUCE CHILDHOOD OBESITY.**

Representative Ulbrich made comments.

**HCR 37** was adopted by voice vote and sent to the Senate for concurrence. Representative Smith moved to suspend the rules which would interfere with action on **Consent Agenda I**. The motion was properly seconded and adopted by voice vote.

Representative Smith brought the following **Consent Agenda I** before the House for consideration and concurrence on Senate Amendments.

**HB 284 – LAVELLE & REPRESENTATIVE SPENCE & SENATOR SOKOLA & SENATORS CLOUTIER, CONNOR, COPELAND, SIMPSON & SORENSON– An Act to Amend Title 9 of the Delaware Code Relating to New Castle Council and Councilmanic Districts.**

**SB 189 w/SA 1 – COOK & REPRESENTATIVE DIPINTO & REPRESENTATIVE OBERLE & REPRESENTATIVE GILLIGAN & SENATORS MCBRIDE, HENRY, VAUGHN, AMICK & CLOUTIER & REPRESENTATIVES BUCKKWORTH, FALLON, ULBRICH, SCHWARTZKOPF & WILLIAMS– An Act to Amend Title 29 of the Delaware Code Relating to the Calculation of Pension Benefits in the County and Municipal General Employees’ Pension Plan.**

**SB 191 w/SA 1 – COOK & REPRESENTATIVE DIPINTO & REPRESENTATIVE OBERLE & REPRESENTATIVE GILLIGAN & SENATORS MCBRIDE, HENRY, VAUGHN, AMICK & CLOUTIER & REPRESENTATIVES BUCKKWORTH, FALLON, ULBRICH, SCHWARTZKOPF & WILLIAMS – An Act to Amend Title 11 of the Delaware Code Relating to the Calculation of Pension Benefits in the County and Municipal Police/Firefighters’ Pension Plan.**

**SB 101 – DELUCA & REPRESENTATIVE SMITH – An Act to Amend Title 26 of the Delaware Code Relating to Public Utility Facility Relocations that are Non-Revenue Producing.**

**SB 96 w/SA 1 – HENRY & REPRESENTATIVE WILLIAMS & SENATOR MCDOWELL & REPRESENTATIVES PLANT, KEELEY & JOHNSON – An Act to Amend Title 26 of the Delaware Code Relating to Public Utilities.**

**SB 179 – BLEVINS & SENATOR MARSHALL & REPRESENTATIVE OBERLE & REPRESENTATIVE MAIER –An Act to Amend Title 24 of the Delaware Code Relating to Occupational Therapy.**

**SB 163 – SOKOLA & REPRESENTATIVE WAGNER; REPRESENTATIVES MIRO, SCHOOLEY – An Act to Amend Title 14 of the Delaware Code Relating to Educator Mentoring.**

**HB 220 – SPENCE & SENATOR MCBRIDE – An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.**

Representative Smith requested that **HB 284 & SB 96 w/SA 1** be removed from **Consent Agenda I**.

The roll call on **Consent Agenda I** was taken and revealed:

YES: 41.

Therefore having received a constitutional majority, **HB 220** was sent to the Senate for concurrence and **SB 189 w/SA 1, SB 191 w/SA 1, SB 101, SB 179 & SB 163** were returned to the Senate.

Representative Smith deferred to Representative Lavelle.

Representative Lavelle moved to suspend the rules which interfere with action on **HB 284**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Lavelle brought **HB 284**, jointly sponsored by Representative Spence & Senator Sokola & Senators Cloutier, Connor, Copeland, Simpson & Sorenson, before the House for consideration.

**HB 284 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY COUNCIL AND COUNCILMANIC DISTRICTS.**

Representative Lavelle brought **HA 1 to HB 284** before the House for consideration. Representative Lavelle made a comment. **HA 1** was adopted by voice vote. Representatives Lavelle & Gilligan made comments. Representative Lavelle requested and was granted privilege of the floor for Nicole Majeski, Policy Director, New Castle County. Representatives Lavelle, Gilligan & Keeley made comments.

The roll call on **HB 284 w/HA 1** was taken and revealed:

YES: 32.

NO: Representatives Caulk, Ennis, Gilligan, Schwartzkopf, VanSant & Williams - 6.

ABSENT: Representatives DiPinto, Oberle & Roy - 3.

Therefore, having received a constitutional majority, **HB 284 w/HA 1** was sent to the Senate for concurrence.

Representative Smith brought **SB 96 w/SA 1**, jointly sponsored by Senator Henry & Representative Williams & Senator McDowell & Representatives Plant, Keeley & Johnson & Senator Still, before the House for consideration.

**SB 96 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES.**

Representative Smith moved to place **SB 96 w/SA 1** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Smith deferred to Representative Wagner.

Representative Wagner moved to lift **SB 63 w/SA 1 & SA 2 & HA 1** from the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Wagner brought **SB 63 w/SA 1 & 2 & HA 1**, jointly sponsored by Senator Adams & Senators DeLuca & Vaughn & Representative Ewing, before the House for consideration.

**SB 63 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CIVIL PENALTIES.**

Representative Wagner made comments. Representative Wagner introduced and brought **HA 2 to SB 63** before the House for consideration. Representative Wagner made comments. **HA 2** was adopted by voice vote.

The roll call on **SB 63 w/SA 1 & 2 & HA 1 & 2** was taken and revealed:

YES: 40.

ABSENT: Representative Viola - 1.

Therefore, having received a constitutional majority, **SB 63 w/SA 1 & 2 & HA 1 & HA 2** was returned to the Senate for concurrence on **HA 1 & 2**.

Representative Smith made an announcement.

Representative Smith brought the following **Consent Agenda H**, which requires a two-thirds vote, before the House for consideration and for concurrence on Senate Amendments.

**SB 82 – VAUGHN & REPRESENTATIVE ATKINS & SENATORS ADAMS, DELUCA & SIMPSON – An Act to Amend Title 11 of the Delaware Code Concerning the Sequestration of Alternate Jurors in Capital Punishment Cases.**

**SB 84 w/SA 1 & 2 – VAUGHN & REPRESENTATIVE ATKINS & SENATORS DELUCA, ADAMS & SIMPSON – An Act to Amend Title 11 and Title 16 of the Delaware Code to Bring Periods of Probation for First Offenders into Conformity with Senate Bill 50.**

**SB 91 – VAUGHN & REPRESENTATIVE VALIHURA – An Act to Amend Title 11 of the Delaware Code Relating to Criminal Assaults.**

**SB 108 w/SA 1 – COOK & REPRESENTATIVE HUDSON – An Act to Amend Title 30 of the Delaware Code Relating to Certain Business License Fees. (F/N)**

**SB 147 – ADAMS & REPRESENTATIVE EWING – An Act to Amend Title 5 of the Delaware Code Relating to Building Loan Associations.**

**HB 223 – ENNIS & SENATOR COOK & SENATOR VAUGHN & REPRESENTATIVES BUCKWORTH, CAREY, CAULK, EWING, GEORGE, GILLIGAN, HALL-LONG, HOCKER, JOHNSON, KEELEY, MCWILLIAMS, MULROONEY, OUTTEN, PLANT, SCHOOLEY, SCHWARTZKOPF, THORNBURG, VANSANT & VIOLA - An Act to Amend Section 8722, Chapter 87, Chapter II, Title 9, Delaware Code Relating to Praecept, Judgment and Monition.**

**HB 67 w/SA 1 – MAIER & SENATOR BLEVINS & REPRESENTATIVES BOOTH, BUCKWORTH, CAREY, EWING, FALLON, HALL-LONG, HOCKER, HUDSON, LEE, MIRO, SCHOOLEY, SMITH, SPENCE, STONE, THORNBURG, ULBRICH, VIOLA & WAGNER & SENATORS CONNOR, SOKOLA & STILL – An Act to Amend Title 24 of the Delaware Code Relating to the Board of Dental Examiners.**

**HJR 4 w/SA 2 – WAGNER & SENATOR SOKOLA – Establishing a Task Force to Review the Best Practices of Educational Assessments.**

**HB 125 w/SA 1 – VALIHURA & REPRESENTATIVE WAGNER & SENATOR VAUGHN –**  
An Act to Propose an Amendment to the Delaware Constitution of 1897 to Delete References to Associate Judges in Superior Court and Family Court. (2/3 bill)

**HB 225 w/SA 1 – EWING & SENATOR VAUGHN & REPRESENTATIVE BUCKWORTH & SENATOR ADAMS –** An Act to Amend Title 11 of the Delaware Code Relating to Trademark Counterfeiting. (2/3 bill)

Representative Smith requested that **HB 178** be added to **Consent Agenda H**.

**HB 178 – SMITH & SENATOR SOKOLA –** An Act Amending Chapter 21, Title 21 of the Delaware Code Relating to Bicycle Safety License Plates. (3/5 bill)

Representative Valihura made comments.

The roll call on **Consent Agenda H** was taken and revealed:

YES: 41.

Therefore having received a constitutional majority of at least two-thirds Members of the House, **HB 223 & HB 178** were sent to the Senate for concurrence; **SB 82, SB 84 w/SA 1 & 2, SB 91, SB 108 w/SA 1 & SB 147** were returned to the Senate and **HB 67 w/SA 1, HJR 4 w/SA 2, HB 125 w/SA 1 & HB 225 w/SA 1** were sent to the Governor.

Representatives Smith, Valihura & Lee made announcements.

Representative Hudson requested that action on **SB 80** be Deferred to a Day Certain, Thursday, January 12, 2006.

Mr. Speaker Spence made comments.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 163, HB 219 w/HA 1, HB 165, HB 230, HB 96, HB 180, HB 212, HB 24 w/HA 2, HB 148, HB 176 w/HA 1 & HB 204** and is returning same to the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Helene M. Keeley, do hereby request that my name be removed as a co-sponsor of **HB 270**.  
Date: June 29, 2005 Signed: Helene M. Keeley

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Terry R. Spence, do hereby request that my name be removed as a co-sponsor of **HB 270**.  
Date: June 29, 2005 Signed: Terry R. Spence

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

HEALTH & HUMAN DEVELOPMENT: **HB 295 - 5M; SB 181 - 6M.**

HOUSE ADMINISTRATION: **SB 126 w/SA 1 - 4M; SB 167 - 4M.**

PUBLIC SAFETY: **SB 195 - 4M.**

The Majority Whip moved to recess to the call of the Chair at 8:42 p.m.

Mr. Acting Speaker Oberle called the House to order at 4:04 p.m. on June 30, 2005.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 200, SB 216, SB 217, SS 1/SB 153 w/SA 1 & SB 231** and requests the concurrence of the House; **HB 205 w/HA 1 & 2, HB 73 w/HA 2 & 3 & HA 1 to HA 3 & HB 141** and is returning same to the House; **SB 64 w/SA 2 & 1, SB 223, SB 205 w/SA 1, SB 186, SB 187 w/SA 2 & SB 221 w/SA 1 & 2** and requests the concurrence of the House; **HB 133 w/HA 1 & HA 1 to HA 1, HB 233, HB 58 & HB 277** and is returning same to the House.

The Majority Leader moved to adjourn at 4:05 p.m., thereby ending the current legislative day.  
The House reconvened at 4:06 p.m.

### **43rd LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Session June 30, 2005**

The Chief Clerk called the roll:

Members Present: 41.

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

Mr. 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 299 - DIPINTO & SENATOR COOK; REPRESENTATIVES SPENCE, SMITH, LEE, BUCKWORTH, FALLON, ULBRICH, GILLIGAN, VANSANT, WILLIAMS, SCHWARTZKOPF; SENATORS ADAMS, MCDOWELL, DELUCA, VAUGHN, MCBRIDE, HENRY, STILL, SORENSON, AMICK, CLOUTIER - APPROPRIATIONS -** An Act to Amend Titles 1, 3, 6, 7, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 26, 29, 30 and 31 of the Delaware Code to Provide for the Reorganization of State Government by Creating the Office of Management and Budget; Transferring Selected Divisions and Other Organizational Units from the Office of the Budget, Department of Administrative Services and the State Personnel Office to the Office of Management and Budget and the Department of State; Deleting or Amending References to Superseded Agencies or Officers; and Aligning the Duties of the Director of the Office of Management and Budget and the Secretary of State.

**HB 305** - SPENCE & REPRESENTATIVE MIRO & REPRESENTATIVE VANSANT & REPRESENTATIVE JOHNSON & REPRESENTATIVE PLANT & REPRESENTATIVE WILLIAMS & SENATOR HENRY - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to the Family Court.

**HB 306** - PLANT & REPRESENTATIVE JOHNSON & REPRESENTATIVE KEELEY & REPRESENTATIVE WILLIAMS - REVENUE & FINANCE - An Act to Amend Title 30, Delaware Code Relating to Business Tax Credits.

**HB 307** - SMITH & SENATOR VAUGHN - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Sentencing for Sex Offenders.

**HB 308** - SPENCE & REPRESENTATIVE MIRO & REPRESENTATIVE OBERLE & REPRESENTATIVE VANSANT & REPRESENTATIVE JOHNSON & REPRESENTATIVE PLANT & SENATOR HENRY - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Related to Possession of a Firearm During Commission of a Felony.

**HB 309** - DIPINTO & SENATOR BLEVINS; REPRESENTATIVES BUCKWORTH, EWING, HOCKER, MIRO, STONE, ULBRICH, VALIHURA, WAGNER, ENNIS; SENATOR SORENSON – HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16, Delaware Code, Relating to Radiation Control.

**HB 310** - KEELEY; REPRESENTATIVES BUCKWORTH, CAULK, EWING, HALL-LONG, HOCKER, LONGHURST, MIRO, MULROONEY, PLANT, SCHWARTZKOPF, SPENCE, VIOLA; SENATORS BLEVINS, CONNOR, HENRY, PETERSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Theft. (2/3 bill)

**HB 311** - ULBRICH & SENATOR COPELAND & SENATOR SOKOLA; REPRESENTATIVES HUDSON, VALIHURA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Architectural Licensing and Disciplinary Standards in Delaware. (2/3 bill)

**HA 2 to HB 102** - SCHWARTZKOPF - Placed with the Bill.

**HA 1 to HB 210** - LAVELLE - Placed with the Bill.

**SB 64 w/SA 1 & 2** - AMICK & REPRESENTATIVE CATHCART & REPRESENTATIVE ROY; REPRESENTATIVES BUCKWORTH, DIPINTO, HUDSON, SMITH - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Engine Compression Brake Devices. (2/3 bill)

**SS 1 for SB 153 w/SA 1** - HENRY & REPRESENTATIVE LEE & REPRESENTATIVE EWING - PUBLIC SAFETY - An Act to Amend Title 20 of the Delaware Code Relating to Civil Defense.

**SB 186** - COOK & REPRESENTATIVE ROY - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 29 of the Delaware Code to Establish the Geospatial Data Coordinating Council.

**SB 187 w/SA 2** - SOKOLA & REPRESENTATIVE WAGNER - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Athletic Examiners.

**SB 200** - VAUGHN & REPRESENTATIVE VALIHURA - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to the Crime of Robbery.

**SB 205 w/SA 1** - HENRY & REPRESENTATIVE KEELEY - HOUSE ADMINISTRATION - An Act to Amend the Charter of the City of Wilmington. (2/3 bill)

**SB 216** - VENABLES & REPRESENTATIVE FALLON - HOUSE ADMINISTRATION - An Act to Amend Delaware Laws, Volume 73, Chapter 210, Entitled "An Act to Reincorporate the Town of Blades". (2/3 bill)

**SB 217** - VENABLES & REPRESENTATIVE HOCKER; SENATORS ADAMS, DELUCA, STILL, PETERSON, BUNTING, COPELAND, SIMPSON, CLOUTIER, CONNOR; REPRESENTATIVES LEE, CAREY, ATKINS, ENNIS, CAULK - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 29 of the Delaware Code Relating to Real Property Acquisition and the Exercise of Eminent Domain.

**SB 219** - STILL - HOUSE ADMINISTRATION - An Act to Amend Chapter 283, Volume 21, Laws of Delaware, and Amended, Entitled "An Act to Incorporate the Town of Little Creek Relating to Assessment and Taxation". (2/3 bill)

**SB 221 w/SA 1 & 2** - MCBRIDE; SENATORS CONNOR, PETERSON, SOKOLA, STILL, MCDOWELL - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Condemnation Proceedings.

**SB 223** - SORENSON & REPRESENTATIVE SCHOOLEY - APPROPRIATIONS - An Act to Amend Title 29 of the Delaware Code Related to Pension Benefits.

**SB 231** - COOK & REPRESENTATIVE DIPINTO; SENATORS VAUGHN, COPELAND, ADAMS, MCDOWELL, DELUCA, STILL, SORENSON; REPRESENTATIVES HUDSON, ENNIS, SPENCE, SMITH, LEE, GILLIGAN, VANSANT - APPROPRIATIONS - An Act Making a Supplemental General Fund Appropriation to the Post Retirement Health Insurance Premium Fund.

Representative Carey requested and was granted privilege of the floor to present a House Tribute to Adam Beauregard, staff member. Representatives Gilligan, Lee, Carey & Mr. Acting Speaker made

comments. Representatives Ennis, Hall-Long, Mulrooney & Schwartzkopf requested that they be marked present.

Mr. Acting Speaker appointed Representative Roy as Acting Speaker.

The Reading Clerk read the following communications into the record:

#### HOUSE TRIBUTE ANNOUNCEMENT #33

DATE: June 30, 2005

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      | Date      | Type | Description                                                                               |
|----------|--------------|-----------|------|-------------------------------------------------------------------------------------------|
| H143-756 | Miro         | 6/24/2005 | T    | Senator Leticia Van de Putte - President – National Hispanic Council of State Legislators |
| H143-757 | Wagner       | 6/18/2005 | T    | Stephanie Payne & Kevin Turner - Marriage                                                 |
| H143-758 | Buckworth    | 6/24/2005 | T    | Susan Whitaker - Retirement - Caesar Rodney Schools                                       |
| H143-759 | Maier        | 6/30/2005 | T    | Stanley Glowiak - Retirement - Public School System                                       |
| H143-760 | Thornburg    | 6/29/2005 | T    | Matt Hesseltine - U of D Football Scholarship                                             |
| H143-761 | Ennis        | 6/29/2005 | T    | Cody Carbine - Third in the Nation – Wrestling                                            |
| H143-762 | Schwartzkopf | 6/27/2005 | T    | Susan Giove - President - Rehoboth Beach-Lewes Sunrise Rotary Club                        |
| H143-763 | Roy          | 6/28/2005 | T    | Margaret Garvine - 90th Birthday                                                          |
| H143-764 | Thornburg    | 6/21/2005 | M    | Roy Joseph Garrison                                                                       |
| H143-765 | Thornburg    | 6/28/2005 | T    | Robert Walton - Retirement - Capitol Police – 3 Years                                     |
| H143-766 | Schooley     | 6/23/2005 | M    | Robert Brandon Davis, Jr.                                                                 |
| H143-767 | Hocker       | 7/6/2005  | T    | Arlene Littleton - 20 Years of Service to CHEER                                           |

Booth, Carey, Caulk, Ewing, Fallon, Lee, Outten & Schwartzkopf

|          |                |           |   |                                                       |
|----------|----------------|-----------|---|-------------------------------------------------------|
| H143-768 | Plant          | 7/2/2005  | T | Gwendolyn Evans-Taylor - 70th Birthday                |
| H143-769 | Booth          | 6/30/2005 | T | Gemma Cabrera - Georgetown Elementary Teacher of Year |
| H143-770 | Carey;Gilligan | 6/28/2005 | T | Alan Davis - Confirmation - Chief Magistrate          |
| H143-771 | Maier          | 6/27/2005 | M | Frances Gene Herzog                                   |

cosponsors: All Representatives  
 cosponsors: Reps. Atkins, Booth, Buckworth, Carey, Cathcart, DiPinto, Ewing, Fallon, Hocker, Hudson, Lavelle, Lee, Lofink, Miro, Oberle, Outten, Roy, Smith, Spence, Stone, Thornburg, Ulbrich, Valihura & Wagner

#### HOUSE TRIBUTE ANNOUNCEMENT #34

DATE: June 30, 2005

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           | Date      | Type | Description                                                                   |
|----------|-------------------|-----------|------|-------------------------------------------------------------------------------|
| H143-772 | Buckworth; Wagner | 6/25/2005 | M    | Joshua M. Twilley                                                             |
| H143-773 | McWilliams        | 6/29/2005 | T    | Kenneth Clapp - 50 Years of Service – Brandywine Hundred Fire Company         |
| H143-774 | McWilliams        | 6/29/2005 | T    | Charles Frampton, Jr. - 50 Years of Service – Brandywine Hundred Fire Company |
| H143-775 | McWilliams        | 6/29/2005 | T    | M. Lee Gray - 50 Years of Service – Brandywine Hundred Fire Company           |
| H143-776 | McWilliams        | 6/29/2005 | T    | Walter Hurst - 50 Years of Service – Brandywine Hundred Fire Company          |
| H143-777 | Ewing             | 6/26/2005 | T    | William Pritchett - 20 Years - Organist – Union United Methodist Church       |
| H143-778 | Booth             | 6/30/2005 | T    | Tanya Marvel - Teacher of the Year – Richard Allen School                     |
| H143-779 | Booth             | 6/30/2005 | T    | Maura Mariner - Teacher of the Year – Howard Ennis School                     |
| H143-780 | Schooley          | 6/30/2005 | T    | William G. McCafferty - Retirement – Lobbyist                                 |
| H143-781 | Maier             | 6/30/2005 | T    | Sarah McCloskey - Legislative Fellow                                          |
| H143-782 | Carey             | 6/30/2005 | T    | Mattie Topsey - Legislative Fellow                                            |

cosponsors: All Representatives  
 cosponsors: Reps. Atkins, Booth, Buckworth, Ennis, Gilligan, Johnson, Lee, Lofink, Mulrooney, Oberle, Outten, Plant, Schwartzkopf, Smith, Spence, Stone, Ulbrich, VanSant & Viola



H143-783 Stone 6/30/2005 T Jonathan Kirch - Legislative Fellow  
 cosponsors: Reps. Carey, Fallon, Hocker, Hudson, Johnson,  
 Keeley, Lavelle, Longhurst, Plant, Roy, Thornburg, Valihura & Viola  
 HOUSE TRIBUTE ANNOUNCEMENT #35

DATE: June 30, 2005

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  | Date      | Type | Description                                                                                                                                                                                                                                                                                      |
|----------|----------|-----------|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| H143-784 | Booth    | 6/30/2005 | T    | David Levett - Legislative Fellow<br>cosponsors: Reps. Atkins, Buckworth, Carey, Caulk, Ewing, Fallon, George Hall-Long, Hocker, Hudson, Johnson, Lee, Longhurst, Maier, McWilliams, Miro, Mulrooney, Oberle, Outten, Schwartzkopf, Spence, Stone, Thornburg, Valihura, Viola, Wagner & Williams |
| H143-785 | Valihura | 6/30/2005 | T    | Christina Smith - Legislative Fellow<br>cosponsors: Reps. Atkins, Buckworth, Ewing, George, Hudson, Johnson, Keeley, Lavelle, Outten, Stone & Wagner                                                                                                                                             |
| H143-786 | Cathcart | 6/30/2005 | T    | Lisa Brennan - Legislative Fellow<br>cosponsors: Reps. Atkins, Caulk, DiPinto, Ennis, Gilligan, Hocker, Hudson, Keeley, Lavelle, Lofink, Longhurst, Maier, McWilliams, Miro, Oberle, Outten, Plant, Schooley, Stone, Thornburg, Ulbrich, VanSant & Wagner                                        |
| H143-787 | Gilligan | 6/30/2005 | T    | Emilie Tenenbaum - Legislative Fellow<br>cosponsors: Reps. Ennis, George, Hall-Long, Johnson, Keeley, Longhurst, McWilliams, Mulrooney, Plant, Schooley, Schwartzkopf, VanSant, Viola & Williams                                                                                                 |

T- Tribute

M - Memoriam

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **SB 1 w/SA 1 & HA 1 & SA 3**, sponsored by Senator Vaughn & Senators Adams, Cook & McBride & Representatives Ennis & Ewing, before the House for concurrence on **SA 3**.

**SB 1 - AN ACT TO AMEND TITLES 19 AND 29 OF THE DELAWARE CODE TO AFFIRMATIVELY RE-ESTABLISH AND CONTINUE THE FUNCTIONS OF THE UNEMPLOYMENT INSURANCE APPEAL BOARD.**

Representatives Oberle & Smith made comments.

The roll call on **SB 1 w/SA 1 & 3 & HA 1** was taken and revealed:

YES: 29.

ABSENT: Representatives Buckworth, Caulk, Keeley, Maier, McWilliams, Plant, Spence, Stone, Ulbrich, Valihura, Wagner & Williams - 12.

Therefore, having received a constitutional majority, **SB 1 w/SA 1 & HA 1 & SA 3** was returned to the Senate.

Representatives Hudson, Miro, Smith & Cathcart requested that they be marked present during the roll call.

Mr. Acting Speaker appointed Representative Oberle as Acting Speaker.

Representative Smith deferred to Representative Roy.

Representative Roy brought **SB 74 w/SA 1, 2 & 3**, jointly sponsored by Senator McDowell & Representative DiPinto & Senators Blevins, Cloutier, Copeland, Henry, Sokola & Still & Representatives Buckworth, Ennis, Keeley, McWilliams, Mulrooney, Valihura, Williams & Ulbrich, before the House for consideration.

**SB 74 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO RENEWABLE ENERGY PORTFOLIO STANDARDS. (F/N)**

Representative Roy made comments. Representative Roy brought **HA 1 to SB 74** before the House for consideration. Representative Roy made a comment. **HA 1** was adopted by voice vote. Representative Smith made comments.

Representative Buckworth requested that he be marked present.

The roll call on **SB 74 w/SA 1, 2 & 3 & HA 1** was taken and revealed:

YES: 32.

NO: Representatives Atkins, Booth & Smith - 3.

NOT VOTING: Representative Lavelle - 1.

ABSENT: Representatives Caulk, McWilliams, Plant, Spence & Williams - 5.

Therefore, having received a constitutional majority, **SB 74 w/SA 1, 2 & 3 & HA 1** was returned to the Senate for concurrence on **HA 1**.



Representatives Keeley, Maier, Ulbrich & Valihura requested that they be marked present during the roll call.

Mr. Acting Speaker introduced a guest. Representative Hall-Long requested and was granted personal privilege of the floor to introduce a guest.

Representative Smith brought the following prefiled **Consent Calendar #17** before the House for consideration.

**HR 36** - THORNBURG - Creating a Task Force to Examine the Need for a Mentoring Program Specifically for Adolescents Enrolled in Special Education Programs Between the 7th and 12th Grades.

**HR 37** – WAGNER - Establishing a Task Force to Review the State Formula for Funding Institutions of Higher Education.

**HR 38** – SPENCE - Commending DX-Ceeds, Parent Company of Delexchange, for Their Outstanding Work in Developing Enriching Relationships Between Mainstream and Underserved Communities Through Entrepreneurship and Technology Economic Development Initiatives.

**HR 39** – SPENCE & REPRESENTATIVE JOHNSON & REPRESENTATIVE KEELEY & REPRESENTATIVE PLANT & REPRESENTATIVE WILLIAMS - Creating A Task Force to Study the Use of Ritalin By School Age Students.

**HR 40** – LOFINK & REPRESENTATIVE HUDSON ON BEHALF OF ALL REPRESENTATIVES - Honoring Jack Holloway, Director of the Delaware Interscholastic Athletic Association, Upon His Retirement.

**HR 41** – SPENCE; REPRESENTATIVES SMITH, LEE, ENNIS, JOHNSON, KEELEY, VIOLA - A Resolution Requesting and Reaffirming Delaware's Commitment to Managing and Providing Renewable Recreation, with Significant Economic Benefits, through Sport Hunting and Fishing and Requesting that a Task Force be Established to Evaluate the Desirability of a Pilot Program for Squirrel Hunting in Specific Areas of the White Clay Creek State Park.

Representative Smith requested that **HR 39 & HR 41** be removed from **Consent Calendar #17**. **Consent Calendar #17** was adopted by voice vote and **HR 36, HR 37, HR 38 & HR 40** were declared passed. Mr. Acting Speaker assigned **HR 39** to the House Administration Committee.

Representative Smith deferred to Representative Spence.

Representative Spence requested that he be marked present.

Representative Spence brought **HR 41**, jointly sponsored by Representatives Smith, Lee, Ennis, Johnson, Keeley & Viola, before the House for consideration.

**HR 41** - A RESOLUTION REQUESTING AND REAFFIRMING DELAWARE'S COMMITMENT TO MANAGING AND PROVIDING RENEWABLE RECREATION, WITH SIGNIFICANT ECONOMIC BENEFITS, THROUGH SPORT HUNTING AND FISHING AND REQUESTING THAT A TASK FORCE BE ESTABLISHED TO EVALUATE THE DESIRABILITY OF A PILOT PROGRAM FOR SQUIRREL HUNTING IN SPECIFIC AREAS OF THE WHITE CLAY CREEK STATE PARK.

Representatives Spence, Wagner & Ennis made comments.

**HR 41** was adopted by voice vote.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth moved to suspend the rules which interfere with action on **SS 1 for SB 114**. The motion was seconded by Representative Lavelle and adopted by voice vote.

Representative Buckworth brought **SS 1 for SB 114**, sponsored by Senator Cook & Representative DiPinto & Senators Adams, McDowell, DeLuca, Still & Sorenson & Representatives Spence, Smith, Lee, Gilligan & VanSant, before the House for consideration.

**SB 114** - AN ACT MAKING A ONE TIME SUPPLEMENTAL GENERAL FUND APPROPRIATION OF TEN MILLION DOLLARS TO THE OFFICE OF THE BUDGET FOR THE CREATION OF A FEDERAL CONTINGENCY FUND. (F/N)

Representative Buckworth made comments.

The roll call on **SS 1 for SB 114** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SS 1 for SB 114** was returned to the Senate.

Representatives Caulk, McWilliams & Williams requested that they be marked present during the roll call.

Representative Buckworth moved to suspend the rules which interfere with action on **SB 231**. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Buckworth brought **SB 231**, sponsored by Senator Cook & Representative DiPinto & Senators Vaughn, Copeland, Adams, McDowell, DeLuca, Still & Sorenson & Representatives Hudson, Ennis, Spence, Smith, Lee, Gilligan & VanSant, before the House for consideration.

**SB 231** - AN ACT MAKING A SUPPLEMENTAL GENERAL FUND APPROPRIATION TO THE POST RETIREMENT HEALTH INSURANCE PREMIUM FUND. (F/N)

Representative Buckworth introduced and brought **HA 1 to SB 231**, sponsored by Representative DiPinto, before the House for consideration. Representative Buckworth made comments. **HA 1** was adopted by voice vote. Representative Buckworth made comments.

The roll call on **SB 231 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 231 w/HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Smith requested and was granted privilege of the floor for Pam Price, Director of Research and Constituent Relations, and the 2005 Legislative Fellows. Representatives Booth & Thornburg presented a House Tribute to David Levett. Representatives Booth & Thornburg made comments. Representative Cathcart presented a House Tribute to Mattie Topsey. Representative Cathcart & Mr. Acting Speaker & Representatives Smith & Gilligan made comments. Representatives Valihura, Ewing & Atkins presented a House Tribute to Christina Smith. Representative Valihura made comments. Representatives Wagner & Maier presented a House Tribute to Sarah McCloskey. Representative Wagner made comments. Representatives Stone, Hudson & Lavelle presented a House Tribute to Jonathon Kirch. Representative Stone made comments. Representative Gilligan & Mary Margaret Williams, minority Chief of Staff, presented a House Tribute to Emilie Tennenbaum. Representatives Gilligan, Keeley, Schooley, McWilliams & Hudson & Mr. Acting Speaker & Representatives Lavelle, McWilliams & Gilligan made comments.

Mr. Acting Speaker introduced a guest.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought **HB 206**, jointly sponsored by Representative Schwartzkopf & Representatives Gilligan, Hall-Long, Lee & VanSant & Senators Blevins, Bunting, Sokola & Venables, before the House for consideration.

**HB 206 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ABSENTEE VOTING.**

Representative Ewing brought **HA 1 to HB 206**, sponsored by Representative Schwartzkopf, before the House for consideration. Representative Schwartzkopf made comments. **HA 1** was adopted by voice vote. Representative Ewing introduced and brought **HA 2 to HB 206** before the House for consideration. Representative Ewing made a comment. **HA 2** was adopted by voice vote. Representatives Ewing, Wagner & Schwartzkopf made comments. Representative Ewing requested and was granted privilege of the floor for Kenneth McDowell, Administrative Director, Sussex County Department of Elections. Representatives Wagner, Lavelle & Schwartzkopf made comments.

The roll call on **HB 206 w/HA 1 & 2** was taken and revealed:

YES: 40.

ABSENT: Representative Fallon - 1.

Therefore, having received a constitutional majority, **HB 206 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Plant requested that she be marked present during the roll call.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with action on **HB 302**. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Roy brought **HB 302**, jointly sponsored by Senator Cook & Representatives Spence, Smith, Lee, Carey, Lofink, Oberle, Gilligan, VanSant & Keeley & Senators Adams, McDowell, DeLuca, Venables, Blevins, Still, Sorenson, Connor & Simpson & cosponsored by Representative Ennis, before the House for consideration.

**HB 302 - AN ACT MAKING A ONE-TIME SUPPLEMENTAL GENERAL FUND APPROPRIATION OF \$20 MILLION TO THE DEPARTMENT OF EDUCATION FOR THE CREATION OF A SCHOOL CONSTRUCTION MARKET PRESSURE FUND. (F/N)**

Representatives Roy, Lavelle & Gilligan made comments.

The roll call on **HB 302** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 302** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth moved to lift **HB 300** from the Speaker's Table. The motion was seconded by Representative Maier and adopted by voice vote.

Representative Buckworth brought **HB 300**, jointly sponsored by Senator Cook & Representative DiPinto & Representatives Fallon, Ulbrich, Schwartzkopf & Williams & Senators Henry, McBride, Vaughn, Amick & Cloutier & cosponsored by Representative George, before the House for consideration.

**HB 300 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2006; SPECIFYING CERTAIN**

PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS;  
AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

Representatives Buckworth, Wagner & Gilligan made comments. Representatives Wagner & Roy announced that they will not be voting on **HB 300** because of a possible conflict of interest.

The roll call on **HB 300** was taken and revealed:

YES: 36.

NO: Representative Caulk - 1.

NOT VOTING: Representatives Roy & Wagner - 2.

ABSENT: Representatives Hocker & Miro - 2.

Therefore, having received a constitutional majority, **HB 300** was sent to the Senate for concurrence.

Representatives Buckworth & Gilligan made comments.

Representative Smith deferred to Representative Hudson.

Representative Hudson moved to suspend the rules which interfere with action on **HB 303**. The motion was properly seconded and adopted by voice vote.

Representative Hudson brought **HB 303**, jointly sponsored by Senator Adams & Representatives Spence, Smith, Lee, Gilligan, VanSant, Atkins, Booth, Buckworth, Carey, Cathcart, DiPinto, Ewing, Fallon, Lavelle, Lofink, Maier, Miro, Outten, Roy, Stone, Thornburg, Ulbrich, Valihura & Wagner & Senators Marshall, McDowell, DeLuca, Still & Sorenson, before the House for consideration.

**HB 303 - AN ACT RELATING TO GROSS RECEIPTS AND TOBACCO PRODUCTS TAXES.**

(F/N)

Representative Hudson made comments. Representative Oberle announced that he will not be voting on **HB 303** because of a possible conflict of interest.

The roll call on **HB 303** was taken and revealed:

YES: 39.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representative Hocker - 1.

Therefore, having received a constitutional majority, **HB 303** was sent to the Senate for concurrence.

Mr. Speaker Spence & Representatives Gilligan & Smith made comments.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth moved to suspend the rules which interfere with action on **HB 299**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Buckworth brought **HB 299**, jointly sponsored by Representative DiPinto & Senator Cook & Representatives Spence, Smith, Lee, Fallon, Ulbrich, Gilligan, VanSant, Williams & Schwartzkopf & Senators Adams, McDowell, DeLuca, Vaughn, McBride, Henry, Still, Sorenson, Amick & Cloutier, before the House for consideration.

**HB 299 - AN ACT TO AMEND TITLES 1, 3, 6, 7, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 26, 29, 30 AND 31 OF THE DELAWARE CODE TO PROVIDE FOR THE REORGANIZATION OF STATE GOVERNMENT BY CREATING THE OFFICE OF MANAGEMENT AND BUDGET; TRANSFERRING SELECTED DIVISIONS AND OTHER ORGANIZATIONAL UNITS FROM THE OFFICE OF THE BUDGET, DEPARTMENT OF ADMINISTRATIVE SERVICES AND THE STATE PERSONNEL OFFICE TO THE OFFICE OF MANAGEMENT AND BUDGET AND THE DEPARTMENT OF STATE; DELETING OR AMENDING REFERENCES TO SUPERSEDED AGENCIES OR OFFICERS; AND ALIGNING THE DUTIES OF THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET AND THE SECRETARY OF STATE.**

Representatives Buckworth, Wagner, Valihura & DiPinto made comments.

Representative Buckworth moved to place **HB 299** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith moved to restore **HB 300** and to rescind the roll call. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **HB 300**, sponsored by Senator Cook & Representative DiPinto & Representatives Buckworth, Fallon, Ulbrich, Schwartzkopf & Williams & Senators Henry, McBride, Vaughn, Amick & Cloutier & cosponsored by Representative George, before the House for consideration.

**HB 300 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2006; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.**

The roll call on **HB 300** was taken and revealed:

YES: 38.

NO: Representative Caulk - 1.

NOT VOTING: Representative Roy & Wagner - 2.

Therefore, having received a constitutional majority, **HB 300** was sent to the Senate for concurrence.

At the request of Speaker Spence, **SB 227**, sponsored by Senator Marshall & Representative Hudson & Senator Amick & Representatives George & Valihura, was given its first reading.

**SB 227** - AN ACT TO AMEND TITLES 12 AND 30 OF THE DELAWARE CODE RELATED TO THE ESTATE TAX.

Mr. Speaker Spence assigned **SB 227** to the Revenue & Finance Committee.

Representative Smith moved to suspend the rules which interfere with action on **Consent Agenda K**. The motion was properly seconded and adopted by voice vote.

Representative Smith brought **Consent Agenda K** before the House for consideration.

**HB 266** - HALL-LONG & REPRESENTATIVE MAIER & SENATOR BLEVINS - An Act to Amend Title 24, Chapter 35 of the Delaware Code Relating to the Board of Examiners in Psychology.

**SB 152** – DELUCA & REPRESENTATIVE HUDSON & SENATORS BLEVINS, HENRY, SOKOLA, VAUGHN & VENABLES & REPRESENTATIVES BUCKWORTH, DIPINTO, HALL-LONG, JOHNSON, KEELEY, LAVELLE, SMITH, STONE & VANSANT - An Act to Amend Title 13 of the Delaware Code Relating to Child Support Enforcement.

**SS 1/SB 153 w/SA 1** – HENRY & REPRESENTATIVE LEE & REPRESENTATIVE EWING - An Act to Amend Title 20 of the Delaware Code Relating to Civil Defense.

**SB 195** – CLOUTIER & REPRESENTATIVE SMITH & SENATORS ADAMS, AMICK, BONINI, CONNOR, HENRY, SIMPSON, SORENSON, VENABLES & SOKOLA & REPRESENTATIVES EWING, MAIER, VALIHURA & VANSANT - An Act to Amend Title 16 and Title 21 of the Delaware Code Relating to Pre-Hospital Advanced Care Directives.

**SS 1/SB 178 w/SA 1** – COOK & REPRESENTATIVE DIPINTO & REPRESENTATIVE WAGNER - An Act to Amend Title 29 of the Delaware Code Relating to the Establishment of a Disability Insurance Program.

**SB 29** – MCBRIDE & SENATORS COPELAND & SOKOLA & REPRESENTATIVES HUDSON, MULROONEY, VALIHURA & VIOLA - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Accountancy.

The roll call on **Consent Agenda K** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 266** was sent to the Senate for concurrence & **SB 152**, **SS 1/SB 153 w/SA 1**, **SB 195**, **SS 1/SB 178 w/SA 1** & **SB 29** were returned to the Senate.

Representative Smith brought the following **Consent Agenda J** before the House for consideration.

**SB 197** – SOKOLA & REPRESENTATIVE OBERLE & SENATORS BLEVINS, PETERSON & SIMPSON; REPRESENTATIVE JOHNSON – An Act to Amend Title 9 of the Delaware Code Relating to Public Health and Welfare and Property Maintenance, Title 10 of the Delaware Code Relating to Code Enforcement Constables, Title 11 of the Delaware Code Relating to Justices of the Peace, and Title 25 of the Delaware Code Relating to Liens of the State and/or Its Political Subdivisions.

**SB 131** – COOK & REPRESENTATIVE ROY – An Act to Amend Title 29 of the Delaware Code Relating to Notices of Open Meetings.

**SB 176** – DELUCA & REPRESENTATIVE CATHCART & SENATOR ADAMS & REPRESENTATIVE EWING – An Act to Amend Title 21 of the Delaware Code Relating to Registration of Vehicles.

**SB 138 w/SA 1** – CLOUTIER & SENATORS CONNOR, COPELAND, MARSHALL & SORENSON & REPRESENTATIVES KEELEY, MAIER, SCHOOLEY & VIOLA – An Act to Amend Title 18 of the Delaware Code Relating to the Use of Social Security Numbers on Insurance Cards.

**SB 97** – PETERSON – An Act to Amend Title 24 of the Delaware Code Relating to Professions and Occupations.

The roll call on **Consent Agenda J** was taken and revealed:

YES: 41.

ABSENT:

Therefore having received a constitutional majority, **SB 197**, **SB 131**, **SB 176**, **SB 138 w/SA 1** & **SB 97** were returned to the Senate.

Representative Buckworth requested and was granted personal privilege of the floor to introduce a guest. Mr. Speaker Spence made comments.

Representative Smith brought **Consent Agenda M** before the House.

**SB 155** – HENRY & REPRESENTATIVE EWING - An Act to Amend Title 21 of the Delaware Code Relating to Commercial Drivers Licenses and the Length of Issuance for a Commercial Driver's License with a Hazardous Materials Endorsement.

**SB 156 w/SA 1** – HENRY & REPRESENTATIVE EWING - An Act to Amend Title 21 of the Delaware Code Relating to Medical Standards Pertaining to Intra-State Only Commercial Driver Licensed Drivers and for Employees Who Operate Commercial Motor Vehicles for State and Other Government Entities.

**SB 159** – HENRY & REPRESENTATIVE EWING – An Act to Amend Title 11 and Title 21 of the Delaware Code Relating to Probation Before Judgment and Requiring All Traffic Control Law Violations to be Posted on a Commercial Driver's License Holder's Driving Record.

**SB 160** – HENRY & REPRESENTATIVE EWING - An Act to Amend Title 21 of the Delaware Code Relating to Driver's Licenses and Nondriver Identification Cards.

**SB 161 – HENRY & REPRESENTATIVE EWING - An Act to Amend Title 21 of the Delaware Code Relating to Commercial Driver's Licenses and Penalties.**

Representative Smith requested that **SB 159** be removed from **Consent Agenda M**.

The roll call on **Consent Agenda M** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 155, SB 156 w/SA 1, SB 160 & SB 161** were returned to the Senate.

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

Representative Smith deferred to Representative Roy.

Representative Roy brought **SB 159**, sponsored by Senator Henry & Representative Ewing, before the House for consideration.

**SB 159 - AN ACT TO AMEND TITLE 11 AND TITLE 21 OF THE DELAWARE CODE RELATING TO PROBATION BEFORE JUDGMENT AND REQUIRING ALL TRAFFIC CONTROL LAW VIOLATIONS TO BE POSTED ON A COMMERCIAL DRIVER'S LICENSE HOLDER'S DRIVING RECORD.**

Representatives Roy & George made comments. Representative Roy requested and was granted privilege of the floor for W. G. Edmanson, Chief, Driver Services, Division of Motor Vehicles.

Representatives Roy, Oberle, Mulrooney, Roy, Keeley, Oberle & Wagner made comments. Representative Oberle requested and was granted privilege of the floor for W. G. Edmanson, Chief, Driver Services, Division of Motor Vehicles. Representatives Oberle, George, Stone, Wagner & Roy made comments.

Representative Roy moved to place **SB 159** on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith deferred to Representative Longhurst.

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

Representative Longhurst brought **HB 173**, jointly sponsored by Senator Sokola & Representatives Ennis, George, Hall-Long, Maier, Mulrooney, Plant, Schooley, Spence, Viola & Williams, before the House for consideration.

**HB 173 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE.**

Representative Longhurst brought **HA 1 to HB 173** before the House for consideration.

Representatives Longhurst & Smith made comments. **HA 1** was adopted by voice vote. Representatives Longhurst, Ulbrich, George, Lavelle, Hocker, Keeley, Ewing, Longhurst, Smith, Ulbrich, Ewing, Ennis, Oberle, Viola, Wagner & Longhurst made comments.

The roll call on **HB 173** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 173** was sent to the Senate for concurrence.

Representative Booth & Mr. Speaker Spence & Representatives Oberle & Gilligan made comments.

Representative Roy requested and was granted personal privilege of the floor to make comments.

Representatives Oberle & Gilligan made comments.

Representative Oberle brought **SB 27**, sponsored by Senator McBride & Senators Copeland & Sokola & Representatives Hudson, Mulrooney, Valihura & Viola & cosponsored by Senator Cloutier, before the House for consideration.

**SB 27 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ACCOUNTANCY.**

Representative Oberle deferred to Representative Hudson. Representative Hudson brought **HA 1 to SB 27** before the House for consideration. Representative Hudson made comments. **HA 1** was adopted by voice vote. Representative Hudson made a comment.

The roll call on **SB 27 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **SB 27 w/HA 1** was returned to the Senate for concurrence on **HA 1**.

The Majority Leader moved to recess for dinner and caucus at 7:14 p.m.

The House reconvened at 9:35 p.m. with Representative Oberle as Acting Speaker.

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

JUDICIARY: **HB 241** - 6M; **SB 170** - 5M; **SB 182 w/SA 1** - 5M; **SB 200** - 5M.

PUBLIC SAFETY: **SB 64 w/SA 2 & 1** - 5M.

REVENUE & FINANCE: **SB 227** - 1F,5M.

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **SB 188 w/SA 1** - 2F,3M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 227** and requests the concurrence of the House; **HB 182, HB 301, HB 109 & HB 158** and is returning same to the House; the Senate wishes to inform the House that it has defeated **HB 152**; the Senate wishes to inform the House that it has passed **SB**



35 and requests the concurrence of the House; **HB 198, HB 239 w/HA 1 & HB 302** and is returning same to the House; **SB 234** and requests the concurrence of the House; **HB 218 w/HA 1, HB 115, HB 221 w/HA 1, HB 229 w/HA 1 & 2, HB 33 w/HA 1, HB 56, HB 156, HB 264 & HB 267 w/SA 1** and is returning same to the House; **SB 206** and requests the concurrence of the House.

TO: JoAnn Hedrick, Chief Clerk  
House of Representatives  
FROM: Bernard Brady, Secretary of the Senate  
DATE: June 30, 2005  
RE: **House Bill 152**

I would appreciate your assistance in returning **House Bill 152** to the Senate for reconsideration.

Thank you.

Representative Roy made an announcement regarding **SB 190**.

Representative Smith deferred to Representative Roy.

Representative Roy moved to lift **SB 159** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Roy brought **SB 159**, sponsored by Senator Henry & Representative Ewing, before the House for consideration.

**SB 159 - AN ACT TO AMEND TITLE 11 AND TITLE 21 OF THE DELAWARE CODE RELATING TO PROBATION BEFORE JUDGMENT AND REQUIRING ALL TRAFFIC CONTROL LAW VIOLATIONS TO BE POSTED ON A COMMERCIAL DRIVER'S LICENSE HOLDER'S DRIVING RECORD.**

The roll call on **SB 159** was taken and revealed:

YES: 29.

NO: Representatives Atkins, Caulk, George, Johnson, Keeley, Mulrooney, Plant, Schwartzkopf, VanSant, Viola & Williams - 11.

NOT VOTING: Representative Ennis - 1.

Therefore, having received a constitutional majority, **SB 159** was returned to the Senate.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth moved to lift **HB 299** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Buckworth brought **HB 299**, jointly sponsored by Representative DiPinto & Senator Cook & Representatives Spence, Smith, Lee, Fallon, Ulbrich, Gilligan, VanSant, Williams & Schwartzkopf & Senators Adams, McDowell, DeLuca, Vaughn, McBride, Henry, Still, Sorenson, Amick & Cloutier, before the House for consideration.

**HB 299 - AN ACT TO AMEND TITLES 1, 3, 6, 7, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 26, 29, 30 AND 31 OF THE DELAWARE CODE TO PROVIDE FOR THE REORGANIZATION OF STATE GOVERNMENT BY CREATING THE OFFICE OF MANAGEMENT AND BUDGET; TRANSFERRING SELECTED DIVISIONS AND OTHER ORGANIZATIONAL UNITS FROM THE OFFICE OF THE BUDGET, DEPARTMENT OF ADMINISTRATIVE SERVICES AND THE STATE PERSONNEL OFFICE TO THE OFFICE OF MANAGEMENT AND BUDGET AND THE DEPARTMENT OF STATE; DELETING OR AMENDING REFERENCES TO SUPERSEDED AGENCIES OR OFFICERS; AND ALIGNING THE DUTIES OF THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET AND THE SECRETARY OF STATE.**

Representative Buckworth made comments.

The roll call on **HB 299** was taken and revealed:

YES: 38.

NO: Representative Caulk - 1.

ABSENT: Representatives Cathcart & Spence - 2.

Therefore, having received a constitutional majority, **HB 299** was sent to the Senate for concurrence.

Mr. Acting Speaker introduced a guest.

Representative Valihura introduced **HB 312**, jointly sponsored by Senator Vaughn.

**HB 312 - AN ACT TO AMEND TITLES 10, 11, 21 AND 30 OF THE DELAWARE CODE RELATING TO THE CLASSIFICATION OF CERTAIN MINOR OFFENSES AS CIVIL INFRACTIONS.**

Mr. Acting Speaker assigned **HB 312** to the Judiciary Committee.

Representative Smith deferred to Representative Lavelle.

Representative Lavelle brought **SB 125 w/SA 1**, jointly sponsored by Senator DeLuca & Senators Blevins, Henry, McDowell & Sokola & Representatives DiPinto, Ennis, Hall-Long, Keeley, Longhurst, Valihura, VanSant & Viola, before the House for consideration.

**SB 125 - AN ACT TO AMEND CHAPTER 11, TITLE 9 OF THE DELAWARE CODE RELATING TO THE NEW CASTLE COUNTY GOVERNMENT, COUNTY COUNCIL, AND COUNTY COUNCIL VACANCIES.**

Representative Roy introduced and brought **HA 1 to SB 125** before the House for consideration. Representatives Roy & Lavelle made comments. **HA 1** was adopted by voice vote. Representative Lavelle made comments.

The roll call on **SB 125 w/SA 1 & HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 125 w/SA 1 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Smith deferred to Representative Plant.

Representative Plant moved to suspend the rules which interfere with introduction of and action on **HJR 17**. The motion was properly seconded and adopted by voice vote.

Representative Plant introduced and brought **HJR 17**, jointly sponsored by Representative Smith & Senator Henry, before the House for consideration.

**HJR 17 - URGING DELAWARE'S CONGRESSIONAL DELEGATES TO SUPPORT THE RENEWAL OF THE FEDERAL VOTING RIGHTS ACT.**

Representative Plant made comments.

The roll call on **HJR 17** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HJR 17** was sent to the Senate for concurrence.

Representative Smith moved to suspend the rules which interfere with action on **Consent Agenda N**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **Consent Agenda N** before the House for consideration.

**SB 127 w/SA 1 – COPELAND & SENATOR MCDOWELL & REPRESENTATIVE HUDSON - An Act to Amend Title 7 of the Delaware Code Relating to Outdoor Lighting.**

**SB 164 – DELUCA & REPRESENTATIVE OBERLE & SENATOR ADAMS & REPRESENTATIVES KEELEY & LOFINK - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County.**

**SB 182 w/SA 1 – MARSHALL & REPRESENTATIVE OBERLE & SENATORS BONINI, COPELAND, PETERSON & SOKOLA & REPRESENTATIVES HUDSON, MULROONEY, VALIHURA & VIOLA - An Act to Amend Title 11 of the Delaware Code Relating to the Criminal Justice Council.**

**SB 223 – SORENSON & REPRESENTATIVE SCHOOLEY - An Act to Amend Title 29 of the Delaware Code Related to Pension Benefits. (F/N)**

**SB 169 w/SA 1 – VAUGHN & REPRESENTATIVE VALIHURA - An Act to Amend Title 10 of the Delaware Code Relating to the Court of Common Pleas.**

**SB 177 – VAUGHN & REPRESENTATIVE VALIHURA - An Act to Amend Title 10 of the Delaware Code Relating to the Court of Common Pleas for the State of Delaware.**

**SB 44 – MCDOWELL & REPRESENTATIVE DIPINTO & SENATORS ADAMS, BUNTING, CONNOR, COOK, MCBRIDE, SIMPSON, SOKOLA, STILL & VENABLES & REPRESENTATIVES BOOTH, CAREY, CAULK, ENNIS, HALL-LONG, HOCKER, MCWILLIAMS & THORNBURG - An Act to Amend Title 29 of the Delaware Code Relating to the Green Energy Fund.**

Representative Smith requested that **SB 164** be removed from **Consent Agenda N**.

The roll call on **Consent Agenda N** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 127 w/SA 1, SB 182 w/SA 1, SB 223, SB 169 w/SA 1, SB 177 & SB 44** were returned to the Senate.

Representative Smith moved to place **SB 164** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Smith moved to suspend the rules which interfere with introduction of and action on **HB 314**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith introduced and brought **HB 314**, jointly sponsored by Senator McDowell & Representatives Spence, Booth, DiPinto, Stone, Wagner, Ennis, Gilligan, Johnson, Keeley, Plant & Williams & Senators Henry, Marshall, Sorenson & Still, before the House for consideration.

**HB 314 - AN ACT TO PROVIDE FISCAL RELIEF TO COUNTY SEATS BY AMENDING TITLE 9, TITLE 12, AND TITLE 29 OF THE DELAWARE CODE RELATING TO VARIOUS FEES AND TAXES TO BE PAID TO THE COUNTY SEATS; BY MAKING A SUPPLEMENTAL APPROPRIATION FOR SERVICES PROVIDED TO STATE OWNED PROPERTIES; AND BY MAKING A SUPPLEMENTAL APPROPRIATION FOR CITY OF WILMINGTON INFRASTRUCTURE IMPROVEMENTS. (3/4 bill)**

Representatives Smith, Gilligan, Mr. Acting Speaker & Representative Williams made comments.

The roll call on **HB 314** was taken and revealed:

YES: 39.

NO: Representative Ulbrich - 1.

ABSENT: Representative Schwartzkopf - 1.



Therefore, having received a constitutional majority of at least three-fourths Members of the House, **HB 314** was sent to the Senate for concurrence.

Representative Spence made comments regarding **HB 314**.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 54**, jointly sponsored by Senator Sokola & Representatives Spence, Smith, Lee, Buckworth, Carey, Cathcart, Ewing, Fallon, Hocker, Lofink, Miro, Oberle, Outten, Stone, Thornburg, Ulbrich, Ennis, George & Hall-Long, before the House for consideration.

**HB 54 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO BUSINESS TAX CREDITS AND DEDUCTIONS. (F/N)**

Representative Wagner brought **HA 1 to HB 54** before the House for consideration. **HA 1** was adopted by voice vote. Representative Wagner brought **HA 2 to HB 54** before the House for consideration. Representative Wagner made comments.

**HA 2** was adopted by voice vote. Representative Wagner made comments.

The roll call on **HB 54 w/HA 1 & 2** was taken and revealed:

YES: 40.

ABSENT: Representative Booth - 1.

Therefore, having received a constitutional majority, **HB 54 w/HA 1 & 2** was sent to the Senate for concurrence.

Mr. Acting Speaker made an announcement.

Representative Smith deferred to Representative Gilligan. Representative Gilligan requested and was granted privilege of the floor to present a House Tribute to William G. McCafferty, representing Blue Cross and Blue Shield, on the occasion of his retirement. Mr. Acting Speaker made comments.

Representative Smith moved to suspend the rules which interfere with action on **SB 217**. The motion was properly seconded and adopted by voice vote.

Representative Smith brought **SB 217**, sponsored by Senator Venables & Representative Hocker & Senators Adams, DeLuca, Still, Peterson, Bunting, Copeland, Simpson, Cloutier & Connor & Representatives Lee, Carey, Atkins, Ennis & Caulk, before the House for consideration.

**SB 217 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO REAL PROPERTY ACQUISITION AND THE EXERCISE OF EMINENT DOMAIN.**

Representative Smith made comments.

The roll call on **SB 217** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 217** was returned to the Senate.

Representative Smith moved to suspend the rules which interfere with action on **Consent Agenda L**. The motion was properly seconded and adopted by voice vote.

Representative Smith brought **Consent Agenda L**, which requires a two-thirds vote, before the House for consideration.

**SB 126 w/SA 1 – STILL & REPRESENTATIVE STONE & REPRESENTATIVE WAGNER & SENATOR COOK - An Act to Reincorporate the City of Dover. (2/3 bill)**

**SB 216 – VENABLES & REPRESENTATIVE FALLON - An Act to Amend Delaware Laws, Volume 73, Chapter 210, Entitled "An Act to Reincorporate the Town of Blades". (2/3 bill)**

**SB 167 – BLEVINS & REPRESENTATIVE VANSANT - An Act to Amend an Act Entitled an Act to Reincorporate the Town of Elsmere as Found in 68 Delaware Laws Chapter 3 as Amended. (2/3 bill)**

**SB 219 - STILL - An Act to Amend Chapter 283, Volume 21, Laws of Delaware, and Amended, Entitled "An Act to Incorporate the Town of Little Creek Relating to Assessment and Taxation". (2/3 bill)**

The roll call on **Consent Agenda L** was taken and revealed:

YES: 40.

ABSENT: Representative Booth - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 126 w/SA 1, SB 216, SB 167 & SB 219** were returned to the Senate.

Representative Smith moved to suspend the rules which interfere with action on **Consent Agenda O**. The motion was properly seconded and adopted by voice vote.

Representative Smith brought **Consent Agenda O**, which requires a three-fourths vote, before the House for consideration and for concurrence on Senate Amendments.

**SB 181 – MARSHALL & REPRESENTATIVE OBERLE & SENATORS BONINI, COPELAND, PETERSON & SOKOLA & REPRESENTATIVES HUDSON, MULROONEY, VALIHURA & VIOLA - An Act to Amend Title 16 of the Delaware Code Relating to the Delaware Health Resources Board. (3/5 bill)**

**SB 200 – VAUGHN & REPRESENTATIVE VALIHURA - An Act to Amend Title 10 of the Delaware Code Relating to the Crime of Robbery. (3/4 bill) (F/N)**

**SB 170 – VAUGHN & REPRESENTATIVE EWING & SENATOR PETERSON & BLEVINS & REPRESENTATIVES ENNIS & SCHWARTZKOPF - An Act to Amend Title 12 of the Delaware Code Relating to Decedent's Estates. (2/3 bill)**

**SB 227** – MARSHALL & REPRESENTATIVE HUDSON & SENATOR AMICK & REPRESENTATIVES GEORGE & VALIHURA - An Act to Amend Titles 12 And 30 of the Delaware Code Related to the Estate Tax. (3/4 bill) (F/N)

**SB 203** – BUNTING & SENATOR SOKOLA & REPRESENTATIVE VALIHURA & SENATORS CONNOR & COPELAND & REPRESENTATIVES ATKINS, ENNIS, HOCKER, HUDSON, LAVELLE, SCHWARTZKOPF & STONE - An Act to Amend Title 24 of the Delaware Code Relating to Manufactured Home Installation. (3/5 bill)

**SB 188 w/SA 1** – VAUGHN & REPRESENTATIVE HALL-LONG & REPRESENTATIVES ENNIS, SPENCE, OBERLE & CATHCART - An Act to Authorize And Approve A Transfer of Certain Real Property In Blackbird Hundred to the Townsend Fire Company. (3/4 bill) (F/N)  
Motion to Lift

**SB 96 w/SA 1** – HENRY & REPRESENTATIVE WILLIAMS & SENATOR MCDOWELL & REPRESENTATIVES PLANT, KEELEY & JOHNSON & SENATOR STILL - An Act to Amend Title 26 of the Delaware Code Relating to Public Utilities.

**SB 64 w/SA 1 & 2** – AMICK & REPRESENTATIVE CATHCART & REPRESENTATIVE ROY & REPRESENTATIVES BUCKWORTH, DIPINTO, HUDSON & SMITH - An Act to Amend Title 21 of the Delaware Code Relating to Engine Compression Brake Devices. (2/3 bill)

**HB 267 w/SA 1** – HOCKER & REPRESENTATIVE BOOTH & SENATOR VENABLES & REPRESENTATIVES BUCKWORTH, CAREY, CATHCART, EWING, FALLON, HUDSON, LEE, MAIER, MIRO, ULBRICH, VALIHURA, WAGNER, GILLIGAN, PLANT & WILLIAMS & SENATORS BUNTING, SORENSON, BONINI & CLOUTIER - An Act to Amend Title 10 of the Delaware Code Relating to Civil Actions. (3/5 bill)

Representative Smith requested that **SB 96 w/SA 1** be removed from **Consent Agenda O**.

The roll call on **Consent Agenda O** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **HB 267 w/SA 1** was sent to the Governor & **SB 181, SB 200, SB 170, SB 227, SB 203, SB 188 w/SA 1 & SB 64 w/SA 1 & 2** were returned to the Senate.

Representative Smith moved to place **SB 96 w/SA 1** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

The Majority Leader moved to recess at 10:40 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 10:52 p.m.

Representative Smith introduced and brought **HR 44**, jointly sponsored by Representatives Spence & Hocker & cosponsored by Representative Carey, before the House for consideration.

**HR 44** - CREATING A TASK FORCE TO EXAMINE THE RECENT SUPREME COURT RULING IN KELO V. CITY OF NEW LONDON INVOLVING EMINENT DOMAIN AND TO MAKE RECOMMENDATIONS TO RESTRICT ITS APPLICATION IN DELAWARE TO BONA FIDE PUBLIC USAGE.

Representative Smith made comments.

**HR 44** was adopted by voice vote.

Representative Smith introduced and brought **HCR 38**, jointly sponsored by Senator Venables & Representatives Spence & Hocker & Senators Adams & McBride, before the House for consideration.

**HCR 38** - CREATING A TASK FORCE TO EXAMINE THE RECENT SUPREME COURT RULING IN KELO V. CITY OF NEW LONDON INVOLVING EMINENT DOMAIN AND TO MAKE RECOMMENDATIONS TO RESTRICT ITS APPLICATION IN DELAWARE TO BONA FIDE PUBLIC USAGE.

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

Representative Smith deferred to Representative Wagner.

Representative Wagner requested and was granted personal privilege of the floor to introduce guests and to present a House Tribute to Kevin Fleming. Representative Smith deferred to Representative Wagner. Representative Wagner made comments.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with introduction of and action on **SB 190**. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Roy introduced and brought **SB 190**, jointly sponsored by Senator Venables & Senators Blevins, Cook, DeLuca, Connor & Simpson & Representatives Carey, Lofink, Oberle, Ennis, Keeley, Cathcart, Lavelle, Miro, Stone & Mulrooney & cosponsored by Representative George, before the House for consideration.

**SB 190** - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2006; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING

GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. (3/4 bill)

Representative Roy made comments.

The Reading Clerk read the Debt Limit Statement into the record as follows:

**DEBT LIMIT STATEMENT FOR FISCAL YEAR 2006**

This Debt Limit Statement is to be attached to the Fiscal Year 2006 Bond and Capital Improvements Act as required by §7422, Title 29, Delaware Code.

- (1) **Estimated Net General Fund revenue** for the fiscal year ending June 30, 2006 as per the joint resolution of the House and Senate which will be signed by the Governor in connection with the adoption of the annual Budget Appropriation Bill for that fiscal year. \$ 3,006.0 million
- (2) Multiply by 5% X \_\_\_\_\_ .05
- (3) Maximum aggregate principal amount of tax-supported obligations which may be authorized by the State in the fiscal year ending June 30, 2006. \$ 150.3 million
- (4) Less: Aggregate principal amount of previously authorized tax-supported obligations subject to debt limit. \$ \_\_\_\_\_ 0 million
- (5) **AVAILABLE DEBT LIMIT** prior to appended legislation (Line 3 minus Line 4). \$ 150.3 million
- (6) Less: Aggregate principal amount of new tax-supported obligations subject to debt limit to be authorized pursuant to appended legislation. \$ \_\_\_\_\_ 0 million
- (7) **REMAINING DEBT LIMIT** (Line 5 minus Line 6). \$ 150.3 million  
Richard S. Cordrey  
June 29, 2005

The roll call on **SB 190** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **SB 190** was returned to the Senate.

Representative Roy requested and was granted personal privilege of the floor to make comments.

Mr. Speaker Spence & Representative Oberle made comments.

Representative Smith deferred to Representative Maier.

Representative Maier moved to suspend the rules which interfere with introduction of and action on **HS 2 for HB 108**. The motion was properly seconded and adopted by voice vote.

Representative Maier introduced and brought **HS 2 for HB 108**, jointly sponsored by Representative Cathcart & Representative Spence & Senator Sokola & Senator Peterson & Representatives Buckworth, Gilligan, Hudson, Keeley, Schooley & Wagner, before the House for consideration.

**HB 108 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO IMMUNIZATIONS.**

Representative Maier deferred to Representative Cathcart. Representative Cathcart introduced and brought **HA 1 to HS 2 for HB 108** before the House for consideration. Representatives Cathcart, Smith, Oberle & Cathcart made comments.

Representative Cathcart requested and was granted privilege of the floor for Dr. Mark R. Geier, from Silver Spring, Maryland. Representatives Cathcart, Ulbrich, Smith & George made comments. Representative Oberle rose on a point of order. Mr. Speaker concurred. Representative Oberle made comments.

Representative Maier requested and was granted privilege of the floor for Stephen Permut, M.D. representing the Medical Society of Delaware. Representatives Oberle & Cathcart made comments.

Representative Maier requested and was granted privilege of the floor for Timothy J. Sullivan representing Glaxo, Smith Kline. Representatives Cathcart, Wagner & Hall-Long made comments. Representative Hall-Long requested and was granted privilege of the floor for Dr. Paul Silverman representing the Division of Public Health. Representative Hall-Long made comments. Representative Smith moved to place **HA 1** on the Speaker's Table. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Smith moved to place **HS 2 for HB 108** on the Speaker's Table. The motion was seconded by Representative Cathcart and adopted by voice vote.

The Majority Leader moved to adjourn the First Session of the 143rd General Assembly at 12:00 midnight.

Mr. Speaker Spence called the House to order at 12:01 a.m. on July 1, 2005.

The Reading Clerk read the following communication into the record:

TO: The Members of the 143rd General Assembly  
FROM: Terry R. Spence, Speaker of the House of Representatives  
John C. Carney, Jr., Lieutenant Governor of the State of Delaware  
SUBJECT: Special Session  
DATE: July 01, 2005

Pursuant to the provisions of Article II, Section 4 of the Constitution of the State of Delaware of 1897, as amended, we hereby declare the 143rd General Assembly of the State of Delaware in Special Session.

Terry R. Spence  
Speaker of the House of Representatives  
John C. Carney, Jr., Lieutenant Governor  
and President of the Senate

**1st LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - First Special Session  
July 1, 2005**

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Caulk – 1.

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

Mr. Speaker Spence led those present in a pledge of allegiance to the American flag.

Mr. Speaker Spence announced that the minutes of the previous legislative day are available in the Office of the Chief Clerk.

The Reading Clerk read the following communications into the record:

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Robert J. Valihura, Jr., do hereby request that my name be removed as cosponsor of **SB 221**.

Date: June 30, 2005

Signed: Robert J. Valihura, Jr.

Representative Smith moved to restore **SB 217**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith moved to rescind the roll call on **SB 217**. The motion was properly seconded and adopted by voice vote.

Representative Smith brought **SB 217**, sponsored by Senator Venables & Representative Hocker & Senators Adams, DeLuca, Still, Peterson, Bunting, Copeland, Simpson, Cloutier & Connor & Representatives Lee, Carey, Atkins, Ennis & Caulk, before the House for consideration.

**SB 217 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO REAL PROPERTY ACQUISITION AND THE EXERCISE OF EMINENT DOMAIN.**

Representative Smith deferred to Representative Booth.

Representative Booth introduced and brought **HA 1 to SB 217** before the House for consideration. Representative Booth made comments. **HA 1** was adopted by voice vote.

The roll call on **SB 217 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **SB 217 w/HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Smith deferred to Representative Maier.

Representative Maier moved to lift **HS 2 for HB 108** from the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Maier brought **HS 2 for HB 108**, jointly sponsored by Representative Cathcart & Representative Spence & Senator Sokola & Senator Peterson & Representatives Buckworth, Gilligan, Hudson, Keeley, Schooley & Wagner, before the House for consideration.

**HB 108 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO IMMUNIZATIONS.**

Representative Cathcart moved to lift **HA 1 to HS 2 for HB 108** from the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote. Representative Cathcart brought **HA 1 to HS 2 for HB 108** before the House for consideration. Representative Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for Dr. Paul Silverman representing the Division of Public Health. Representatives Cathcart & Smith made comments. Representative Cathcart rose on a point of order. Mr. Speaker did not concur. Representative Cathcart made comments.

The roll call on **HA 1 to HS 2 for HB 108** was taken and revealed:

YES: Representatives Cathcart, Hocker, Hudson, Keeley, Lavelle, Lofink, Mulrooney, Oberle, Roy, Schwartzkopf, Stone, Ulbrich, Viola & Wagner - 14.

NO: 23.

NOT VOTING: Representatives McWilliams & Valihura - 2.

ABSENT: Representatives Caulk & Plant - 2.

Therefore, not having received a constitutional majority, **HA 1 to HS 2 for HB 108** was declared defeated.

The roll call on **HS 2 for HB 108** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **HS 2 for HB 108** was sent to the Senate for concurrence.

Mr. Speaker Spence & Representative Maier made comments regarding **HS 2 for HB 108**.

Representative Cathcart requested and was granted personal privilege of the floor to make comments regarding **HS 2 for HB 108**. Representative Oberle made comments regarding **HS 2 for HB 108**.

Representative Smith made an announcement.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth moved to suspend the rules which interfere with introduction of and action on **HB 315**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Buckworth introduced and brought **HB 315**, jointly sponsored by Representative DiPinto & Senator Cook & Representatives Fallon, Ulbrich, Schwartzkopf & Williams & Senators Henry, McBride, Vaughn, Amick & Cloutier, before the House for consideration.

**HB 315 - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2006; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2006 APPROPRIATIONS ACT; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (3/4 bill)**

Representative Buckworth made comments.

The roll call on **HB 315** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **HB 315** was sent to the Senate for concurrence.

Representative Buckworth made comments.

The Majority Leader moved to recess for caucus at 12:35 a.m.

The House reconvened at 12:57 a.m.

Representative Smith deferred to Representative Hudson.

Representative Hudson requested and was granted privilege of the floor to present a House Tribute to Edith L. Sylvester, staff member, on the occasion of her retirement. Representative Gilligan, Mr. Speaker Spence & Representatives Lee & Atkins made comments.

Representative Smith made an announcement.

Representative Smith deferred to Representative Atkins.

Representative Atkins moved to suspend the rules which interfere with introduction of and action on **SB 230**. The motion was properly seconded and adopted by voice vote.

Representative Atkins introduced and brought **SB 230**, jointly sponsored by Senator Henry & Senators Adams, McDowell, DeLuca, Still & Sorenson & Representatives Spence, Lee, Gilligan & VanSant & Senator Copeland, before the House for consideration.

**SB 230 - AN ACT TO AMEND TITLE 30, DELAWARE CODE, RELATING TO THE PERSONAL INCOME TAX. (F/N)**

Representative Atkins made comments.

The roll call on **SB 230** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **SB 230** was returned to the Senate.

Mr. Speaker Spence & Representative Oberle made comments.

Representative Smith deferred to Representative Thornburg.

Representative Thornburg moved to suspend the rules which interfere with introduction of and action on **SB 229**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Thornburg introduced and brought **SB 229**, jointly sponsored by Senator Cook & Senators Bunting, Adams, DeLuca, Still & Sorenson & Representatives Spence, Smith, Lee, Gilligan & VanSant & cosponsored by Representative Valihura & Senators Blevins, Connor & Sokola, before the House for consideration.

**SB 229 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE REALTY TRANSFER TAX AND FARMLAND PRESERVATION FUND. (F/N)**

Representative Thornburg made comments.

The roll call on **SB 229** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Williams - 2.

Therefore, having received a constitutional majority, **SB 229** was returned to the Senate.

Representative Valihura moved to suspend the rules which interfere with lifting **SB 16 w/SA 1** from the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Valihura brought **SB 16 w/SA 1**, sponsored by Senator Still & Senator Vaughn & Representative Hudson & Senators Bonini & Copeland & Representatives Hocker, Smith & Wagner, before the House for consideration.

**SB 16 - AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO APPOINTMENT OF JUDGES. (2/3 bill)**

Representative Valihura deferred to Representative George. Representatives George & Valihura made comments.

The roll call on **SB 16 w/SA 1** was taken and revealed:

YES: 33.

NO: Representatives George, Keeley, McWilliams, Mulrooney, Plant & Viola - 6.

ABSENT: Representatives Caulk & Spence - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 16 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth moved to suspend the rules which interfere with introduction of and action on **SB 232**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Buckworth introduced and brought **SB 232**, jointly sponsored by Senator Cook & Representative DiPinto & Representative Oberle & All Senators & All Representatives, before the House for consideration.

**SB 232 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS.**

Representative Buckworth made comments.

The roll call on **SB 232** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Williams - 2.

Therefore, having received a constitutional majority, **SB 232** was returned to the Senate.

Mr. Speaker Spence made comments.

Representative Smith deferred to Representative Valihura.

Representative Smith moved to suspend the rules which interfere with introduction of and action on **SS 1 for SB 201**. The motion was seconded by Representative Maier and adopted by voice vote.

Representative Valihura introduced and brought **SS 1 for SB 201**, jointly sponsored by Senator McBride & Representative DiPinto & cosponsored by Senator Vaughn, before the House for consideration.

**SB 201 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO JUDICIAL AND STATE PENSIONS.**

Representative Smith made comments.

The roll call on **SS 1 for SB 201** was taken and revealed:

YES: 38.

NOT VOTING: Representative Wagner - 1.

ABSENT: Representative Caulk & Williams - 2.

Therefore, having received a constitutional majority, **SS 1 for SB 201** was returned to the Senate.

Representative Cathcart moved to suspend the rules which interfere with introduction of and action on **SB 206**. The motion was properly seconded and adopted by voice vote.

Representative Cathcart introduced and brought **SB 206**, jointly sponsored by Senator Bunting & cosponsored by Senators Connor & Cloutier, before the House for consideration.

**SB 206 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DIVISION OF PROFESSIONAL REGULATION.**

Representative Cathcart made a comment.

The roll call on **SB 206** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Williams - 2.

Therefore, having received a constitutional majority, **SB 206** was returned to the Senate.

Representative Smith made an announcement.

Representative Smith deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with action on **SB 205 w/SA 1**. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Keeley brought **SB 205 w/SA 1**, jointly sponsored by Senator Henry, before the House for consideration.

**SB 205 - AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON. (2/3 bill)**

Mr. Speaker Spence assigned **SB 117** to the Public Safety Committee.



Representative Keeley requested and was granted privilege of the floor for William Montgomery, Chief of Staff, Mayor's Office, City of Wilmington. Representatives Lavelle & Oberle made comments. The roll call on **SB 205 w/SA 1** was taken and revealed:

YES: 34.

NOT VOTING: Representatives Cathcart, Lavelle, Oberle, VanSant & Wagner - 5.

ABSENT: Representatives Caulk & Williams - 2.

Therefore, having received a constitutional majority, **SB 205 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Maier.

Representative Maier brought **HB 202**, jointly sponsored by Representative McWilliams & Representative Mulrooney & Senator Blevins & Representatives Spence, Ewing, Hudson, Lavelle, Miro, Oberle, Gilligan, George, Hall-Long, Keeley & Schooley & Senators Henry, Sokola, Sorenson & Cloutier, before the House for consideration.

**HB 202** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE HEALTH OF MOTHERS, EXPECTANT MOTHERS AND INFANTS. (F/N)

Representative Maier brought **HA 1** to **HB 202** before the House for consideration. **HA 1** was adopted by voice vote.

**HB 202 w/HA 1** was added to **Consent Agenda P** at the request of Representative Smith.

Representative Smith moved to suspend the rules which interfere with action on **Consent Agenda P**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **Consent Agenda P** before the House for consideration and for concurrence on Senate Amendments.

**SB 234** – DELUCA & REPRESENTATIVE MIRO - An Act to Amend Chapter 52, Volume 75, Laws of Delaware Relating to Controlled Substances.

**HR 45** – SPENCE - Recognizing Abbott, Astrazeneca, Bristol-Myers Squibb, Glaxosmithkline, Johnson And Johnson, Novartis, Pfizer, Sanofi-Aventis, Takeda And Tap Pharmaceuticals for their Efforts In Making Prescription Drugs More Accessible to Uninsured Citizens through the Together Rx Access Program.

**HR 42** – SPENCE & REPRESENTATIVE JOHNSON & REPRESENTATIVE KEELEY & REPRESENTATIVE PLANT & REPRESENTATIVE WILLIAMS - Creating a Task Force to Study the Use of Ritalin by School Age Children.

**SB 35** – MCBRIDE & SENATOR SOKOLA & REPRESENTATIVES HUDSON, MULROONEY, VALIHURA & VIOLA - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Massage and Bodywork.

**HB 254 w/SA 1** – STONE & SENATOR BLEVINS - An Act to Amend Title 18 of the Delaware Code Relating to Expenses and Fees for Form and Rate Filings. (3/5 bill)

**HR 43** – VALIHURA & REPRESENTATIVE HUDSON & REPRESENTATIVE STONE - Establishing a Task Force to Review Delaware's Abandoned Property Administration and Policies.

**HB 202 w/HA 1** – MAIER & REPRESENTATIVE MCWILLIAMS & REPRESENTATIVE MULROONEY & SENATOR BLEVINS & REPRESENTATIVES SPENCE, EWING, HUDSON, LAVELLE, MIRO, OBERLE, GILLIGAN, GEORGE, HALL-LONG, KEELEY & SCHOOLEY & SENATORS HENRY, SOKOLA, SORENSON & CLOUTIER - An Act to Amend Title 16 of The Delaware Code Relating to the Health of Mothers, Expectant Mothers and Infants. (F/N)

**HB 220 w/SA 1** – SPENCE & SENATOR MCBRIDE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

**HB 228 w/SA 1** – HUDSON & REPRESENTATIVE DIPINTO & SENATOR ADAMS & SENATOR SORENSON & REPRESENTATIVES MAIER, VALIHURA & KEELEY & SENATORS MCDOWELL, BLEVINS, HENRY, MARSHALL, PETERSON, SOKOLA, VAUGHN & CONNOR - An Act to Amend Title 30 of the Delaware Code Related to Land and Historic Resource Tax Credit. (F/N)

**HR 17** – SMITH & REPRESENTATIVE VALIHURA & REPRESENTATIVE HUDSON & REPRESENTATIVE STONE - Re-Constituting the Medical Liability Insurance Task Force and Requiring It to Update the General Assembly on the Progress that is Being Made in Implementing the Recommendations It Included as Part of Its 2003 Final Report.

**HR 46** – SPENCE - Recognizing Cultural Competency as an Increasingly Important Skill in Delivering Quality Health Care for All Delawareans.

The roll call on **Consent Agenda P** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Williams - 2.

Therefore, having received a constitutional majority, **HR 45**, **HR 42**, **HR 43**, **HR 17** & **HR 46** were declared passed, **HB 202 w/HA 1** was sent to the Senate for concurrence & **SB 234** & **SB 35** were returned to the Senate & **HB 254 w/SA 1**, **HB 220 w/SA 1** & **HB 228 w/SA 1** were sent to the Governor.

Mr. Speaker Spence made an announcement.

The Majority Leader moved to recess to the call of the Chair at 2:14 a.m.

Mr. Speaker Spence called the House to order at 9:37 a.m. on November 3, 2005.



The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP

I, Representative Terry R. Spence, do hereby request that my name be removed as cosponsor of **HB 181**.

Date: June 29, 2005

Signed: Terry R. Spence

The Honorable Terry R. Spence

Speaker of the House

Legislative Hall

Dover, DE 19901

Dear Speaker Spence:

Please be advised that I will be unable to attend the special session of the House of Representatives scheduled for November 3, 2005 due to a previous work commitment.

Thank you for understanding.

Sincerely,

G. Wallace Caulk, Jr.

State Representative

33rd District

The Senate wishes to inform the House that it has passed **SCR 22 & SCR 24** and requests the concurrence of the House; **HCR 31, HCR 34, HCR 35, HCR 36, HCR 37 & HCR 38** and is returning same to the House. The Senate wishes to inform the House that it has passed **HB 299, HS 1/HB 55 w/HA 1, HB 75 w/HA 1, HB 78 w/HA 1 & 3, HB 92, HB 137, HS 2/HB 108, HB 167, HB 168 w/HA 1 & 2, HB 206 w/HA 1 & 2, HB 223, HB 234, HB 263, HB 279, HB 303, HB 220 w/SA 1, HB 228 w/SA 1, HB 315, HB 254 w/SA 1, HB 152, HB 300, HJR 15 & HJR 16** and is returning same to the House. The Senate wishes to inform the House that it has passed **SB 157 w/SA 1, SS 1 for SB 201, SB 230, SB 232, SB 190 & SB 229** and requests the concurrence of the House; **SB 233, SB 41 & SB 144 w/SA 1** and requests the concurrence of the House; **HB 86 w/HA 1, HB 314, HB 46, HB 236 w/HA 1, HB 226 & HB 265 w/HA 1** and is returning same to the House.

The Majority Leader moved to adjourn the First Special Session of the 143rd General Assembly at 9:40 a.m. The House reconvened at 9:41 a.m.

**143rd GENERAL ASSEMBLY – SECOND SPECIAL SESSION – First Legislative Day  
November 3, 2005**

The Chief Clerk called the roll.

Members Present: 40.

Member Absent: Representative Caulk – 1.

A prayer was offered by Representative Pamela S. Maier, Twenty-First Representative District.

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

The following out of session prefiled legislation was introduced:

July 27, 2005

**HB 290 - SPENCE & SENATOR MCBRIDE - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Sentencing of Sex Offenders.**

**HB 313 - HALL-LONG & REPRESENTATIVE CAREY & SENATOR BUNTING; REPRESENTATIVES CAULK, ENNIS, KEELEY, MULROONEY, OUTTEN, PLANT, THORNBURG, VIOLA; SENATOR VENABLES - AGRICULTURE - An Act to Amend Title 9 of the Delaware Code Relating to Agricultural Land Use.**

**HB 316 - BUCKWORTH - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Conservation.**

**HB 317 - SPENCE - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 31, Delaware Code Relating to Public Assistance.**

**HB 318 - VALIHURA - HOUSE ADMINISTRATION - An Act Proposing an Amendment to Article XV of the Constitution of the State of Delaware of 1897, as Amended, Prohibiting Elected Officials from Receiving Salary Increases or Decreases During Their Terms of Office. (2/3 bill)**

**SB 41 - MCBRIDE; SENATORS BONINI, COPELAND, PETERSON, SOKOLA; REPRESENTATIVES HUDSON, MULROONEY, VALIHURA, VIOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Titles 29, 31, and 6 of the Delaware Code Renaming the Office of Human Relations, and Relating to the State Human Relations Commission, Equal Accommodations, and Fair Housing.**

**SB 144 w/SA 1 - CONNOR; SENATORS AMICK, HENRY, SOKOLA, SORENSON, VENABLES; REPRESENTATIVES ENNIS, LAVELLE, SMITH, VIOLA, MAIER - PUBLIC SAFETY - An Act to Amend Title 25 of the Delaware Code Relating to Abandoned Personal Property.**

**SB 157 w/SA 1 - BLEVINS & REPRESENTATIVE MAIER & REPRESENTATIVE HUDSON; SENATORS CLOUTIER, CONNOR, SORENSON; REPRESENTATIVES GILLIGAN, HALL-LONG, KEELEY, MIRO, OBERLE, SCHOOLEY, SPENCE, WAGNER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 31, Chapter 3 of the Delaware Code Relating to Child Welfare.**

**SB 233** - PETERSON; SENATORS MCDOWELL, BONINI; REPRESENTATIVE MAIER - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Related to Funeral Services.

**HA 1 to SB 117** - SMITH - Placed with the Bill.

Representative Smith made an announcement.

The Majority Leader moved to recess for caucus at 9:45 a.m.

The House reconvened at 10:35 a.m. with Representative Roy as Acting Speaker.

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

Representative Smith deferred to Representative Thornburg. Representative Thornburg requested and was granted privilege of the floor to present a House Tribute to Representative J. Benjamin Ewing, Jr. Representative Lavelle requested that he be marked present. Representative Smith deferred to Representative Spence. Representative Spence made comments.

Representative Spence deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on **HJR 18**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative DiPinto introduced and brought **HJR 18**, jointly sponsored by Senator McBride, before the House for consideration.

**HJR 18** - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUE FOR FISCAL YEAR 2006.

Representative DiPinto made comments.

The roll call on **HJR 18** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Wagner - 2.

Therefore, having received a constitutional majority, **HJR 18** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Booth.

Representative Booth made comments.

Representative Booth moved to suspend the rules which interfere with introduction of and action on **HB 321**. The motion was properly seconded and adopted by voice vote.

Representative Booth introduced and brought **HB 321**, jointly sponsored by Representative Spence & Representative Miro & Representative DiPinto & Senator McBride & Senator Sorenson & cosponsored by Representatives Buckworth, Fallon, Hocker, Lee, Lofink, Oberle, Outten, Stone, Ulbrich & Valihura, before the House for consideration.

**HB 321** - AN ACT TO PROVIDE A SUPPLEMENTAL APPROPRIATION FOR THE FISCAL YEAR ENDING JUNE 30, 2006 TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF COMMUNITY SERVICES, FOR THE PURPOSE OF FUNDING ADDITIONAL WEATHERIZATION PROJECTS.

Representatives Booth, Gilligan, Williams, Spence, Smith, Thornburg, Spence, Keeley, Spence, Smith, Gilligan & Ennis made comments.

The roll call on **HB 321** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Wagner - 2.

Therefore, having received a constitutional majority, **HB 321** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Booth.

Representative Booth made comments regarding **HB 321**.

Mr. Acting Speaker Roy appointed Representative Buckworth as Acting Speaker.

Representative Booth moved to suspend the rules which interfere with introduction of and action on **HB 323**. The motion was seconded by Representative Lavelle and adopted by voice vote.

Representative Booth introduced and brought **HB 323**, jointly sponsored by Representative Spence & Representative Miro & Representative DiPinto & Senator McBride & Senator Sorenson & cosponsored by Representatives Buckworth, Hocker, Lavelle, Lee, Lofink, Oberle, Outten, Stone, Ulbrich & Valihura, before the House for consideration.

**HB 323** - AN ACT TO PROVIDE FOR A SUPPLEMENTAL APPROPRIATION FOR THE FISCAL YEAR ENDING JUNE 30, 2006 TO THE OFFICE OF MANAGEMENT AND BUDGET FOR THE PURPOSE OF CREATING A CONTINGENCY FUND FOR THE LOW INCOME HOUSING ENERGY ASSISTANCE PROGRAM TO BE USED IN THE EVENT THE FEDERAL GOVERNMENT'S APPROPRIATION FOR SAID PROGRAM SHOULD PROVE INSUFFICIENT.

Representative Booth made comments.

The roll call on **HB 323** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Wagner - 2.

Therefore, having received a constitutional majority, **HB 323** was sent to the Senate for concurrence.

Representative Booth made an announcement.

Representative Smith deferred to Representative Booth.

Representative Booth moved to suspend the rules which interfere with introduction of and action on **HB 322**. The motion was properly seconded and adopted by voice vote.

Representative Booth introduced and brought **HB 322**, jointly sponsored by Representative Spence & Representative Miro & Representative DiPinto & Senator McBride & Senator Sorenson & cosponsored by Representatives Buckworth, Hocker, Lee, Lofink, Oberle, Outten, Stone & Ulbrich, before the House for consideration.

**HB 322 - AN ACT TO PROVIDE FOR A SUPPLEMENTAL APPROPRIATION FOR THE FISCAL YEAR ENDING JUNE 30, 2006 TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES FOR THE DEPARTMENT TO MARKET AND PROMOTE THE LOW INCOME HOUSING ENERGY ASSISTANCE PROGRAM AND THE DEPARTMENT'S WEATHERIZATION PROGRAM AND TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO MARKET AND PROMOTE PROGRAMS OF THE DELAWARE ENERGY OFFICE.**

Representative Booth made comments.

Mr. Speaker Spence resumed the Chair.

The roll call on **HB 322** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Wagner - 2.

Therefore, having received a constitutional majority, **HB 322** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Booth.

Representative Booth moved to suspend the rules which interfere with introduction of and action on **HCR 39**. The motion was properly seconded and adopted by voice vote.

Representative Booth introduced and brought **HCR 39**, jointly sponsored by Representative Spence on behalf of All Representatives & Senator McBride on behalf of All Senators, before the House for consideration.

**HCR 39 - REQUESTING THAT THE FEDERAL GOVERNMENT INCREASE FUNDING FOR THE LOW INCOME HEATING ASSISTANCE PROGRAM AND THE WEATHERIZATION PROGRAM FOR THE WINTER OF 2005-06.**

Representatives Booth & DiPinto made comments.

**HCR 39** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Booth made comments.

Mr. Speaker Spence made comments.

Mr. Speaker Spence appointed an Energy Committee with Representative Valihura as the chair and Representatives Atkins, Ennis, Hall-Long, Keeley, Lofink, Miro, Plant, Roy, Schooley, Stone, Thornburg & Ulbrich as Members of the Committee.

Representative Smith deferred to Representative Hocker.

Representative Hocker announced that he did not vote on **HB 303** on July 1, 2005 because of a conflict of interest.

Representative Smith deferred to Representative Keeley.

Representative Keeley made an announcement.

Representative Keeley introduced **HB 101**, jointly sponsored by Representative Oberle & Senator DeLuca & Senator Blevins & Representatives Ennis, Hall-Long, Maier, McWilliams & Viola & Senator Cloutier & cosponsored by Representatives Buckworth, Johnson & Ulbrich.

**HB 101 AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO PRICE INCREASES DURING EMERGENCIES AND NATURAL DISASTERS.**

Mr. Speaker Spence assigned **HB 101** to the House Administration Committee.

Representative Keeley introduced **HB 319**, cosponsored by Representative Ulbrich.

**HB 319 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO VIDEO GAMES AND OBSCENITY. (2/3 bill)**

Mr. Speaker Spence assigned **HB 319** to the Judiciary Committee.

The Majority Whip moved to recess to the call of the Chair at 11:46 a.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Member was marked present by the Chief Clerk after the House recessed at 11:46 a.m.: Representative Wagner.

Mr. Acting Speaker Buckworth called the House to order at 2:30 p.m. on January 10, 2006.

The Majority Leader moved to adjourn at 2:31 p.m., thereby ending the current legislative day. The House reconvened at 2:32 p.m.

**1st LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session  
January 10, 2006**

The Chief Clerk called the roll:

Members Present: 35.

Members Absent: Representatives Caulk, Gilligan, Hudson, Lofink, Plant & Ulbrich – 6.

Mr. Acting Speaker Buckworth appointed Representative Oberle as Acting Speaker.

A prayer was offered by Father Thomas J. Protack, Administrator of St. Lukes and St. Andrews parishes in Ocean City, Maryland and Fenwick Island, Delaware.

Mr. 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 Reading Clerk read the following communications into the record:

January 4, 2006

TO: House Speaker Terry R. Spence  
FROM: Representative G. Wallace Caulk, Jr.  
SUBJECT: Absence from Session

I am unable to attend session, Tuesday, Wednesday and Thursday, January 10-12, 2006 due to business obligations out of state.

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: Vincent A Lofink  
Representative – Twenty-Seventh Representative District  
RE: Absence from Session  
DATE: January 10, 2006

Please be advised that I will be unable to attend session Tuesday, January 10, 2006 since I will be attending to school business.

Thank you for your consideration in this matter.

Memorandum

TO: Rep. Terry R. Spence  
Speaker of the House  
FROM: Rep. Robert F. Gilligan  
DATE: January 10, 2006  
RE: Absence from Session

I will be unable to attend session on Tuesday, January 10th, 2006, Wednesday, January 11th, 2006 and Thursday, January 12th, 2006 because of medical tests and an impending surgical procedure. Thank you for your consideration of this matter.

July 7, 2005

LEGISLATIVE ADVISORY #9

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/28/05 – HB 116 aab HA 1 aab HA 1 to HA 1, HA 2 to HA 1, HA 3 to HA 1, HA 4 to HA 1 & HA 6 to HA 1; HB 175, HJR 14, HB 194, HB 195 aab HA 1, HB 237, HB 238, SB 73, SB 87, SB 118, SB 129 aab SA 1, SB 136, SB 165 & SB 175; 6/30/05 – HB 24 aab HA 2, HB 96, HB 145 aab HA 1, HB 147 aab HA 1, HB 148, HB 163, HB 176 aab HA 1, HB 180, HB 204, HB 215 aab HA 1 & SA 1, HB 219 aab HA 1, HB 227, HB 230, HB 231 & HB 299; 7/1/05 – HB 300; 6/30/05 – HB 302; 7/1/05 – HB 315; 6/30/05 – HJR 15, HJR 16, SB 52 aab SA 2, SB 111 aab SA 1, SS 1/SB 114, SB 120 aab SA 1, SB 133 & SB 150 aab SA 1; 7/1/05 – SB 190; 6/30/05 – SB 231 aab HA 1 & SJR 6.

July 14, 2005

LEGISLATIVE ADVISORY #10

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/30/05 – HB 209; 7/7/05 – HJR 12, HB 33 aab HA 1, HB 46, HB 58, HB 67 aab SA 1, HB 73 aab HA 2 & HA 3 aab HA 1 to HA 3, HB 92, HB 109, HB 115, HB 133 aab HA 1 aab HA 1 to HA 1, HB 137, HB 141, HB 156, HB 165, HB 182, HB 198, HB 205 aab HA 1 & 2, HS 1/HB 211 aab HA 1, HB 221 aab HA 1, HB 223, HB 225 aab SA 1, HB 226, HB 233, HB 264, HB 277, HB 279, HB 301, HJR 4 aab SA 2, SB 1 aab SA 1, HA 1 & SA 3, SB 27 aab HA 1, SB 29, SB 35, SS 1/SB 143 aab SA 1, SB 189 aab SA 1, SB 191 aab SA 1, SS 1/SB 201, SB 223 & SB 232.

The following bills are constitutional amendments and do not require the Governor's signature: HB 125 aab SA 1 & SB 16 aab SA 1.

Mr. Acting Speaker made comments. Representative Spence requested that he be marked present. Representative Ewing made an announcement. Mr. Speaker Spence resumed the Chair. Representative Mulrooney requested that he be marked present. Representative Buckworth requested and was granted privilege of the floor to make comments. Representative Hall-Long requested that she be marked present. Representative VanSant requested and was granted privilege of the floor to make an announcement. Representative Viola requested that he be marked present. Representative Cathcart requested and was granted personal privilege of the floor to introduce guests. Mr. Speaker Spence made comments. Representatives DiPinto & Miro requested that they be marked present.

Representative Smith deferred to Representative Longhurst.

Representative Longhurst introduced the Caravel Academy Junior High Choir who sang for the House. Representative Longhurst presented a House Tribute to Kelly Hudson, music teacher, Caravel

Academy. Mr. Speaker Spence & Representative Schooley made comments. Representative Maier requested and was granted privilege of the floor for Senator Dorinda A. Connor. Each choir member announced his/her name for the record.

Mr. Speaker Spence reassigned **SB 19** to the Transportation/Land Use and Infrastructure Committee. The Majority Whip moved to recess for caucus at 3:06 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 3:06 P.M.: Representatives Hudson, Plant & Ulbrich.

Mr. Acting Speaker Buckworth called the House to order at 2:20 p.m. on January 11, 2006.

The Reading Clerk read the following communications into the record:

July 19, 2005

#### LEGISLATIVE ADVISORY #11

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/12/05 – **HS 1/HB 55 aab HA 1, HB 56, HB 75 aab HA 1, HB 78 aab HA 1 & 3, HB 86 aab HA 1, HS 2/HB 108, HB 152, HB 158, HB 167, HB 168 aab HA 1 & 2, HB 206 aab HA 1 & 2, HB 218 aab HA 1, HB 220 aab SA 1, HB 228 aab SA 1, HB 229 aab HA 1 & 2, HB 234, HB 236 aab HA 1, HB 254 aab SA 1, HB 263, HB 265 aab HA 1, HB 267 aab SA 1, SB 44, SB 48 aab SA 1, SB 50 aab SA 2, SB 57 aab SA 2, SB 64 aab SA 2 & SA 1, SB 71 aab SA 1, SB 82, SB 84 aab SA 1 & 2, SB 91, SB 97, SB 101, SB 108 aab SA 1, SB 113, SB 122 aab SA 1, SB 125 aab SA 1 & HA 1, SB 126 aab SA 1, SB 128 aab SA 1, SB 130, SB 131, SB 138 aab SA 1, SB 142 aab SA 1, SB 147, SS 1/SB 153 aab SA 1, SB 155, SB 159, SB 160, SB 161, SB 167, SB 169 aab SA 1, SB 170, SB 176, SS 1/SB 178 aab SA 1, SB 181, SB 182 aab SA 1, SB 195, SB 200, SB 216, SB 219 & SB 227.**

July 29, 2005

#### LEGISLATIVE ADVISORY #12

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/19/05 – **HB 303; 7/20/05 – SB 102, SB 121 aab SA 1, SB 127 aab SA 1 & SB 229; 7/21/05 - SB 63 aab SA 1 & 2 & HA 1 & 2, SB 74 aab SA 1, 2 & 3 & HA 1, SB 112 aab HA 1, SB 152, SB 163, SB 177, SB 179, SB 188 aab SA 1, SB 197, SB 203, SB 205 aab SA 1, SB 206, SB 217 aab HA 1 & SB 234.**

August 23, 2005

#### LEGISLATIVE ADVISORY #13

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/29/05 – **HB 314; 8/17/05 – HB 239 aab HA 1 & SB 156 aab SA 1; 8/22/05 – SB 230.**

September 6, 2005

#### LEGISLATIVE ADVISORY #14

Governor Ruth Ann Minner signed the following legislation on the date indicated: 9/6/05 - **SS 1/SB 30 aab SA 1 & HA 2.**

The Majority Leader moved to adjourn at 2:25 p.m., thereby ending the current legislative day. The House reconvened at 2:26 p.m.

### **2nd LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session January 11, 2006**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Cathcart, Caulk & Gilligan – 3.

A prayer was offered by Representative Bethany A. Hall-Long, Eighth Representative District.

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

The following prefiled legislation was introduced:

**HB 326 - SCHWARTZKOPF & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Chapter 197, Volume 54 of the Laws of Delaware, the Charter of the City of Rehoboth Beach, as Amended, Relating to an Increase in the Amount Limit for Authorizing the Issuance of General Obligation Bonds or Certain Other Obligations Without Referendum. (2/3 bill)**

**HB 327 - JOHNSON & REPRESENTATIVE PLANT & REPRESENTATIVE KEELEY & REPRESENTATIVE WILLIAMS & SENATOR HENRY - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Education.**

**HB 328 - OUTTEN & SENATOR BUNTING; REPRESENTATIVES ATKINS, BOOTH, BUCKWORTH, CAREY, EWING, FALLON, MAIER, MIRO, SPENCE, STONE, ULBRICH, VALIHURA, WAGNER, KEELEY; SENATORS HENRY, SOKOLA, CONNOR, SIMPSON - PUBLIC SAFETY - An Act to Amend Title 23, Delaware Code Relating to Operation of a Vessel or Boat While Under the Influence of Intoxicating Liquor and/or Drugs. (2/3 bill)**

**HA 2 to HB 210 - LAVELLE - Placed with the Bill.**

Representative Wagner requested that she be marked present.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #36

DATE: January 11, 2006

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>Date</u> | <u>Type</u> | <u>Description</u>                                                               |
|---------------|-------------------------------------------------------|-------------|-------------|----------------------------------------------------------------------------------|
| H143-788      | Hudson                                                | 6/30/2005   | T           | Edith Sylvester - Retirement - House Staff - 20 Years                            |
| H143-789      | Lofink                                                | 7/14/2005   | T           | Thomas Nagle - Retirement - 31 Years - JP Court                                  |
| H143-790      | Stone                                                 | 6/15/2005   | T           | William Bratcher - Eagle Scout                                                   |
| H143-791      | Wagner                                                | 6/29/2005   | T           | Stephanie Ulbrich - Chair - Legislative Advisory Council                         |
| H143-792      | Caulk                                                 | 7/4/2005    | T           | Katherine Shumar - 80th Birthday                                                 |
| H143-793      | Spence                                                | 6/29/2005   | T           | Michael McLaughlin - Retirement - 28 Years – Administrative Office of the Courts |
| H143-794      | Booth                                                 | 5/14/2005   | T           | Joseph & Faye Polichetti - 50th Wedding Anniversary                              |
| H143-795      | George                                                | 6/29/2005   | T           | William Nicholson - Dedication - 7 & 40 Alliance                                 |
| H143-796      | Ewing                                                 | 7/23/2005   | T           | Elizabeth Wright - 80th Birthday                                                 |
| H143-797      | Thornburg                                             | 6/11/2005   | T           | Jennifer Lambertson - Valedictorian - Campus Community School                    |
| H143-798      | Stone                                                 | 6/11/2005   | T           | Christy Barr - Salutatorian - Campus Community School                            |
|               | cosponsor: Rep. Thornburg                             |             |             |                                                                                  |
| H143-799      | Booth                                                 | 7/12/2005   | T           | Donna Koskey - Leadership & Volunteerism                                         |
| H143-800      | Caulk                                                 | 6/30/2005   | T           | Kevin Fleming - Reader's Digest America's 100 Best                               |
|               | cosponsors: All Representatives                       |             |             |                                                                                  |
| H143-801      | Schooley                                              | 7/8/2005    | T           | Danielle Pritchett - Fulbright Fellowship                                        |
| H143-802      | Carey                                                 | 6/25/2005   | M           | H. Everett Argo, Jr.                                                             |
|               | cosponsor: Rep. Outten                                |             |             |                                                                                  |
| H143-803      | Buckworth                                             | 7/3/2005    | M           | Jackson R. Spence                                                                |
| H143-804      | Marshall                                              | 7/1/2005    | M           | William Baird                                                                    |
| H143-805      | Marshall                                              | 6/29/2005   | M           | William J. Jenkins                                                               |
| H143-806      | Wagner                                                | 7/9/2005    | T           | Kimberley Jones & Andrew Bryan - Marriage                                        |
| H143-807      | Thornburg                                             | 7/1/2005    | T           | Janice Durham - Retirement - DNREC - 33 Years                                    |
|               | cosponsors: Reps. Wagner, Stone & All Representatives |             |             |                                                                                  |
| H143-808      | Thornburg                                             | 7/7/2005    | T           | Barbara Nagyiski - Retirement - Budget Office – 30 Years                         |
| H143-809      | Johnson                                               | 7/9/2005    | T           | Huey & Sara Timmon - 50th Wedding Anniversary                                    |
| H143-810      | Hudson                                                | 7/15/2005   | T           | Michael & Blanche Lynn - 55th Wedding Anniversary                                |
| H143-811      | Lofink                                                | 7/14/2005   | T           | Jack Holloway - Retirement - 37 Years – Executive Director DIAA                  |
|               | cosponsor: Rep. Hudson                                |             |             |                                                                                  |
| H143-812      | Thornburg                                             | 7/4/2005    | M           | Lee R. Harman                                                                    |

HOUSE TRIBUTE ANNOUNCEMENT #37

DATE: January 11, 2006

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>Date</u> | <u>Type</u> | <u>Description</u>                                      |
|---------------|---------------------------|-------------|-------------|---------------------------------------------------------|
| H143-813      | Ennis                     | 6/17/2005   | M           | Sherman R. Lynch                                        |
| H143-814      | Ennis                     | 6/20/2005   | M           | Joseph R. Arch                                          |
| H143-815      | Viola                     | 7/23/2005   | T           | Miriam & Ronald Brown - 50th Wedding Anniversary        |
| H143-816      | Marshall                  | 6/11/2005   | T           | Harold & Marie Batten - 67th Wedding Anniversary        |
| H143-817      | Hall-Long                 | 6/11/2005   | T           | Paul & Joan Lloyd - 50th Wedding Anniversary            |
| H143-818      | Buckworth                 | 7/7/2005    | M           | James David Hilton                                      |
|               | cosponsor: Rep. Outten    |             |             |                                                         |
| H143-819      | Ennis                     | 7/6/2005    | T           | Jeffrey T. Burke                                        |
|               | cosponsor: Rep. Buckworth |             |             |                                                         |
| H143-820      | McWilliams                | 7/2/2005    | T           | Herman & Dorothy Bozentka - 50th Wedding Anniversary    |
| H143-821      | VanSant                   | 6/25/2005   | T           | Raymond & Elizabeth Cichocki - 50th Wedding Anniversary |



|          |                                    |           |   |                                                                     |
|----------|------------------------------------|-----------|---|---------------------------------------------------------------------|
| H143-822 | Williams                           | 7/2/2005  | T | Anniversary<br>Joseph & Dolores Phillips - 50th Wedding Anniversary |
| H143-823 | McWilliams                         | 6/28/2005 | T | Harry & Margaret Diehl - 60th Wedding Anniversary                   |
| H143-824 | DiPinto                            | 7/14/2005 | T | Bishop Thomas Weeks, Sr. - 60th Birthday                            |
| H143-825 | Outten                             | 8/3/2005  | T | Dr. Wes Towers - Retirement - State Veterinarian - 37 Years         |
| H143-826 | Maier                              | 7/16/2005 | T | Master Corporal Wayne Erne - Retirement – State Police - 22 Years   |
| H143-827 | Gilligan                           | 6/25/2005 | T | John & Mary McCollum - 50th Wedding Anniversary                     |
| H143-828 | VanSant                            | 6/8/2005  | T | Francis & Edna DiMichele - 65th Wedding Anniversary                 |
| H143-829 | Schwartzkopf                       | 6/23/2005 | T | Joseph & Catherine Uniatowski - 60th Wedding Anniversary            |
| H143-830 | Lee                                | 7/4/2005  | T | Norman & Mary LeCates - 60th Wedding Anniversary                    |
| H143-831 | Ewing<br>cosponsor: Rep. Lee       | 7/15/2005 | M | Joseph Harold Evans                                                 |
| H143-832 | Maier                              | 8/9/2005  | T | Jon & Tina Potts - 25th Wedding Anniversary                         |
| H143-833 | Maier                              | 6/25/2005 | T | Julie Conatser & Ivan Nagy - Marriage                               |
| H143-834 | Maier                              | 6/11/2005 | T | Wesley & Helene Maltman - 50th Wedding Anniversary                  |
| H143-835 | Maier                              | 7/15/2005 | T | Jennifer Polaski & Anthony DiJoseph, Jr. – Marriage                 |
| H143-836 | Maier                              | 5/25/2005 | T | Laurie Pyle & Harry Alinkoff - Marriage                             |
| H143-837 | Maier                              | 6/25/2005 | T | Owen & Margaret Owen - 50th Wedding Anniversary                     |
| H143-838 | Hall-Long<br>cosponsor: Rep. Ennis | 7/30/2005 | T | Robert Berghorn - 60 Years - Clayton Fire Company                   |

#### HOUSE TRIBUTE ANNOUNCEMENT #38

DATE: January 11, 2006

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                                                  | Date      | Type | Description                                                           |
|----------|----------------------------------------------------------|-----------|------|-----------------------------------------------------------------------|
| H143-839 | McWilliams                                               | 8/5/2005  | T    | Stephen Frederick, Jr. - Eagle Scout                                  |
| H143-840 | DiPinto                                                  | 6/20/2005 | T    | Toni Young - Shapiro Community Builder Award                          |
| H143-841 | Wagner                                                   | 7/30/2005 | T    | Patricia Maximo & Dale Zeisset - Marriage                             |
| H143-842 | Williams                                                 | 6/27/2005 | M    | Gilbert T. Rose                                                       |
| H143-843 | Williams                                                 | 7/5/2005  | M    | Janervée Pinkston-Carter                                              |
| H143-844 | Atkins                                                   | 7/21/2005 | T    | Joan Boyce - Retirement - Millsboro Chamber of Commerce               |
| H143-845 | Ennis                                                    | 7/15/2005 | M    | Mary Alice Rodney                                                     |
| H143-846 | Schooley                                                 | 7/26/2005 | T    | Karen Barker - Presentation of "Wicked" - a Musical                   |
| H143-847 | Thornburg                                                | 7/12/2005 | M    | Steven R. Bodine, Sr.                                                 |
| H143-848 | Hocker                                                   | 7/16/2005 | T    | Donald & Jane Wilgus - 50th Wedding Anniversary                       |
| H143-849 | DiPinto<br>cosponsors: Rep. Hudson & All Representatives | 5/17/2005 | T    | Laird & Wendie Stabler - Volunteers of the Year - Goodwill Industries |
| H143-850 | Hudson<br>cosponsors: Reps. Gilligan & VanSant           | 7/22/2005 | T    | Wilma David - Retirement - 20 Years - Department of Elections         |
| H143-851 | Schwartzkopf                                             | 7/18/2005 | M    | Lawrence P. Isaacs                                                    |
| H143-852 | Wagner                                                   | 7/22/2005 | T    | James Keller - Retirement - DelDOT - 37 Years                         |
| H143-853 | Ewing                                                    | 7/17/2005 | M    | Albert Lee McDowell                                                   |
| H143-854 | Smith                                                    | 8/15/2005 | T    | Thomas Barefoot - Eagle Scout                                         |
| H143-855 | Johnson                                                  | 7/30/2005 | T    | Rev. Vivian Gray - Appreciation Day Luncheon                          |
| H143-856 | Schooley                                                 | 8/15/2005 | T    | Gene Danneman - Closing of the Copy Maven                             |
| H143-857 | Schooley                                                 | 8/15/2005 | T    | Charles Haywood - Retirement - 42 Years – Newark Schools              |



|          |                                               |           |   |                                                               |
|----------|-----------------------------------------------|-----------|---|---------------------------------------------------------------|
| H143-858 | Thornburg                                     | 7/28/2005 | T | Garey Glanden - Retirement - DelDOT - 30 Years                |
| H143-859 | Schooley                                      | 7/20/2005 | T | Dr. Joseph Pika - Retirement - President - State School Board |
| H143-860 | Buckworth                                     | 7/25/2005 | T | David P. Buckson - 85th Birthday                              |
|          | cosponsors: Rep. Wagner & All Representatives |           |   |                                                               |
| H143-861 | Fallon                                        | 7/30/2005 | T | Terrel-John Hodges - Eagle Scout                              |
| H143-862 | Fallon                                        | 7/30/2005 | T | Joseph Michael McCabe - Eagle Scout                           |
| H143-863 | Buckworth                                     | 7/20/2005 | M | Ernest Daniel Bowman                                          |
| H143-864 | Buckworth                                     | 7/22/2005 | M | Wesley L. Kling                                               |

#### HOUSE TRIBUTE ANNOUNCEMENT #39

DATE: January 11, 2006

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>Date</u> | <u>Type</u> | <u>Description</u>                                                                 |
|---------------|---------------------------------|-------------|-------------|------------------------------------------------------------------------------------|
| H143-865      | Booth                           | 7/31/2005   | T           | Rev. George Stokes, Jr. - Ministry in Community                                    |
| H143-866      | Lofink                          | 7/30/2005   | T           | Harriet Thompson - Retirement - Newark High School - 30 Years                      |
| H143-867      | Caulk                           | 8/4/2005    | T           | Carol Brown - Retirement - DNREC - 33 Years                                        |
| H143-868      | Outten                          | 6/22/2005   | T           | Joseph & Doris Brinster - 75th Wedding Anniversary                                 |
| H143-869      | Fallon                          | 7/23/2005   | M           | Mary M. Boggs                                                                      |
| H143-870      | Marshall                        | 7/20/2005   | M           | Myrtle Johnson                                                                     |
| H143-871      | Oberle                          | 6/4/2005    | T           | Jeffrey Scott - Graduation - Hodgson Vo-Tech                                       |
| H143-872      | Marshall                        | 7/27/2005   | T           | Francis Pileggi - Named a Kentucky Colonel                                         |
| H143-873      | Thornburg                       | 5/6/2005    | T           | Mr. & Mrs. Robert Gustafson - 50th Wedding Anniversary                             |
| H143-874      | Ennis                           | 10/9/2005   | T           | Pearl Elizabeth Morris - 100th Birthday                                            |
| H143-875      | Thornburg                       | 8/6/2005    | T           | James Edward Bedwell - Eagle Scout                                                 |
|               | cosponsor: Rep. Ennis           |             |             |                                                                                    |
| H143-876      | Hocker                          | 7/27/2005   | M           | Phillip J. Townsend, Jr.                                                           |
| H143-877      | Hocker                          | 7/28/2005   | M           | Louise Banks                                                                       |
|               | cosponsors: All Representatives |             |             |                                                                                    |
| H143-878      | Wagner                          | 8/6/2005    | T           | Gabriella Toto & Brian Gedney - Marriage                                           |
| H143-879      | Wagner                          | 9/3/2005    | T           | Jennifer Harless & Eric Carlson - Marriage                                         |
| H143-880      | Wagner                          | 7/22/2005   | T           | Jennifer Klecan & Christopher Cohan - Marriage                                     |
|               | cosponsors: All Representatives |             |             |                                                                                    |
| 143-881       | Keeley                          | 8/9/2005    | T           | New Castle County Chapter - National Latino Peace Officers Association             |
| H143-882      | Lee                             | 7/27/2005   | T           | Peter & Harriett MacVeigh - 50th Wedding Anniversary                               |
| H143-883      | Buckworth                       | 8/1/2005    | M           | Lt. Col. Roderick E. Himelberger, Ret.                                             |
| H143-884      | Carey                           | 8/1/2005    | M           | John Lester Allen, Sr.                                                             |
| H143-885      | Maier                           | 7/29/2005   | T           | Shirley Smith - 70th Birthday                                                      |
| H143-886      | Booth                           | 8/7/2005    | T           | Major Russell Carlisle - Receiving Colors & Command - 512th Airlift Control Flight |
| H143-887      | DiPinto                         | 8/10/2005   | T           | Judge Richard S. Gebelein - Retirement - Superior Court                            |
|               | cosponsor: Rep. Valihura        |             |             |                                                                                    |
| H143-888      | Valihura                        | 9/16/2005   | T           | Stepfamily Day                                                                     |
| H143-889      | Thornburg                       | 7/1/2005    | M           | Clarence Garvine                                                                   |
|               | cosponsor: Rep. Keeley          |             |             |                                                                                    |
| H143-890      | Atkins                          | 8/15/2005   | T           | Elizabeth Hitchens - 100th Birthday                                                |

#### HOUSE TRIBUTE ANNOUNCEMENT #40

DATE: January 11, 2006

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>Date</u> | <u>Type</u> | <u>Description</u>                                      |
|---------------|------------------------------------------------|-------------|-------------|---------------------------------------------------------|
| H143-891      | Outten                                         | 7/25/2005   | T           | Mary Tyndall - Lake Forest District Teacher of the Year |
| H143-892      | Hudson                                         | 7/29/2005   | M           | Karen L. Johnson                                        |
|               | cosponsors: Rep. DiPinto & All Representatives |             |             |                                                         |
| H143-893      | Hudson                                         | 7/18/2005   | T           | Jessie & Ann Klosiewicz - 50th Wedding Anniversary      |

|          |              |           |   |                                                       |
|----------|--------------|-----------|---|-------------------------------------------------------|
| H143-894 | Hudson       | 6/30/2005 | T | Harry & Virginia White - 60th Wedding Anniversary     |
| H143-895 | Hudson       | 6/25/2005 | T | Fred & Martha Knobloch - 50th Wedding Anniversary     |
| H143-896 | Hudson       | 8/29/2005 | T | Weston & Catherine Wardell - 50th Wedding Anniversary |
| H143-897 | Mulrooney    | 8/10/2005 | T | Mel Jarman - Bronze Medal of Honor                    |
| H143-898 | Wagner       | 8/7/2005  | M | Dr. Thomas Aubrey Jeter, Jr. DMV                      |
| H143-899 | Wagner       | 8/13/2005 | T | Chauntel Smith & DeAndre Hayward -- Marriage          |
| H143-900 | Booth        | 8/13/2005 | T | Lawrence Sammons - 89th Birthday                      |
| H143-901 | Carey        | 8/20/2005 | T | Thelma Mayhew - 101st Birthday                        |
| H143-902 | Wagner       | 8/20/2005 | T | Stacy Conner & David Kuklish - Marriage               |
| H143-903 | Hall-Long    | 9/4/2005  | T | Donald & Virginia Morris - 50th Wedding Anniversary   |
| H143-904 | Atkins       | 8/9/2005  | M | Hersel R. Davis                                       |
| H143-905 | Thornburg    | 8/8/2005  | M | Kevin A. Vodvarka                                     |
| H143-906 | Ennis        | 9/17/2005 | T | Howard R. Killen, Jr. - 60th Birthday                 |
| H143-907 | Roy          | 6/17/2005 | T | George & Dorothy Stetz - 50th Wedding Anniversary     |
| H143-908 | Schooley     | 6/4/2005  | T | Charles & Judith McGowen - 50th Wedding Anniversary   |
| H143-909 | Williams     | 7/15/2005 | T | James & Viola Lofink - 60th Wedding Anniversary       |
| H143-910 | Johnson      | 7/1/2005  | T | Rev. & Mrs. James Matthews - 55th Wedding Anniversary |
| H143-911 | Schwartzkopf | 8/1/2005  | T | James & Betty Lawson - 60th Wedding Anniversary       |
| H143-912 | McWilliams   | 8/18/2005 | T | Clement C. Schilling - 90th Birthday                  |
| H143-913 | Gilligan     | 8/8/2005  | T | Paul & Thelma Murphy - 60th Wedding Anniversary       |
| H143-914 | Gilligan     | 6/4/2005  | T | Harry & Dolores Brand - 50th Wedding Anniversary      |
| H143-915 | Johnson      | 8/6/2005  | T | Douglas & Gladys Crossan - 50th Wedding Anniversary   |

#### HOUSE TRIBUTE ANNOUNCEMENT #41

DATE: January 11, 2006

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      | Date      | Type | Description                                           |
|----------|--------------|-----------|------|-------------------------------------------------------|
| H143-916 | VanSant      | 7/28/2005 | T    | George & Ruth Rudloff - 60th Wedding Anniversary      |
| H143-917 | Marshall     | 8/9/2005  | M    | Forrest Francis Parry                                 |
| H143-918 | Lee          | 8/10/2005 | T    | Mildred Hastings - 90th Birthday                      |
| H143-919 | Carey        | 8/2/2005  | T    | Lynn Rogers - Service Above Self Award                |
| H143-920 | Booth        | 8/25/2005 | T    | Eolyne Tunnell - Norman B. Baylis Award               |
| H143-921 | Hocker       | 8/25/2005 | T    | Dewey Beach Lions Club - John W. Rollins, Sr. Award   |
| H143-922 | Schwartzkopf | 8/25/2005 | T    | Dr. & Mrs. James Beebe - Robert W. Tunnell, Sr. Award |
| H143-923 | Schooley     | 7/28/2005 | M    | Harry D. Hutchinson                                   |
| H143-924 | Ennis        | 8/13/2005 | M    | Dale H. Lewis                                         |
| H143-925 | Ennis        | 8/12/2005 | M    | P. Wallace Powell                                     |
| H143-926 | Ennis        | 8/12/2005 | M    | Sue & James Conk                                      |
| H143-927 | Ewing        | 8/14/2005 | M    | Rev. Alvin J. Willink                                 |
| H143-928 | Oberle       | 8/21/2005 | T    | Frank S. Terranova - 50 Years - Elsmere Barber Shop   |
| H143-929 | Wagner       | 7/29/2005 | T    | Gerard Carisio & Kara Kinsch - Marriage               |
| H143-930 | Wagner       | 8/28/2005 | T    | Kimberly Sov & Dion Ho - Marriage                     |

|          |        |           |   |                                                  |
|----------|--------|-----------|---|--------------------------------------------------|
| H143-931 | Wagner | 8/17/2005 | T | Roma Carter - 100th Birthday                     |
| H143-932 | Carey  | 9/1/2005  | T | Master Chief Dean Johnson - Retirement - US Army |

#### HOUSE TRIBUTE ANNOUNCEMENT #42

DATE: January 11, 2006

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      | Date      | Type | Description                                                                                                                                                                                                                                                                                    |
|----------|--------------|-----------|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| H143-933 | Wagner       | 8/16/2005 | T    | R. Thomas Wagner, Jr. - President - National cosponsors: Reps. Atkins, Booth, Association of State Auditors<br>Buckworth, Carey, Cathcart, DiPinto, Ewing, Fallon, Hocker, Hudson, Lavelle, Lee, Lofink, Maier, Miro, Oberle, Outten, Roy, Smith, Spence, Stone, Thornburg, Ulbrich & Valihura |
| H143-934 | Wagner       | 8/24/2005 | T    | Fleischer's Bakery - Dover Landmark                                                                                                                                                                                                                                                            |
| H143-935 | Buckworth    | 8/20/2005 | T    | Natasha Troubetaris - Fran Lore Scholarship                                                                                                                                                                                                                                                    |
| H143-936 | Ennis        | 8/21/2005 | M    | Betty Cook Edmondson                                                                                                                                                                                                                                                                           |
| H143-937 | Wagner       | 8/22/2005 | M    | Philip Young                                                                                                                                                                                                                                                                                   |
| H143-938 | Wagner       | 8/27/2005 | T    | Mary Mann & Bruce Morris, II - Marriage                                                                                                                                                                                                                                                        |
| H143-939 | Outten       | 8/28/2005 | T    | David & Kenna Jo Adams - 40th Wedding Anniversary                                                                                                                                                                                                                                              |
| H143-940 | Williams     | 9/17/2005 | T    | James & Evelyn Sills - 50th Wedding Anniversary                                                                                                                                                                                                                                                |
| H143-941 | Wagner       | 9/4/2005  | T    | Alfreda Ferguson - 100th Birthday                                                                                                                                                                                                                                                              |
| H143-942 | Carey        | 8/23/2005 | M    | Ricky Lee Taylor                                                                                                                                                                                                                                                                               |
| H143-943 | Schooley     | 9/10/2005 | T    | Marenes & Jane Tripp - 50th Wedding Anniversary                                                                                                                                                                                                                                                |
| H143-944 | Schwartzkopf | 9/18/2005 | T    | Til & Skipper Purnell - Contributions - Sussex County                                                                                                                                                                                                                                          |
| H143-945 | Spence       | 8/28/2005 | M    | Tangalene J. Holsey<br>cosponsors: All Representatives                                                                                                                                                                                                                                         |
| H143-946 | Marshall     | 8/29/2005 | M    | Letty Mae Lee                                                                                                                                                                                                                                                                                  |
| H143-947 | Carey        | 9/25/2005 | T    | Stephen Masten, Jr. - Eagle Scout                                                                                                                                                                                                                                                              |
| H143-948 | Wagner       | 8/31/2005 | T    | Vivian King - Retirement - Capital School District                                                                                                                                                                                                                                             |
| H143-949 | Caulk        | 9/11/2005 | T    | Barratt's Chapel - 225th Anniversary                                                                                                                                                                                                                                                           |
| H143-950 | Stone        | 9/17/2005 | T    | Michael & Virginia Lepore - 50th Wedding Anniversary                                                                                                                                                                                                                                           |
| H143-951 | Booth        | 8/11/2005 | T    | Mr. & Mrs. William Hudson - 60th Wedding Anniversary                                                                                                                                                                                                                                           |
| H143-952 | Booth        | 7/16/2005 | T    | Claire & Richard Thomas - 50th Wedding Anniversary                                                                                                                                                                                                                                             |

#### HOUSE TRIBUTE ANNOUNCEMENT #43

DATE: January 11, 2006

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      | Date       | Type | Description                                             |
|----------|--------------|------------|------|---------------------------------------------------------|
| H143-953 | Booth        | 7/9/2005   | T    | David & Almeda Pepper - 50th Wedding Anniversary        |
| H143-954 | Thornburg    | 8/21/2005  | M    | Kimberly Inverso Book                                   |
| H143-955 | Caulk        | 7/31/2005  | T    | Robert & Mildred Warren - 60th Wedding Anniversary      |
| H143-956 | Stone        | 8/28/2005  | T    | Mr. & Mrs. John Walker - 50th Wedding Anniversary       |
| H143-957 | Lee          | 7/7/2005   | T    | Phillip & Mary Comba - 60th Wedding Anniversary         |
| H143-958 | Hudson       | 8/31/2005  | T    | Macon & Carolyn Stroud - 65th Wedding Anniversary       |
| H143-959 | Stone        | 9/2/2005   | M    | Charles R. Curran                                       |
| H143-960 | Hudson       | 9/3/2005   | T    | Donald & Rose Dresser - 50th Wedding Anniversary        |
| H143-961 | Hudson       | 9/16/2005  | T    | Robert Hickman - 100th Birthday                         |
| H143-962 | Wagner       | 8/27/2005  | T    | Sara Akers & Christopher Cooper - Marriage              |
| H143-963 | Lee          | 7/20/2005  | T    | Francis & Rosalie Nero - 65th Wedding Anniversary       |
| H143-964 | DiPinto      | 9/3/2005   | T    | Harry & Rosanne Christopher - 50th Wedding Anniversary  |
| H143-965 | DiPinto      | 9/3/2005   | T    | Joseph & Eva Meriggi - 50th Wedding Anniversary         |
| H143-966 | Schwartzkopf | 8/20/2005  | T    | Walter & Florence Hatz - 50th Wedding Anniversary       |
| H143-967 | VanSant      | 7/26/2005  | T    | Russell & Laura Fernandes - 60th Wedding Anniversary    |
| H143-968 | Mulrooney    | 8/27/2005  | T    | Thomas & Joan Winterbottom/50th Wedding Anniversary     |
| H143-969 | Gilligan     | 9/10/2005  | T    | Augustine & Geraldine Calfo - 50th Wedding Anniversary  |
| H143-970 | Gilligan     | 9/3/2005   | T    | Domenick & Joyce Pantalone - 50th Wedding Anniversary   |
| H143-971 | Longhurst    | 9/3/2005   | T    | George & Joanne Krippahne - 50th Wedding Anniversary    |
| H143-972 | Longhurst    | 7/14/2005  | T    | James & Blanche McFall - 60th Wedding Anniversary       |
| H143-973 | Maier        | 9/11/2005  | T    | Robert & Jane Austin- 60th Wedding Anniversary          |
| H143-974 | Lee          | 8/25/2005  | T    | Bobby & Grace Carey - Carey's Sunoco - 50th Anniversary |
| H143-975 | Hudson       | 10/22/2005 | T    | Sara Helms & Douglas Gray - Marriage                    |
| H143-976 | Carey        | 9/27/2005  | M    | Margaret Harmon Banks                                   |
| H143-977 | Williams     | 9/17/2005  | T    | Gladys Louise Ringgold - 100th Birthday                 |

H143-978 Ennis 8/26/2005 M Winifred Elsie Chillas  
HOUSE TRIBUTE ANNOUNCEMENT #44

DATE: January 11, 2006

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                         | Date      | Type | Description                                            |
|-----------|---------------------------------|-----------|------|--------------------------------------------------------|
| H143-979  | Spence                          | 9/17/2005 | T    | Joseph & Patricia DiPinto - 50th Wedding Anniversary   |
|           | cosponsors: All Representatives |           |      |                                                        |
| H143-980  | Schwartzkopf                    | 9/15/2005 | T    | Lt. George Chamberlin/Retirement/State Police/25 Years |
| H143-981  | Wagner                          | 9/3/2005  | T    | Cynthia Meyers & Jason Pennypacker – Marriage          |
| H143-982  | Wagner                          | 9/17/2005 | T    | Kristen Schultz & David Nantz - Marriage               |
| H143-983  | Ewing                           | 9/18/2005 | T    | Greenwood United Methodist Church - 125th Anniversary  |
| H143-984  | Ennis                           | 9/12/2005 | M    | Corinne J. Mitchell                                    |
|           | cosponsor: Rep. Thornburg       |           |      |                                                        |
| H143-985  | Booth                           | 9/10/2005 | M    | George H. P. Smith                                     |
| H143-986  | Lee                             | 4/16/2005 | T    | John & Gerri Culver - 50th Wedding Anniversary         |
| H143-987  | Hocker                          | 9/14/2005 | T    | Theresa Murray/Retirement/Murray's Bait & Tackle       |
| H143-988  | Mulrooney                       | 9/17/2005 | T    | Margaret Davis - 80th Birthday                         |
| H143-989  | Williams                        | 8/24/2005 | M    | Ceyron Cran                                            |
| H143-990  | Wagner                          | 9/1/2005  | T    | Pamela Venderveen/Retirement/Capital Schools/26 Years  |
| H143-991  | Stone                           | 9/1/2005  | T    | Wanda Divita - Retirement - Capital Schools – 19 Years |
|           | cosponsor: Rep. Wagner          |           |      |                                                        |
| H143-992  | Wagner                          | 7/1/2005  | T    | Donna Devary & Woodrow Postle, III – Marriage          |
| H143-993  | Schooley                        | 9/20/2005 | T    | Joseph Scott, Jr. - Newark High Teacher of the Year    |
|           | cosponsor: Rep. Cathcart        |           |      |                                                        |
| H143-994  | Smith                           | 9/5/2005  | M    | Yvonne Ke'Onaonaulani King                             |
| H143-995  | Ennis                           | 9/1/2005  | T    | Marcia Motley/Retirement/Capital Schools/16 Years      |
| H143-996  | Wagner                          | 9/18/2005 | M    | Patricia Ann Beaulieu Ulp                              |
| H143-997  | Wagner                          | 8/27/2005 | T    | James & Mary Marshall - 50th Wedding Anniversary       |
| H143-998  | Caulk                           | 9/30/2005 | T    | Donna Foulks - Retirement - DelDOT - 31 Years          |
| H143-999  | Buckworth                       | 9/26/2005 | T    | Joe Jackewicz - Kent County Farm Family of the Year    |
| H143-1000 | Atkins                          | 9/17/2005 | T    | Normal Betts - Fireman of the Year - DVFA              |
| H143-1001 | Carey                           | 10/1/2005 | T    | James Carpenter Family/Sussex Farm Family of the Year  |
| H143-1002 | Wagner                          | 10/1/2005 | T    | Noelle Iseman & Michael Dorment - Marriage             |
| H143-1003 | Carey                           | 9/24/2005 | T    | Town of Ellendale - 100th Anniversary                  |
| H143-1004 | Booth                           | 10/3/2005 | T    | Howard T. Ennis School - Superior Rating               |

HOUSE TRIBUTE ANNOUNCEMENT #45

DATE: January 11, 2006

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               | Date       | Type | Description                                             |
|-----------|-----------------------|------------|------|---------------------------------------------------------|
| H143-1005 | Keeley                | 10/5/2005  | T    | David Schelat - Wilmington - Excellence in the Arts     |
| H143-1006 | Keeley                | 10/5/2005  | T    | Va'shun Akai Turner/Excellence in Athletics             |
| H143-1007 | Keeley                | 10/5/2005  | T    | Cecilia Cardesa-Lusardi/Excellence in Community Service |
| H143-1008 | Wagner                | 9/18/2005  | M    | Courtney P. Houston, Jr.                                |
| H143-1009 | Maier                 | 5/21/2005  | T    | Dean & Anne Herfindahl - 50th Wedding Anniversary       |
| H143-1010 | Spence                | 10/18/2005 | T    | Dolores Alfano - Honored by the Ministry of Caring      |
| H143-1011 | Maier                 | 7/1/2005   | T    | Sandra Bihary & Samuel Waltz - Marriage                 |
| H143-1012 | Wagner                | 9/22/2005  | M    | Lt. Comdr. Constantine Malmberg, II                     |
|           | cosponsor: Rep. Stone |            |      |                                                         |
| H143-1013 | Schooley              | 9/30/2005  | T    | JoAnne Deshon - American Stars of Teaching Award        |
| H143-1014 | Ulbrich               | 9/15/2005  | M    | Eric Michael Petzak                                     |
| H143-1015 | Buckworth             | 9/24/2005  | M    | Audrey F. Whitby                                        |
|           | cosponsor: Rep. Ewing |            |      |                                                         |
| H143-1016 | Buckworth             | 9/26/2005  | T    | Phillip & Doris Greene - Retirement                     |
| H143-1017 | Mulrooney             | 9/27/2005  | T    | Hugh McElroy/Retirement/Delaware Psychiatric Center     |
| H143-1018 | Wagner                | 9/24/2005  | M    | Michael J. Thompson                                     |
| H143-1019 | Schooley              | 10/5/2005  | T    | John R. Downes Elementary School - Walk to School Day   |
| H143-1020 | McWilliams            | 9/24/2005  | M    | Josephine Eichenberger                                  |
| H143-1021 | Wagner                | 9/16/2005  | T    | Kristen Pecora & Travis Ridgeway - Marriage             |
| H143-1022 | Wagner                | 9/30/2005  | T    | Ellen Quinn & Troy Bockius - Marriage                   |
| H143-1023 | Wagner                | 10/1/2005  | T    | Rhonda West & Carlton Turner, Jr. - Marriage            |
| H143-1024 | Wagner                | 9/18/2005  | M    | Dr. Donald Richard Cowan                                |

|           |           |           |   |                                                      |
|-----------|-----------|-----------|---|------------------------------------------------------|
| H143-1025 | Spence    | 10/5/2005 | T | Republic of China's National Day - 94th Anniversary  |
| H143-1026 | Carey     | 10/8/2005 | T | William Spencer - 60 Years - Milton Fire Company     |
| H143-1027 | Wagner    | 9/24/2005 | M | Rev. Byarie Jones, Jr.                               |
| H143-1028 | Thornburg | 9/30/2005 | T | PPG Industries Dover Plant - 30th Anniversary        |
| H143-1029 | DiPinto   | 10/5/2005 | T | James H. Gilliam, Sr. - Wilmington Award             |
| H143-1030 | DiPinto   | 10/5/2005 | T | Barbara Delledonne - Excellence in Volunteer Service |
| H143-1031 | DiPinto   | 10/5/2005 | T | Rev. Derrick Johnson - Excellence in Faith           |

#### HOUSE TRIBUTE ANNOUNCEMENT #46

DATE: January 11, 2006

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                                        | Date       | Type | Description                                                            |
|-----------|------------------------------------------------|------------|------|------------------------------------------------------------------------|
| H143-1032 | DiPinto                                        | 10/5/2005  | T    | Sister Ann Zwosta, OSF - Excellence in Education                       |
| H143-1033 | DiPinto                                        | 10/5/2005  | T    | James Keegan - Excellence in Education                                 |
| H143-1034 | Hall-Long                                      | 9/30/2005  | T    | Robert Lightcap - Retirement - DelDOT - 15 Years                       |
|           | cosponsor: Rep. Ennis                          |            |      |                                                                        |
| H143-1035 | Ewing                                          | 10/7/2005  | T    | Charles & Virginia Stokes - 50th Wedding Anniversary                   |
| H143-1036 | Outten                                         | 10/7/2005  | T    | Paul Lewis Simpson - 80th Birthday                                     |
| H143-1037 | Booth                                          | 9/26/2005  | M    | David W. Pepper                                                        |
|           | cosponsors: Reps. Atkins & Hocker              |            |      |                                                                        |
| H143-1038 | Hudson                                         | 10/22/2005 | T    | Jack & Gail Giles - 50th Wedding Anniversary                           |
| H143-1039 | Hudson                                         | 10/18/2005 | T    | Dolores Alfano - Sister Ann Marguerite Gildea Award                    |
| H143-1040 | Schwartzkopf                                   | 10/4/2005  | T    | Nancy Katz - Sussex County Woman of the Year                           |
| H143-1041 | Schwartzkopf                                   | 10/4/2005  | T    | Dogfish Head Brewery - Employer of the Year                            |
| H143-1042 | Ennis                                          | 10/4/2005  | T    | William Clarke - 80th Birthday                                         |
| H143-1043 | Hudson                                         | 2/19/2005  | T    | Gene & Anne Fagan - 50th Wedding Anniversary                           |
| H143-1044 | Stone                                          | 9/18/2005  | M    | John Woodall                                                           |
| H143-1045 | Hall-Long                                      | 10/10/2005 | T    | Chuck Hooper - New Castle County Agriculture Award                     |
| H143-1046 | Carey                                          | 10/5/2005  | T    | Mrs. Mortimer Whitehead - Century Farm Award                           |
| H143-1047 | Oberle                                         | 9/30/2005  | M    | William M. Rickman, Sr.                                                |
|           | cosponsors: Reps. Gilligan & Roy               |            |      |                                                                        |
| H143-1048 | Outten                                         | 7/8/2005   | T    | Robert & Doris Biggs - 50th Wedding Anniversary                        |
| H143-1049 | Outten                                         | 9/10/2005  | T    | Mr. & Mrs. Samuel Faulkner/50th Wedding Anniversary                    |
| H143-1050 | Buckworth                                      | 8/15/2005  | T    | Jana Ipnar & Adam Jarrell - Marriage                                   |
|           | cosponsor: Rep. Outten                         |            |      |                                                                        |
| H143-1051 | Atkins                                         | 9/23/2005  | T    | Long Neck Elementary School - National Blue Ribbon School              |
|           | cosponsors: Reps. Booth, Hocker & Schwartzkopf |            |      |                                                                        |
| H143-1052 | Ennis                                          | 10/9/2005  | T    | St. Paul Union American Methodist Episcopal Church - 100th Anniversary |
| H143-1053 | Cathcart                                       | 9/21/2005  | T    | Jerome Unruh - 80th Birthday                                           |
|           | cosponsor: Rep. Ennis                          |            |      |                                                                        |
| H143-1054 | Ewing                                          | 10/5/2005  | T    | Col. & Mrs. E. N. Tyndall - Century Farm Award                         |
| H143-1055 | Caulk                                          | 10/5/2005  | T    | Jacob Roosa, III - Century Farm Award                                  |

#### HOUSE TRIBUTE ANNOUNCEMENT #47

DATE: January 11, 2006

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   | Date      | Type | Description                                                                   |
|-----------|-----------|-----------|------|-------------------------------------------------------------------------------|
| H143-1056 | Ennis     | 9/10/2005 | T    | Margaret Lombardi - 80th Birthday                                             |
| H143-1057 | Hudson    | 9/15/2005 | T    | Cynthia Amon - Top 10 In-House Public Relations Person - Gear Trends Magazine |
| H143-1058 | Mulrooney | 10/7/2005 | T    | Violet & Albert Westerside/61st Wedding Anniversary                           |
| H143-1059 | Mulrooney | 1/29/2005 | T    | Luther & Carole LaBar - 50th Wedding Anniversary                              |
| H143-1060 | Longhurst | 8/27/2005 | T    | Richard & Faye Weldon - 50th Wedding Anniversary                              |
| H143-1061 | Buckworth | 9/30/2005 | M    | William Andrew Fones                                                          |
| H143-1062 | Wagner    | 10/5/2005 | M    | Billy J. Wheeler                                                              |
| H143-1063 | Wagner    | 9/17/2005 | T    | Stacy Seibel & James Witham - Marriage                                        |
| H143-1064 | Wagner    | 9/23/2005 | T    | Booker T. Washington Elementary/Blue Ribbon School                            |
| H143-1065 | Buckworth | 9/24/2005 | T    | Donald & Dorothy Adams/50th Wedding Anniversary                               |
| H143-1066 | Roy       | 9/2/2005  | T    | Robert & Ruth Baird - 50th Wedding Anniversary                                |
| H143-1067 | Hall-Long | 9/28/2005 | M    | Donald Millar Laws                                                            |
| H143-1068 | Hall-Long | 10/3/2005 | M    | Guy R. Root                                                                   |
| H143-1069 | Ennis     | 10/9/2005 | T    | Smyrna-Clayton Heritage Association - Bell Dedication                         |

|           |        |            |   |                                                                     |
|-----------|--------|------------|---|---------------------------------------------------------------------|
| H143-1070 | Ennis  | 10/8/2005  | M | Robert Lee Brown                                                    |
| H143-1071 | Spence | 11/1/2005  | T | Taylor Reinhart Geuting - Eagle Scout                               |
| H143-1072 | Carey  | 10/18/2005 | T | Sanders Management Corporation - Supported Employment Program Award |
| H143-1073 | Carey  | 10/18/2005 | T | Milford Bowling Lanes, Inc. - Supported Employment Program Award    |
| H143-1074 | Carey  | 10/18/2005 | T | Delmarva Wholesale Bakery - Industrial Work Crew Program Award      |
| H143-1075 | Carey  | 10/18/2005 | T | Intervet, Inc. - Industrial Work Crew Program Award                 |
| H143-1076 | Carey  | 10/18/2005 | T | Burris Logistics, IT Department - KSI Cartridge Service Award       |
| H143-1077 | Carey  | 10/18/2005 | T | Delaware National Bank - KSI Cartridge Service Award                |
| H143-1078 | Carey  | 10/18/2005 | T | Laboratory Corporation - KSI Cartridge Service Award                |
| H143-1079 | Carey  | 10/18/2005 | T | New Castle County Government - KSI Cartridge Service Award          |
| H143-1080 | Carey  | 10/18/2005 | T | Woodbridge School District - KSI Cartridge Service Award            |
| H143-1081 | Carey  | 10/18/2005 | T | Color Box Harrington - Sub-Contract Award                           |

#### HOUSE TRIBUTE ANNOUNCEMENT #48

DATE: January 11, 2006

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   | Date       | Type | Description                                                                 |
|-------------------------------------|-----------|------------|------|-----------------------------------------------------------------------------|
| H143-1082                           | Carey     | 10/18/2005 | T    | Dentsply/Caulk - Sub-Contract Award                                         |
| H143-1083                           | Carey     | 10/18/2005 | T    | Fastenal Company - Sub-Contract Award                                       |
| H143-1084                           | Carey     | 10/18/2005 | T    | Perdue Farms Incorporated - Sub-Contract Award                              |
| H143-1085                           | Carey     | 10/18/2005 | T    | Wal-Mart Distribution Center - Sub-Contract Award                           |
| H143-1086                           | Carey     | 10/18/2005 | T    | Procter & Gamble Dover Wipes Co./Partnership Award                          |
| H143-1087                           | Carey     | 10/18/2005 | T    | 436th Communications Squadron - Industrial Work Crew Program Award          |
| H143-1088                           | Ulbrich   | 11/7/2005  | T    | Brookside Lions Club - 50th Anniversary                                     |
| H143-1089                           | Ennis     | 10/8/2005  | T    | Jennifer Meade & David Weeks - Marriage                                     |
| H143-1090                           | Johnson   | 9/30/2005  | M    | Ernest H. Lambert, Sr.                                                      |
| H143-1091                           | Lavelle   | 10/20/2005 | T    | Robert Coyle - Eagle Scout                                                  |
| H143-1092                           | Marshall  | 10/20/2005 | T    | U of D Early Learning Center's Lights on Afterschool Program                |
| H143-1093                           | Thornburg | 10/17/2005 | T    | Wilmington Trust - Donation - Mason-Dixon Crownstone Marker Flagpole        |
| H143-1094                           | Ennis     | 10/10/2005 | M    | Cummins J. Evans                                                            |
| H143-1095                           | Wagner    | 10/22/2005 | T    | Barbara Brown & Victor Stephens - Marriage                                  |
| H143-1096                           | Wagner    | 10/15/2005 | M    | John W. Pitts                                                               |
| cosponsors: Reps. Buckworth & Stone |           |            |      |                                                                             |
| H143-1097                           | Atkins    | 10/19/2005 | T    | Indian River Senior Center, Inc. - 36th Anniversary                         |
| H143-1098                           | Smith     | 10/19/2005 | T    | Forwood Elementary School - Grand Reopening                                 |
| H143-1099                           | Maier     | 10/18/2005 | T    | Yasik Funeral Home - 100th Anniversary                                      |
| H143-1100                           | Wagner    | 10/11/2005 | M    | Ridgely William Vane, Jr.                                                   |
| H143-1101                           | DiPinto   | 10/2/2005  | T    | Anna Chisholm - Second Place - Sea Grant College Program Essay Contest      |
| H143-1102                           | DiPinto   | 10/2/2005  | T    | Bryan Merrill - Honorable Mention - Sea Grant College Program Essay Contest |
| H143-1103                           | Lee       | 10/24/2005 | T    | Debbie Mitchell - Laurel Business Person of the Year                        |
| H143-1104                           | Spence    | 11/10/2005 | T    | Lieutenant Michael Quig/Retirement/State Police                             |
| cosponsors: All Representatives     |           |            |      |                                                                             |
| H143-1105                           | Buckworth | 6/30/2005  | T    | Charles Stewart/Retirement/Caesar Rodney Schools                            |
| H143-1106                           | Buckworth | 6/30/2005  | T    | Marjorie Stewart/Retirement/Caesar Rodney Schools                           |
| H143-1107                           | Buckworth | 6/30/2005  | T    | Theo O'Brien - Retirement - Caesar Rodney Schools                           |

#### HOUSE TRIBUTE ANNOUNCEMENT #49

DATE: January 11, 2006

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   | Date      | Type | Description                                     |
|---------------------------|-----------|-----------|------|-------------------------------------------------|
| H143-1108                 | Carey     | 6/30/2005 | T    | Teri MacMillan/Retirement/Caesar Rodney Schools |
| cosponsor: Rep. Buckworth |           |           |      |                                                 |
| H143-1109                 | Buckworth | 6/30/2005 | T    | Edith Outten/Retirement/Caesar Rodney Schools   |



|           |           |            |   |                                                                                                    |
|-----------|-----------|------------|---|----------------------------------------------------------------------------------------------------|
| H143-1110 | DiPinto   | 10/20/2005 | T | Councilman Gerald L. Brady - Return from<br>cosponsors: Reps. Johnson, Keeley,<br>Plant & Williams |
| H143-1111 | Wagner    | 10/20/2005 | T | Kent County Community School - Rededication                                                        |
| H143-1112 | Booth     | 10/26/2005 | T | North Georgetown Elementary School –<br>cosponsors: Reps. Carey & Ewing                            |
| H143-1113 | Atkins    | 10/15/2005 | T | Superior School Rating                                                                             |
| H143-1114 | Wagner    | 10/22/2005 | M | Jim & Molly Henry - 50th Wedding Anniversary                                                       |
| H143-1115 | Buckworth | 10/22/2005 | M | James H. Hutchins<br>cosponsor: Rep. Wagner                                                        |
| H143-1116 | Wagner    | 11/1/2005  | T | William Randall Staats, Sr.                                                                        |
| H143-1117 | Outten    | 11/4/2005  | T | Janice Donovan - Fond Farewell                                                                     |
| H143-1118 | Booth     | 11/13/2005 | T | W. Tim Wright - Retirement - Delmarva Power                                                        |
| H143-1119 | Lee       | 11/16/2005 | T | Lance Garrett Hickman - Eagle Scout                                                                |
| H143-1120 | Oberle    | 11/4/2005  | T | Dr. Wayne Bastian - Delmar Citizen of the Year                                                     |
| H143-1121 | Oberle    | 11/4/2005  | T | Senior Lieutenant Dwight Booker - Retirement<br>-New Castle County Police                          |
| H143-1122 | Oberle    | 11/4/2005  | T | Senior Lieutenant Bruce Taylor - Retirement –<br>New Castle County Police                          |
| H143-1123 | Oberle    | 11/4/2005  | T | Senior Sergeant Gerald Conway - Retirement –<br>New Castle County Police                           |
| H143-1124 | Oberle    | 11/4/2005  | T | Senior Sergeant James Leonard - Retirement –<br>New Castle County Police                           |
| H143-1125 | Oberle    | 11/4/2005  | T | Senior Sergeant Philip Young - Retirement –<br>New Castle County Police                            |
| H143-1126 | Oberle    | 11/4/2005  | T | Corporal Kevin Lange - Retirement - New<br>Castle County Police                                    |
| H143-1127 | DiPinto   | 11/27/2005 | T | Corporal Philip Aufiero - Retirement - New<br>Castle County Police                                 |
| H143-1128 | Stone     | 11/16/2005 | T | Bernard J. Daney - Cross Pro Ecclesia et<br>Pontifice Recipient                                    |
| H143-1129 | Fallon    | 10/29/2005 | T | George Laureta - Retirement - DelDOT - 34 Years                                                    |
| H143-1130 | Williams  | 10/30/2005 | T | Jerry Borgia - Named to Green Terror Sports<br>Hall of Fame                                        |

#### HOUSE TRIBUTE ANNOUNCEMENT #50

DATE: January 11, 2006

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                | Date       | Type | Description                                                                                                   |
|-----------|------------------------|------------|------|---------------------------------------------------------------------------------------------------------------|
| H143-1131 | Carey                  | 11/16/2005 | T    | First State Community Action Agency - 40th<br>cosponsors: Reps. Atkins, Booth,<br>Ewing, Fallon, Hocker & Lee |
| H143-1132 | Atkins                 | 11/13/2005 | T    | Anniversary                                                                                                   |
| H143-1133 | Buckworth              | 10/16/2005 | T    | Marjorie Ward - 100th Birthday                                                                                |
| H143-1134 | Wagner                 | 10/26/2005 | M    | W. Virgil & Beryl Bork - 60th Wedding Anniversary                                                             |
| H143-1135 | Valihura               | 11/3/2005  | T    | Ann Bierer                                                                                                    |
| H143-1136 | Valihura               | 12/22/2005 | T    | Matthew Parker - Rode Horseback from Coast to Coast                                                           |
| H143-1137 | Maier                  | 11/3/2005  | T    | Andrew Lala - Eagle Scout                                                                                     |
| H143-1138 | Schwartzkopf           | 11/5/2005  | T    | Dave Maier - 50th Birthday                                                                                    |
| H143-1139 | Wagner                 | 11/19/2005 | T    | Walter & Edna Harmon - 65th Wedding Anniversary                                                               |
| H143-1140 | Johnson                | 10/28/2005 | T    | Christy Blaeuer & Tyrone Williams - Marriage                                                                  |
| H143-1141 | Hudson                 | 10/23/2005 | M    | Elder Louis McDuffy - Dedication – Environment                                                                |
| H143-1142 | Hudson                 | 8/12/2005  | M    | Marie Elizabeth Ledden                                                                                        |
| H143-1143 | Smith                  | 10/19/2005 | T    | Alfreda Sharp                                                                                                 |
| H143-1144 | Smith                  | 11/7/2005  | T    | Stanley's Tavern - 70th Anniversary                                                                           |
| H143-1145 | Mulrooney              | 11/4/2005  | T    | Steve Torpey - Restaurant Association Award                                                                   |
| H143-1146 | Wagner                 | 11/11/2005 | T    | Blanche Proud - 90th Birthday                                                                                 |
| H143-1147 | Outten                 | 10/30/2005 | M    | Dover Elks Lodge - Veterans Dinner                                                                            |
| H143-1148 | Outten                 | 10/30/2005 | M    | Brandi Plummer                                                                                                |
| H143-1149 | Outten                 | 10/30/2005 | M    | Jessica Dawn Cahall                                                                                           |
| H143-1150 | Outten                 | 10/30/2005 | M    | Stephanie Sherrie Cole                                                                                        |
| H143-1151 | Plant                  | 11/9/2005  | T    | Larry Bryfogle                                                                                                |
|           | cosponsor: Rep. Keeley |            |      | Claymore Senior Center - Veterans Day<br>Celebration                                                          |



|           |                                 |            |   |                                                                    |
|-----------|---------------------------------|------------|---|--------------------------------------------------------------------|
| H143-1152 | Thornburg                       | 11/3/2005  | T | J. Benjamin Ewing - Opening - Adams-Ewing<br>Public Safety Complex |
|           | cosponsors: All Representatives |            |   |                                                                    |
| H143-1153 | Booth                           | 11/12/2005 | T | Norma Short - 80th Birthday                                        |
| H143-1154 | Schooley                        | 11/13/2005 | T | Unitarian Universal Fellowship of Newark –<br>50th Anniversary     |
| H143-1155 | Carey                           | 11/18/2005 | T | Teeny Hudson - 80th Birthday                                       |
| H143-1156 | Gilligan                        | 11/18/2005 | T | Allen Faber - Retirement - DelDOT - 25 Years                       |

#### HOUSE TRIBUTE ANNOUNCEMENT #51

DATE: January 11, 2006

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                                             | Date       | Type | Description                                                |
|-----------|-----------------------------------------------------|------------|------|------------------------------------------------------------|
| H143-1157 | Stone                                               | 11/7/2005  | M    | Leroy Klein                                                |
|           | cosponsor: Rep. Wagner                              |            |      |                                                            |
| H143-1158 | Buckworth                                           | 11/10/2005 | T    | Archie & Jean Jordan - 60th Wedding Anniversary            |
| H143-1159 | Schwartzkopf                                        | 11/13/2005 | T    | Reverend Donald Schaefer/30th Anniversary/Ordination       |
| H143-1160 | Thornburg                                           | 11/3/2005  | M    | L. W. Stackhouse                                           |
| H143-1161 | Hudson                                              | 10/12/2005 | T    | Honorable Jack McKay - 90th Birthday                       |
| H143-1162 | Hudson                                              | 10/26/2005 | T    | E. Andrew DiSabatino, Jr. - Lifetime<br>Achievement Award  |
| H143-1163 | Hudson                                              | 11/10/2005 | T    | Ellen Barrosse - Entrepreneurial Woman of the Year         |
| H143-1164 | Gilligan                                            | 11/24/2005 | T    | Gerald & Joan Boyle - 50th Wedding Anniversary             |
| H143-1165 | Gilligan                                            | 11/19/2005 | T    | Harold & Janet Chalfant - 50th Wedding Anniversary         |
| H143-1166 | Schwartzkopf                                        | 11/5/2005  | T    | Walter & Edna Harmon - 65th Wedding Anniversary            |
| H143-1167 | Marshall                                            | 10/29/2005 | T    | Andrew & Jean Saksa - 50th Wedding Anniversary             |
| H143-1168 | Plant                                               | 7/30/2005  | T    | Louis & Jean Ferrier - 50th Wedding Anniversary            |
| H143-1169 | Mulrooney                                           | 9/10/2005  | T    | Edward & Ruth Travers - 50th Wedding Anniversary           |
| H143-1170 | Hudson                                              | 11/9/2005  | T    | Dr. Katherine Esterly - 80th Birthday                      |
|           | cosponsor: Rep. Maier                               |            |      |                                                            |
| H143-1171 | Smith                                               | 11/10/2005 | T    | Claymont Community Center - 30th<br>Anniversary            |
|           | cosponsors: Reps. Lavelle,<br>McWilliams & Valihura |            |      |                                                            |
| H143-1172 | Carey                                               | 11/19/2005 | T    | Mae Joseph - 102nd Birthday                                |
| H143-1173 | Wagner                                              | 11/8/2005  | M    | A. Rose Torbert Bradshaw                                   |
| H143-1174 | Lofink                                              | 11/16/2005 | M    | Samuel K. Bowen                                            |
| H143-1175 | Roy                                                 | 12/27/2005 | T    | St. John the Beloved Catholic Church - 50th<br>Anniversary |
| H143-1176 | Booth                                               | 11/20/2005 | T    | W. Layton Johnson - 80th Birthday                          |
|           | cosponsor: Rep. Carey                               |            |      |                                                            |
| H143-1177 | Maier                                               | 11/19/2005 | T    | Michael & Kim Ray - 50th Birthdays                         |
| H143-1178 | Schwartzkopf                                        | 11/18/2005 | T    | Mid Atlantic Family Practice - Grand Opening               |
| H143-1179 | Booth                                               | 11/12/2005 | M    | Elizabeth Chupek                                           |
| H143-1180 | Ewing                                               | 11/19/2005 | T    | Jodi James & Jeffrey Allen - Marriage                      |
| H143-1181 | Lee                                                 | 10/29/2005 | T    | Dale Boyce - Excellence in Christian Service Award         |
| H143-1182 | Carey                                               | 11/30/2005 | T    | Carpenter Farms - Farm Family of the Year                  |

#### HOUSE TRIBUTE ANNOUNCEMENT #52

DATE: January 11, 2006

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                                    | Date       | Type | Description                                                            |
|-----------|--------------------------------------------|------------|------|------------------------------------------------------------------------|
| H143-1183 | Stone                                      | 10/20/2005 | T    | Capitol Dreamcatchers - Night of Heroes Award                          |
| H143-1184 | Wagner                                     | 12/1/2005  | T    | Jane Tinsley - Retirement - Capital Schools                            |
| H143-1185 | Hocker                                     | 10/25/2005 | T    | Garrett Lydic - Teacher of the Year                                    |
|           | cosponsors: Rep. Lee & All Representatives |            |      |                                                                        |
| H143-1186 | Spence                                     | 12/3/2005  | T    | Gloria Corrozi - 70th Birthday                                         |
| H143-1187 | Ennis                                      | 11/19/2005 | M    | Doris Ann Jones                                                        |
| H143-1188 | Spence                                     | 11/22/2005 | T    | Sharon Goff - President - American Legion<br>Auxiliary                 |
|           | cosponsor: Rep. Hall-Long                  |            |      |                                                                        |
| H143-1189 | Outten                                     | 11/27/2005 | T    | Frank Hrupsa - 90th Birthday                                           |
|           | cosponsor: Rep. Lavelle                    |            |      |                                                                        |
| H143-1190 | Outten                                     | 11/25/2005 | T    | Travis Michels - Eagle Scout                                           |
| H143-1191 | Buckworth                                  | 11/14/2005 | M    | Mary Emma Papen                                                        |
| H143-1192 | Oberle                                     | 11/22/2005 | T    | Corbit Goff - Dedicated Service - Residents –<br>Chestnut Hill Estates |
|           | cosponsor: Rep. Hall-Long                  |            |      |                                                                        |

|           |                        |            |   |                                                                      |
|-----------|------------------------|------------|---|----------------------------------------------------------------------|
| H143-1193 | Booth                  | 12/1/2005  | T | Anna Mercer/45 Years/Volunteer/Lewes Public Library                  |
| H143-1194 | Outten                 | 11/30/2005 | T | Vince Winkler - Farm Bureau Discussion Meet                          |
| H143-1195 | Outten                 | 12/5/2005  | T | Kathleen Woikoski/Retirement/Lake Forest Schools                     |
| H143-1196 | Schwartzkopf           | 12/4/2005  | T | Steve Elkins - Citizen of the Year - Rehoboth Beach                  |
| H143-1197 | Wagner                 | 12/2/2005  | T | Mary Skelton & Gary Womer - Marriage                                 |
| H143-1198 | Wagner                 | 12/10/2005 | T | Wendy Reed & Christopher Ridgeway – Marriage                         |
| H143-1199 | Ennis                  | 11/21/2005 | M | Deacon Javan Davis                                                   |
|           | cosponsor: Rep. Wagner |            |   |                                                                      |
| H143-1200 | Buckworth              | 11/28/2005 | T | Harold & Dianne Carlisle - 50th Wedding Anniversary                  |
| H143-1201 | Thornburg              | 11/25/2005 | M | Jeannette Lorraine Melvin                                            |
| H143-1202 | Spence                 | 12/1/2005  | T | Honorable Elena Poptodorova - Visit to Delaware                      |
| H143-1203 | Buckworth              | 11/26/2005 | M | Bruce Lindale Stokes                                                 |
| H143-1204 | Oberle                 | 11/8/2005  | M | Rebekah Leithren                                                     |
| H143-1205 | Schwartzkopf           | 11/27/2005 | M | Marcia Shihadeh                                                      |
| H143-1206 | Ennis                  | 12/3/2005  | T | Regina Brown - Retirement                                            |
| H143-1207 | Spence                 | 12/2/2005  | T | Father Oscar Frundt - 42 Years - Chaplain –<br>Delaware State Police |
| H143-1208 | Booth                  | 11/29/2005 | T | Andy Stockdale - Retirement - US Postal<br>Service - 30 Years        |
|           | cosponsor: Rep. Hocker |            |   |                                                                      |

#### HOUSE TRIBUTE ANNOUNCEMENT #53

DATE: January 11, 2006

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>Date</u> | <u>Type</u> | <u>Description</u>                                                |
|---------------|------------------------------------------------------------------------------|-------------|-------------|-------------------------------------------------------------------|
| H143-1209     | Stone                                                                        | 12/6/2005   | T           | Richard Brogan - President - Association of Realtors              |
| H143-1210     | Stone                                                                        | 12/6/2005   | T           | Charles Martin - President - Kent County Realtors                 |
| H143-1211     | Stone                                                                        | 12/6/2005   | T           | Thomas Stevens/President/National Realtors/Visit to DE            |
| H143-1212     | DiPinto                                                                      | 11/27/2005  | T           | Charles Cawley - Cross Pro Ecclesia et Pontifice Award            |
| H143-1213     | DiPinto                                                                      | 11/27/2005  | T           | James Keegan - Cross Pro Ecclesia et Pontifice Award              |
| H143-1214     | DiPinto                                                                      | 11/27/2005  | T           | Thomas Sweeney/Cross Pro Ecclesia et Pontifice Award              |
| H143-1215     | DiPinto                                                                      | 11/27/2005  | T           | Honorable Joseph Walsh - Cross Pro Ecclesia<br>et Pontifice Award |
| H143-1216     | DiPinto                                                                      | 11/27/2005  | T           | Richard Long - Cross Pro Ecclesia et Pontifice Award              |
| H143-1217     | Hudson                                                                       | 11/27/2005  | T           | Alexander Giacco - Cross Pro Ecclesia et<br>Pontifice Award       |
|               | cosponsor: Rep. DiPinto                                                      |             |             |                                                                   |
| H143-1218     | DiPinto                                                                      | 11/27/2005  | T           | John McEvoy - Benemerenti Award                                   |
| H143-1219     | DiPinto                                                                      | 11/27/2005  | T           | Thomas Braun - Benemerenti Award                                  |
| H143-1220     | DiPinto                                                                      | 11/27/2005  | T           | Monsignor John Barres - Named Prelate to<br>Pope Benedict XVI     |
| H143-1221     | Stone                                                                        | 11/17/2005  | M           | Charles Szvitich                                                  |
|               | cosponsor: Rep. Buckworth                                                    |             |             |                                                                   |
| H143-1222     | Maier                                                                        | 12/8/2005   | T           | Milbank Memorial Fund - 100th Anniversary                         |
| H143-1223     | Lee                                                                          | 12/13/2005  | T           | Carla Todd - Retirement - DelDOT - 21+ Years                      |
| H143-1224     | Ennis                                                                        | 11/23/2005  | M           | Charlotte O'Neal Pleasanton                                       |
| H143-1225     | Caulk                                                                        | 12/31/2005  | T           | Kenneth Bleadow - Retirement - DelDOT – 35 Years                  |
| H143-1226     | Buckworth                                                                    | 12/31/2005  | T           | James O'Brien - Retirement - DelDOT - 39 Years                    |
| H143-1227     | Lee                                                                          | 12/6/2005   | T           | David & Pat Horsey - Support of Sussex County Youth               |
|               | cosponsors: Reps. Atkins, Booth, Carey, Ewing, Fallon, Hocker & Schwartzkopf |             |             |                                                                   |
| H143-1228     | Wagner                                                                       | 11/26/2005  | M           | Joseph W. Gambrill                                                |
| H143-1229     | Hocker                                                                       | 11/20/2005  | T           | Milton Cooper - Commitment to Ducks Unlimited                     |
| H143-1230     | Spence                                                                       | 12/19/2005  | T           | Patricia Ament - Retirement - 30 Years –<br>Insurance Department  |
|               | cosponsor: Rep. Wagner                                                       |             |             |                                                                   |

#### HOUSE TRIBUTE ANNOUNCEMENT #54

DATE: January 11, 2006

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>Date</u> | <u>Type</u> | <u>Description</u>                                    |
|---------------|----------------|-------------|-------------|-------------------------------------------------------|
| H143-1231     | Oberle         | 1/29/2006   | T           | Christopher James Palladino - Eagle Scout             |
| H143-1232     | Ennis          | 12/22/2005  | T           | Maggie Ann Montgomery - 90th Birthday                 |
| H143-1233     | Ennis          | 12/23/2005  | T           | Robert & Nellie Naylor - 50th Wedding Anniversary     |
| H143-1234     | Spence         | 12/16/2005  | T           | New Castle County Police Alumni Association/Formation |
| H143-1235     | Cathcart       | 12/16/2005  | T           | Thomas Heard - Retirement - DelDOT - 39 Years         |
| H143-1236     | Buckworth      | 11/26/2005  | T           | William & Lillian Bordley - 50th Wedding Anniversary  |
| H143-1237     | Williams       | 12/31/2005  | T           | Frank & Catherine Wharton - 50th Wedding Anniversary  |

|           |                                                             |            |   |                                                        |
|-----------|-------------------------------------------------------------|------------|---|--------------------------------------------------------|
| H143-1238 | Roy                                                         | 12/14/2005 | T | Frank Mullins/Retirement/Red Clay Schools/33 Years     |
| H143-1239 | Schwartzkopf                                                | 10/15/2005 | T | Frederick & Jean Unruh - 50th Wedding Anniversary      |
| H143-1240 | Gilligan                                                    | 12/26/2005 | T | Lawrence & Anne Marie Beaver/50th Wedding Anniversary  |
| H143-1241 | VanSant                                                     | 10/22/2005 | T | Donald & Louise Goelzhauser/50th Wedding Anniversary   |
| H143-1242 | Schwartzkopf                                                | 12/21/2005 | T | Terry Petrucci - Retirement - DelDOT - 30 Years        |
|           | cosponsors: All Representatives                             |            |   |                                                        |
| H143-1243 | Schwartzkopf                                                | 10/20/2005 | T | John & Anne McDevitt - 60th Wedding Anniversary        |
| H143-1244 | Maier                                                       | 1/7/2006   | T | Sara Wood & Jason Bolstead - Marriage                  |
| H143-1245 | Thornburg                                                   | 12/19/2005 | T | Diana Robertson - Retirement - Department of Elections |
| H143-1246 | Schooley                                                    | 12/22/2005 | T | Samuel Singleton - 82nd Birthday                       |
| H143-1247 | Schooley                                                    | 1/20/2006  | T | Patricia Nelson - Career Achievement Award             |
| H143-1248 | Thornburg                                                   | 12/19/2005 | T | Patrick Murray - Dedicated Community Service           |
| H143-1249 | Roy                                                         | 10/21/2005 | T | Robert & Jane Austin - 60th Wedding Anniversary        |
| H143-1250 | Maier                                                       | 12/18/2005 | M | Carl George Kalmbacher                                 |
| H143-1251 | Ulbrich                                                     | 12/20/2005 | T | Veronica Williamson/Retirement/Christina Schools       |
| H143-1252 | Spence                                                      | 12/22/2005 | T | Harry Crystal - Retirement - Insurance Department      |
|           | cosponsor: Rep. Schwartzkopf                                |            |   |                                                        |
| H143-1253 | Ewing                                                       | 12/17/2005 | M | Henry Kuratle, Jr.                                     |
|           | cosponsors: Reps. Carey, Ennis, Lee, Schwartzkopf & VanSant |            |   |                                                        |

#### HOUSE TRIBUTE ANNOUNCEMENT #55

DATE: January 11, 2006

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>Date</u> | <u>Type</u> | <u>Description</u>                                   |
|---------------|-----------------------------------------------------------------|-------------|-------------|------------------------------------------------------|
| H143-1254     | Ewing                                                           | 12/17/2005  | M           | Edward G. Serman, Jr.                                |
|               | cosponsors: Reps. Atkins, Ennis, Lee, Schwartzkopf & VanSant    |             |             |                                                      |
| H143-1255     | Outten                                                          | 12/20/2005  | M           | Harlan Russell Blades, Jr.                           |
| H143-1256     | Wagner                                                          | 1/6/2006    | T           | Rick McCall - 40 Years - MapleDale Golf Pro          |
| H143-1257     | Stone                                                           | 7/29/2005   | T           | Richard Woodhall/Retirement/DelDOT/31 Years          |
| H143-1258     | Johnson                                                         | 12/4/2005   | T           | Ernest Talbert/Promotion/National Guard Brig.General |
| H143-1259     | Outten                                                          | 12/17/2005  | M           | Donna Fae Callaway-Rosenblatt                        |
| H143-1260     | Schwartzkopf                                                    | 12/29/2005  | T           | John F. Hyde, Esq. - 50th Anniversary of Service     |
|               | cosponsor: Rep. Booth                                           |             |             |                                                      |
| H143-1261     | Ewing                                                           | 1/3/2006    | T           | Aaron & Karen Chaffinch - 25th Wedding Anniversary   |
| H143-1262     | Booth                                                           | 1/4/2006    | T           | Phil Shultie - 300 Dual Wrestling Meet Wins          |
|               | cosponsors: Reps. Atkins, Carey, Ewing & Lee                    |             |             |                                                      |
| H143-1263     | Ennis                                                           | 12/28/2005  | M           | Medford Virdin                                       |
| H143-1264     | Stone                                                           | 12/30/2005  | M           | Jean Loyd Petsch                                     |
| H143-1265     | Ennis                                                           | 12/27/2005  | M           | Victoria E. Boyd                                     |
| H143-1266     | Ennis                                                           | 12/28/2005  | M           | Rebecca D. McClements                                |
| H143-1267     | Ennis                                                           | 12/25/2005  | M           | Helen M. Hudson                                      |
| H143-1268     | Buckworth                                                       | 12/31/2005  | M           | Helen F. Fifer                                       |
| H143-1269     | Stone                                                           | 1/2/2006    | M           | Dorothy Hurley                                       |
| H143-1270     | Thornburg                                                       | 12/29/2005  | M           | Morris W. King                                       |
|               | cosponsors: Reps. Buckworth, Ennis, Lee, Outten, Stone & Wagner |             |             |                                                      |
| H143-1271     | Wagner                                                          | 12/31/2005  | T           | Linda Hamm - Retirement - Capital Schools            |
|               | cosponsor: Rep. Ennis                                           |             |             |                                                      |
| H143-1272     | Hudson                                                          | 12/7/2005   | M           | George C. Brown                                      |
|               | cosponsor: Rep. Gilligan                                        |             |             |                                                      |
| H143-1273     | Outten                                                          | 1/2/2006    | M           | Erma S. Garey                                        |
| H143-1274     | Longhurst                                                       | 1/2/2006    | M           | Jeanne Hartzel-Reed                                  |

T- Tribute

M – Memoriam

Representative Smith made an announcement.

Representative Smith brought the following prefiled **Consent Calendar #18** before the House for consideration.

**HCR 40** – MIRO & REPRESENTATIVE ROY & REPRESENTATIVE VALIHURA & SENATOR COPELAND & SENATOR SOKOLA - Recognizing the Work of the New Tang Dynasty Television (NTDTV) in Promoting the Best of Chinese Culture Through Innovative Cultural Programs and Joining NTDTV in Celebrating the 2006 NTDTV Chinese New Year Global Gala.

**HCR 41** – SPENCE & REPRESENTATIVE SMITH; REPRESENTATIVES LEE; VANSANT; SENATORS ADAMS, MCDOWELL, DELUCA, STILL, SORENSON - Providing that a Joint Session of the House of Representatives and the Senate be Convened for the Purpose of Receiving the Annual State of the State Address by the Honorable Ruth Ann Minner, Governor of the State of Delaware.

**SCR 22** – SOKOLA & SENATOR COPELAND ON BEHALF OF ALL SENATORS & REPRESENTATIVES DIPINTO & SMITH ON BEHALF OF ALL REPRESENTATIVES - Declaring 2005 to the Delaware State Year of Physics.

**SCR 24** – MCBRIDE & SENATOR BLEVINS; REPRESENTATIVE VANSANT - Urging the Members of the Red Clay District School Board to Preserve the Rich Tradition and Honor of the State of Delaware by Naming the Proposed School for the Biotechnology and Health Fields after Henry C. Conrad.

**Consent Calendar #18** was adopted by voice vote and **HCR 40** & **HCR 41** were sent to the Senate for concurrence and **SCR 22** & **SCR 24** were returned to the Senate.

Representative Maier introduced guests.

The Majority Leader moved to recess for Committee meetings and to the call of the Chair at 2:33 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:33 P.M.: Representatives Atkins, Carey, DiPinto, Ennis, Fallon, Keeley, Lofink, Mulrooney, Oberle, Roy & Spence.

Mr. Speaker Spence called the House to order at 2:10 p.m. on January 12, 2006.

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

EDUCATION: **HB 271** – 5M,IU; **HB 273** – 4M,3U; **HB 287** – 7M; **HB 289** – 7M.

Mr. Speaker Spence assigned **HB 289** 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 32** and requests the concurrence of the House; **HCR 40** & **HCR 41** and is returning same to the House.

143rd General Assembly

WITHDRAWAL OF SPONSORSHIP

I, Stephanie Ulbrich, do hereby request that my name be removed as cosponsor of **HB 244**.

Date: January 10, 2006

Signed: Stephanie Ulbrich

Representatives Keeley & Ennis requested that they be marked present for the current Legislative Day.

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.

**3rd LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session**  
**January 12, 2006**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Caulk & Gilligan – 2.

A prayer was offered by Representative John C. Atkins, Forty-First Representative District.

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

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

The following prefiled legislation was introduced:

**SB 32** - MCBRIDE; SENATORS COPELAND, SOKOLA; REPRESENTATIVES HUDSON, MULROONEY, VALIHURA, VIOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Licensing of Podiatrist in Residency Programs.

Representative Smith deferred to Representative Thornburg. Representative Thornburg made an announcement. Representatives DiPinto, Viola & Miro requested that they be marked present. Representative Smith deferred to Representative Wagner. Representative Wagner made an announcement. Representative Smith deferred to Representative Booth. Representative Booth made comments. Representative Smith deferred to Representative Wagner. Representative Wagner requested and was granted privilege of the floor to present a House Tribute to Kathleen H. Thomas, 2005 State Teacher of the Year, Caesar Rodney School District, Horace Mann Award recipient. Representatives Smith & Wagner made comments. Representative Wagner made an announcement.

Representatives Plant & Schwartzkopf requested that they be marked present.

Representative Smith requested and was granted personal privilege of the floor to make comments.

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

Representative Keeley requested and was granted privilege of the floor for Gerald Brady, Chief Warrant Officer, Delaware National Guard and Wilmington City Councilman. Representative Smith made comments. Representative Smith deferred to Representative Hocker. Representative Hocker made an announcement.

Representative Wagner requested and was granted privilege of the floor for the 2006 Teachers of the Year who announced their names, schools and subjects taught for the record.

Representative Wagner introduced and brought **SCR 26**, jointly sponsored by Senator Venables & Senator Sokola, before the House for consideration.

**SCR 26** - COMMENDING DELAWARE'S 2006 TEACHER OF THE YEAR, GARRETT WALTON LYDIC OF NORTH LAUREL ELEMENTARY SCHOOL, FOR THE OUTSTANDING RECORD OF SERVICE WHICH HAS RESULTED IN HIS WELL-DESERVED DESIGNATION.

SCR 26 was adopted by voice vote and was returned to the Senate.

Representative Wagner requested and was granted privilege of the floor for Garrett W. Lydic, 2006 Teacher of the Year, North Laurel Elementary School. Mr. Lydic introduced Alyssa Givens who performed the Cyclostack – a cup stacking pattern. Mr. Speaker Spence made comments. Representative Wagner introduced a guest and made comments. Representatives Ulbrich, Miro, Hocker & Lee made comments.

Representative VanSant requested and was granted privilege of the floor to make an announcement. Representative Buckworth requested that he be marked present.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed SCR 26 and requests the concurrence of the House.

The Majority Leader moved to recess for caucus at 3:01 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 3:01 P.M.:  
Representatives Cathcart, Mulrooney, Oberle & Williams.

Mr. Speaker Spence called the House to order at 2:20 p.m. on January 17, 2006.

The Reading Clerk read the following communications into the record:

The Senate wished to inform the House that it has passed SCR 25 & SJR 8 w/SA 1 and requests the concurrence of the House.

Representative Smith deferred to Representative Lofink.

Representatives Lofink & Atkins made announcements.

Representatives Williams & Mulrooney requested that they be marked present for the current Legislative Day.

Representative Wagner made an announcement.

The Majority Leader moved to adjourn at 2:22 p.m., thereby ending the current legislative day. The House reconvened at 2:23 p.m.

#### **4th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session January 17, 2006**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Ewing, Gilligan & Maier.

A prayer was offered by Representative Vincent A. Lofink, Twenty-Seventh Representative District.

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

The following prefiled legislation was introduced:

**HB 329 - ROY & SENATOR SOKOLA; REPRESENTATIVES HUDSON, LONGHURST, MIRO**  
- HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Restroom Access.

**HB 330 - HUDSON & SENATOR ADAMS; REPRESENTATIVES SMITH, GILLIGAN;**  
SENATORS BUNTING, MARSHALL, VENABLES - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to the Realty Transfer Tax. (2/3 bill)

**HA 1 to HB 287 - SMITH & REPRESENTATIVE BOOTH** - Placed with the Bill.

**SJR 8 w/SA 1 - BLEVINS & REPRESENTATIVE OBERLE** - HEALTH & HUMAN DEVELOPMENT - Extending the Time Frames for the Promulgation of Regulations Related to Home Health Agencies.

The Reading Clerk read the following communications into the record:

January 15, 2006

Dear Mr. Speaker,

Please accept my absence from the House of Representatives on Jan. 17-19th, 2006, due to the passing of my father-in-law, Walter E. Maier in Oklahoma.

Sincerely,

Pam Maier

21st Representative District

Memorandum

TO: Rep. Terry R. Spence  
Speaker of the House  
FROM: Rep. Robert F. Gilligan  
DATE: January 17, 2006  
RE: Absence from Session

I will be unable to attend session on Tuesday, January 17th, 2006, because of personal business. Thank you for your consideration of this matter.

#### MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: J. Benjamin Ewing

Representative – Thirty-Fifth Representative District  
RE: Absence from Session  
DATE: January 17, 2006

Please be advised that I will be unable to attend session Tuesday, January 17, 2006. I will be attending to personal business.

Thank you for your consideration in this matter.

Representative Smith deferred to Representative Wagner.

Representative Wagner requested and was granted privilege of the floor for Theresa Clower, Director, Delaware Mentoring Council.

Representative Wagner introduced and brought **HCR 43**, sponsored on behalf of All Representatives and jointly sponsored by Senator Sokola on behalf of All Senators, before the House for consideration.

**HCR 43 - RECOGNIZING NATIONAL MENTORING MONTH AND PRAISING THOSE DELAWAREANS WHO VOLUNTEER THEIR TIME TO MENTOR CHILDREN AND SUPPORTING THE EFFORTS OF THE DELAWARE MENTORING COUNCIL.**

**HCR 43** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Wagner made comments.

Representatives Roy, Miro, McWilliams & Plant requested that they be marked present.

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

Mr. Speaker Spence appointed Representative Buckworth as Acting Speaker.

Representative Spence introduced and brought **HR 47**, jointly sponsored by Representative Miro, before the House for consideration.

**HR 47 - INVITING THE SECRETARY OF SAFETY AND HOMELAND SECURITY DAVID MITCHELL TO ADDRESS THE DELAWARE HOUSE OF REPRESENTATIVES ON JANUARY 24TH ON EMERGENCY READINESS AND HOMELAND SECURITY ISSUES.**

Representative Spence made comments.

Representative Oberle requested that he be marked present.

**HR 47** was adopted by voice vote.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence granted privilege of the floor to George and Pam Williamson. Mr. Williamson presented gifts to the House. Mr. Williamson presented gifts to Representative Oberle. Representative Oberle & Mr. Speaker Spence made comments. Mr. Speaker Spence presented a House Tribute to Representative William A. Oberle, Jr. for his role in helping the Delaware National Guard carry out their work in Iraq. Representative Oberle made comments. Representative Smith requested and was granted personal privilege of the floor to make comments. Mr. Speaker Spence made comments.

Representative Keeley requested that she be marked present.

The Majority Leader moved to recess for caucus at 2:55 p.m.

The House reconvened at 4:55 p.m.

Representative Smith deferred to Representative Lofink.

Representative Lofink introduced **HB 332**, jointly sponsored by Senator DeLuca & Representatives Spence, Lee, Oberle & VanSant & Senator Still & cosponsored by Representative Thornburg.

**HB 332 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY.**

Representative Lavelle requested that he be marked present.

Representative Roy made an announcement.

Representatives Cathcart, Caulk & Marshall requested that they be marked present.

Mr. Speaker Spence assigned **HB 332** to the Gaming & Parimutuels Committee.

Representative Lofink made an announcement.

Representatives Ulbrich requested that she be marked present.

The Majority Leader moved to recess to the call of the Chair at 4:58 p.m.

Mr. Acting Speaker Buckworth called the House to order at 2:04 p.m. on January 18, 2006.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House has passed **SB 119 w/SA 2** and requests the concurrence of the House.

Representative Ewing requested that he 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.

### **5th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session January 18, 2006**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Caulk, Gilligan & Maier – 3.

A prayer was offered by Representative Pamela J. Thornburg, Twenty-Ninth Representative District.

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



The following prefiled legislation was introduced:

**HB 331** - BUCKWORTH & SENATOR BLEVINS; REPRESENTATIVES SPENCE, HUDSON, VALIHURA, WAGNER, KEELEY, SCHOOLEY; SENATOR STILL - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Pertaining to Child Support Orders.

**HB 333** - CAULK - CORRECTIONS - An Act to Amend Title 11 of the Delaware Code Relating to the Department of Correction and Medical Care for Prisoners.

**SB 119 w/SA 2** - BLEVINS & REPRESENTATIVE MAIER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Child Support Enforcement.

Representatives Marshall, Miro, Ennis & Spence requested that they be marked present.

Mr. Speaker Spence resumed the Chair.

Representative Smith brought the following prefiled **Consent Calendar #19** before the House for consideration.

**HCR 42** – MAIER & REPRESENTATIVE ULBRICH & REPRESENTATIVE WAGNER & SENATOR SOKOLA – Establishing the Alternative Education Task Force.

**SCR 25** – SOKOLA & SENATOR HENRY ON BEHALF OF ALL SENATORS; REPRESENTATIVES JOHNSON, PLANT & WILLIAMS ON BEHALF OF ALL REPRESENTATIVES – Honoring the Life and Accomplishments of Rosa Parks and Expressing Condolences on Her Passing.

**Consent Calendar #19** was adopted by voice vote and **HCR 42** was sent to the Senate for concurrence and **SCR 25** was returned to the Senate.

Representatives Smith & Johnson made comments regarding **SCR 25**.

Mr. Speaker Spence introduced a guest.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **HCR 43** and is returning same to the House.

Representatives Stone, Roy & Viola requested that they be marked present.

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

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **SB 80**, jointly sponsored by Senator Venables & Senator Blevins & Senator Sorenson & Representative Maier & Representative George & Senators Henry, McDowell & Sokola, before the House for consideration.

**SB 80** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE BY ADOPTING THE DELAWARE REGENERATIVE MEDICINE ACT, PROHIBITING HUMAN REPRODUCTIVE CLONING, AND AUTHORIZING HUMAN EMBRYONIC STEM CELL RESEARCH.

Representative Hudson introduced and brought **HA 1 to SB 80**, jointly sponsored by Representatives Smith, DiPinto, Maier, Roy, Ulbrich & Valihura, before the House for consideration. Representatives Hudson & Miro made comments.

Representatives Hudson, Plant, Williams, Cathcart & Oberle requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:25 p.m.

The House reconvened at 3:21 p.m.

Representatives McWilliams & Mulrooney requested that they be marked present.

Representative Smith deferred to Representative Booth.

Representatives Booth, Thornburg, Ewing, Cathcart & Miro made announcements.

Representative Hudson requested and was granted personal privilege of the floor to make an announcement.

Representative Hudson requested that **HA 1 to SB 80** be stricken.

Mr. Speaker Spence reassigned **HB 329** to the Labor Committee.

Representative Hudson introduced and brought **HA 2 to SB 80**, jointly sponsored by Representatives Smith, DiPinto, Maier, Roy, Ulbrich, Valihura & Marshall, before the House for consideration.

Representatives Hudson, Thornburg, Cathcart, Hudson, Oberle, Wagner, Stone, Ewing, Cathcart, Hudson, Miro & Hudson made comments. Representative Miro requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Miro & Hudson made comments.

The roll call on **HA 2 to SB 80** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Gilligan & Maier - 3.

Therefore, having received a constitutional majority, **HA 2 to SB 80** was adopted.

Representative Ennis made comments.

The roll call on **SB 80 w/HA 2** was taken and revealed:

YES: 32.

NO: Representatives Ennis, Plant & Williams - 3.

NOT VOTING: Representatives Atkins, Booth & Hocker - 3.

ABSENT: Representatives Caulk, Gilligan & Maier - 3.

Therefore, having received a constitutional majority, **SB 80 w/HA 2** was returned to the Senate for concurrence on **HA 2**.



Representative Smith deferred to Representative Thornburg.

Representative Marshall made an announcement.

Representative Thornburg made comments.

Representative Thornburg introduced and brought **HCR 44**, jointly sponsored by Representative Carey & Senator Adams & Senator Bunting, before the House for consideration.

**HCR 44** - COMMEMORATING JANUARY 16-21, 2006 AS DELAWARE AG WEEK.

**HCR 44** was adopted by voice vote and was sent to the Senate for concurrence.

Mr. Speaker Spence appointed Representative Buckworth as Acting Speaker.

Representatives Wagner & Smith made announcements.

Representative Smith deferred to Representative Spence.

Representative Spence introduced **HB 335**, jointly sponsored by Representative Cathcart & Representative Atkins & Senator Bunting & Senator McBride & Senator Vaughn & Representatives Smith, Lee, Booth, Buckworth, Carey, DiPinto, Ewing, Fallon, Hocker, Hudson, Lavelle, Lofink, Maier, Miro, Oberle, Outten, Stone, Thornburg, Ulbrich, Valihura, Wagner, VanSant, Ennis, Hall-Long, Longhurst, Marshall, Mulrooney, Plant & Williams & cosponsored by Senators Amick, Sorenson, Connor, Cloutier & Cook.

**HB 335** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMMISSION OF VETERANS' AFFAIRS.

Mr. Acting Speaker assigned **HB 335** to the Veterans Affairs Committee.

Representative Spence made comments.

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

Mr. Speaker Spence called the House to order at 1:45 p.m. on January 19, 2006.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SS1/SB 243**, **SB 242** & **SJR 9** and requests the concurrence of the House; **HB 202 w/HA 1** and is returning the same to the House.

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

GAMING & PARIMUTELS: **HB 332** – 9F.

LABOR: **SB 62** – 6F.

HOUSE ADMINISTRATION: **HB 296** – 4F; **HB 326** – 3F,1M; **SB 162 w/SA 1 & 2** – 4M.

EDUCATION: **HB 327** – 7M.

JUDICIARY: **HB 283** – 2F,3M; **HB 310** – 1F,3M,1U; **SB 107 w/SA 1** – 1F,4M.

The Majority Leader moved to adjourn at 1:47 p.m., thereby ending the current legislative day.

The House reconvened at 1:48 p.m.

#### **6th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session January 19, 2006**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Carey, Gilligan & Maier – 3.

A prayer was offered by Representative Wayne A. Smith, Seventh Representative District.

Mr. Speaker Spence 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 334** - SCHOOLEY & SENATOR DELUCA; REPRESENTATIVES BUCKWORTH, ENNIS, EWING, FALLON, HALL-LONG, HOCKER, JOHNSON, MAIER, MCWILLIAMS, MIRO, MULROONEY, OUTTEN, PLANT, ULBRICH, VANSANT, VIOLA, WAGNER, WILLIAMS; SENATORS BLEVINS, CONNOR, COPELAND, MCDOWELL, SIMPSON, SOKOLA, SORENSON, VAUGHN, VENABLES - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Identity Theft Passports.

**HA 1 to HB 134** - CATHCART; REPRESENTATIVE ROY - Placed with the Bill.

**HJR 19** - SCHOOLEY & REPRESENTATIVE HALL-LONG & SENATOR SOKOLA; REPRESENTATIVES ENNIS, JOHNSON, KEELEY, LONGHURST, MAIER, MARSHALL, MCWILLIAMS, MULROONEY, PLANT, SCHWARTZKOPF, SPENCE, VANSANT, VIOLA, WAGNER, WILLIAMS; SENATORS AMICK, BLEVINS, CONNOR, SORENSON - EDUCATION - Creating a Task Force Regarding Class Size and Unit Count Allocation in Public Schools.

**SB 242** - COOK & REPRESENTATIVE DIPINTO; ALL SENATORS; ALL REPRESENTATIVES - APPROPRIATIONS - An Act Making a One Time Supplemental General Fund Appropriation of Five Million Dollars to the Department of Education for the Creation of an Energy Fund.

**SS 1 for SB 243** - COOK & REPRESENTATIVE DIPINTO & REPRESENTATIVE WAGNER; SENATORS MCBRIDE, HENRY, VAUGHN, AMICK, CLOUTIER, STILL; REPRESENTATIVES BUCKWORTH, FALLON, ULBRICH, SCHWARTZKOPF, WILLIAMS - APPROPRIATIONS - An Act to Amend Title 29 of the Delaware Code Relating to the Disability Insurance Program.

**SJR 9 - COOK & REPRESENTATIVE DIPINTO; SENATORS MCBRIDE, HENRY, VAUGHN, AMICK, CLOUTIER; REPRESENTATIVES BUCKWORTH, FALLON, ULBRICH, WILLIAMS, SCHWARTZKOPF - APPROPRIATIONS - The Official General Fund Revenue Estimate for Fiscal Year 2006.**

The Majority Leader moved to recess for the Joint Session at 1:53 p.m.

The House reconvened at 2:00 p.m.

Representatives Williams, Marshall & Fallon requested that they be marked present.

#### **JOINT SESSION - HOUSE CHAMBER**

The Sergeant-at-Arms announced the arrival of the members of the Senate.

The Members of the Senate were admitted, welcomed and seated. At the invitation of Mr. Speaker Spence, Senator Thurman G. Adams, President pro Tempore, joined him on the podium.

The Sergeant-at-Arms announced the arrival of the members of the Judiciary who were admitted, welcomed and seated.

The Sergeant-at-Arms announced the arrival of the Statewide elected officials along with the Presidents of the University of Delaware, Delaware State University and Delaware Technical and Community College who were admitted, welcomed and seated. Mr. Speaker Spence announced the arrival of Lieutenant Governor, John C. Carney, Jr. and invited him to join him on the podium.

The Sergeant-at-Arms announced the arrival of the members of the Governor's cabinet. They were admitted, welcomed and seated.

Representative Smith moved that the Senate and the House meet in Joint Session at 2:07 p.m. for the purpose of hearing an address from the Honorable Ruth Ann Minner, Governor of the State of Delaware. There was no objection.

Representative Smith moved that Representative Spence, as Speaker of the House of Representatives preside over the Joint Session. There was no objection.

Representative Smith moved that the Chief Clerk of the House and the Secretary of the Senate act as Secretaries to the Joint Session. There was no objection.

Representative Smith moved that the Speaker appoint a committee of four to escort the Governor to the Joint Session. There was no objection. Mr. Speaker Spence appointed Representative Tina Fallon (Spokesperson), Representative Hazel D. Plant, Senator Liane M. Sorenson & Senator Margaret R. Henry.

Mr. Speaker Spence declared a temporary recess at 2:09 p.m. to await the arrival of the Governor. During the recess Mr. Speaker Spence introduced guests. The House reconvened at 2:11 p.m.

The Sergeant-at-Arms announced the arrival of the escort party with Governor Minner. They were admitted.

Representative Fallon introduced the Governor to the Joint Session.

Mr. Speaker Spence welcomed the Governor to the House Chamber.

The Governor addressed the members of the General Assembly as follows:

To our Lieutenant Governor Carney, to President Pro Tem Adams, Speaker Spence, members of the 143rd General Assembly, members of our Delaware judiciary, to other elected officials, to my members of my Cabinet, our state employees, distinguished guests, my family and my fellow Delawareans...

This time last year, I talked to you about sowing seeds for the state's future—doing things today so we will leave our children and their children a better Delaware. And we've done that. This year, I will speak about the importance of nurturing those seeds—putting our time and effort and resources into ensuring that they grow and thrive to create a strong and healthy climate for our schools, our health, our environment and our economy.

Our list of accomplishments is long but don't worry, I won't talk about all of them today.

Before I begin, I would like to take a moment to recognize and thank the members of our Delaware National Guard for their continued commitment to our state, both here at home and on foreign soil.

They are represented today by Capt. Brian Foulk and First Sgt. Pat Olechny, both Bronze Star recipients who just returned in November from Iraq. We thank them and the rest of our Guards and Reserves for their tireless effort to protect our state and our country. Ladies and Gentlemen, thank you and please express our deep appreciation to all of the fellow members of Delaware Guard and Reserves.

In Delaware, we're strongly committed to supporting our troops. Over the past several years, our General Assembly has passed, and I have signed legislation protecting the benefits and enhancing benefits for our Guard. The support for our troops was recognized this year when we were selected by the Department of Defense as one of only 15 employers in the nation to receive the national Freedom Award.

We were nominated by three state employees who are also members of our National Guard. At this time, I would like to recognize these special guests—Sergeant Major Ken Hardy of the Delaware State Police, Senior Master Sergeant Robert Brown of the Division of Probation and Parole and Sergeant Fernando Ollano of the Division of Long Term Care Residents Protection.

Thank you, Gentlemen, for nominating the State of Delaware.

While we were certainly honored to receive the award, we truly believe supporting our troops and their families is the least we can do for all that you do for all of us.

Now, with the state of our state strong and poised for challenge all of the challenges that lie ahead, I'd like to share with you my vision for the coming year.

And, I'll start by talking about our schools because I am extremely pleased and very proud of the progress we have made in education. And apparently, we aren't the only ones who have noticed.

This month, Education Week released its national report card on public education with Delaware earning some of the highest marks in the country. Also, our fourth- and eighth-grade reading scores on the 2005 National Assessment of Education Progress were among the highest in the nation. And at the state level, our students have shown steady and remarkable improvement on the standardized test.

However, we can't afford to relax our education efforts.

Last year, we started the first phase of my plan to put math specialists in every middle school to help those who need extra help, keep them from falling behind. We funded 22 specialists last year, and I will propose next year that we continue this program by adding 10 more to the ranks.

I'm also looking forward to seeing the first students take advantage of a program that I consider one of the most important of my Administration—the Student Excellence Equals Degree—or SEED—program scholarships.

Thanks to the hard work of Sen. McDowell and Rep. Wagner, students will now have the opportunity to receive a two-year college degree tuition-free. We're going to be working diligently this year to make sure students in every elementary, middle and high school are aware of this opportunity.

As you know, I've already set my goal to fully implement full-day kindergarten across our state by 2008.

My proposed budget will include funding to implement the second phase of that plan. The phase will expand operations funding for districts with existing available classroom space and also continue funding building costs for those districts who passed referendum for full-day kindergarten last year.

This additional funding will help solidify our students' foundation for learning and prepare them for a lifetime of success.

The health of my fellow Delawareans continues to be a priority for this Administration.

Fighting cancer has been a cornerstone of my agenda, and we will further those efforts by continuing to fund the recommendations of the Delaware Advisory Council on Cancer Incidence and Mortality.

We're committed to fight this deadly disease and we have proven that by becoming the first state in the nation to implement a multi-faceted plan to reduce our cancer rates. Through education prevention, screening and even providing treatment for our uninsured citizens, we are already seeing results of our work.

The cancer incidence and mortality rate has decreased four times as much as the nation's rate and Delaware's death rate has declined twice as much as the nation's. With the investments we're making in cancer control, we can expect even more good news to come.

During the upcoming fiscal year, I will recommend funding to continue the Cancer Treatment Program for the Uninsured, as well as the Screening for Life, and the tobacco-use prevention programs.

The Infant Mortality Task Force presented its recommendations to us, and I recently created the Healthy Mothers and Infants Consortium—a group of doctors, professionals and advocates that will work to implement those recommendations. This group will also coordinate efforts to prevent infant mortality and improve the health of women of child-bearing age and infants in Delaware. I thank the General Assembly for passing the legislation to permanently establish this important group. We have already improved our national ranking, but much more can be done.

My budget for the current year added \$1 million to increase the staff devoted to infant mortality prevention, implement a review process through the Child Death, Near Death Stillbirth Review Commission and enhance care management for up to two years postpartum for at-risk mothers and for infants. My Fiscal Year 2007 budget proposal will add another million dollars to increase the preconception care for women with a history of poor birth outcomes.

Another potential health threat we cannot afford to ignore is avian flu. While the United States has never had a case confirmed, we know the United States could have one. We must act now to prepare for that possibility.

In September, I directed the Departments of Safety and Homeland Security, Agriculture and Health & Social Services to establish a cabinet-level working group to plan for and monitor the threat of a pandemic in our state.

These agencies have developed and exercised a comprehensive plan to address a potential outbreak and they have involved key partners in identifying and responding to a pandemic, including the medical community, the media, law enforcement and the business community.

This plan will include surveillance mechanisms to identify the start of a pandemic, practices for preventing and minimizing its spread and the protocols for ensuring capacity to treat affected citizens, as well as first responders and medical personnel.

Last year, we included funding for the University of Delaware laboratories conducting avian flu research and testing to enhance these prevention and response efforts. And I will propose in my budget next year that we add another \$100,000 to that program to continue the important work.

We will also continue to focus on the health of our state employees.

Our Health Rewards program has been recognized nationally as an innovative and effective model to improve employee health, thereby cutting our health care costs. To continue in that effort, I have asked our Lt. Governor to kick off an immediate “Know Your Numbers” campaign among our state employees.

This campaign will educate them on the importance of knowing the basic information about health risks about such factors as blood pressure, cholesterol and blood sugar, and will provide specific information on how to reduce those risk factors if necessary.

We will also offer every state employee a complete and confidential, on-line Health Risk Assessment that will provide them with a comprehensive report about their wellness status, as well as access to information necessary for them to address any risks identified in that assessment.

Our prevention program is already a success. At least one state employee credits our efforts with saving his life. Curt Cole is business manager for Maintenance and Operation at the Department of Transportation. He learned through Health Rewards program that he had three blocked arteries around his heart. As a result, he was quickly scheduled for life-saving triple-bypass surgery. And it is particularly nice to have you with us today, Mr. Cole...

While I’m addressing health issues, I would like to make a quick point about Medicaid, which now provides health care for more than one of every six Delawareans who are disabled, elderly or cannot afford health insurance. My budget will include funding to meet both the expected increases in enrollment and the increase in the cost of health care, as it does every year in this Administration. Delaware is one of the few states that have not cut enrollment, or benefits, or both over the last few years, something we can all be very proud of.

Last year, I talked about the importance of finding a solution to the limited capacity of our landfills and the possibility of reducing that trash through recycling.

I am pleased to say that this month, we capitalized on an opportunity that will not only reduce the amount of trash going into Delaware landfills, but will also lead to the eventual closure of the Cherry Island landfill.

The Delaware Solid Waste Authority has signed an agreement to develop and submit to the state a comprehensive recycling plan to divert 40 percent of the solid waste from the landfill. And starting next year, yard waste and trimmings will be banned from the landfill and the DSWA will expand its curbside recycling to Sussex County.

As a result of these efforts, the permitted height of the landfill at Cherry Island will only increase by 23 feet. As I said last year, this issue will not go away and it requires all of our best thinking. I applaud Secretary Hughes and our entire team at DNREC for finalizing this permit agreement.

Another issue of great concern to Delawareans is the rising cost, which affects all of us, but most problematic for our low-income population and that’s energy cost.

I commend the leadership of the General Assembly for working with my Administration to put funds in place to help needy families this winter so we can build a long-term solution for our low-income families.

The volatility of gas prices and other energy prices last summer left many consumers in a vulnerable position. We need to ensure that future national and local crises don’t open the door for unfair opportunism.

I propose today that our state join 27 others to enact some form of anti-gouging legislation to prevent businesses from capitalizing on similar situations in the future.

As we consider quality of life issues this year, I expect few will take up more of our time and attention than the state’s response to the results of utility deregulation and potential spikes in energy costs for Delawareans.

Based on what we read and hear about this regulatory process, consumers are bracing for what could be significant increases in energy costs this spring that will not only affect household budgets, but could affect the competitiveness of our businesses. I have directed a state Cabinet committee to review the data and report to me by March its recommendations for potential legislation solutions on this impending problem.

Once again this year, when I announce my Legislative Agenda in March, I will call on the General Assembly to pass legislation to strengthen our Livable Delaware proposal by enacting a transfer of development rights bill so we can preserve land, at no taxpayers expense, in areas where the state and the local governments have agreed we should preserve land.

Our economy remains strong, and we continue to maintain our AAA bond rating—one of only six states to do so.

Over the last year, we’ve announced successful partnerships with Invista, DuPont, Playtex, Hercules and saw the grand opening of AAA Mid-Atlantic’s new headquarters on the Wilmington Riverfront. Since 2001, we have attracted or retained more than 17,000 jobs in our state.

Last month, the Beacon Hill Institute of Public Policy Research ranked Delaware second in government financial policy. The Political Economy Research Institute ranked Delaware Number One for workers in terms of job quality. And Delaware was rated the best state for locating a biotechnology business by the Battelle Memorial Institute and the Biotechnology Industry Organization.

This year already promises further economic success stories.

We continue to assist businesses through my New Economy Initiative and have completed the first round for technology-based seed funding.

We will continue to address the issue of the high cost of workers comp through the work of Secretary of Labor, Tom Sharp, and the Workers Compensation Advisory Committee. This Advisory Committee has worked hard during the past six months to develop reform legislation that will protect our workers, while reducing the costs for businesses.

While their work still continues, I am confident that they will have a proposed piece of legislation when the General Assembly returns in March.

As you all know, we received some unsettling news last June about the acquisition of MBNA by Bank of America. Clearly, the impact of that transition on our state has been a concern to all Delawareans.

We have all come to rely on that stable employment, on the world-class leadership, the generous community support that MBNA has provided to our state and its communities since its amazing rise to prominence in Delaware and throughout the world.

We will always be grateful to MBNA and its people for their many contributions to Delaware.

These last six months have been busy ones for my Administration as we aggressively responded to this acquisition by working to bring Bank of America and its charter and its commitment to the State of Delaware.

We know that MBNA has been a leader throughout the world in the credit card business, and acquisitions almost always involve some short-term employment losses due to redundancies and efficiencies. But we viewed this acquisition as an opportunity, not a risk.

In that spirit of opportunity, I propose that we enact legislation that will modernize Delaware's bank franchise tax and thereby convince them to keep the existing bank charter here in our state. This change would encourage not only Bank of America, but other large banking institutions to locate in Delaware.

These types of changes have been discussed and considered as a potential economic development tool for over ten years, and this is the perfect time to enact such legislation.

We've heard a lot this last year about the shortfall in the state's Transportation Trust Fund. I formed a task force last summer to study this problem and to offer recommendations and options to address it.

Once again, I'd like to thank the members of that group, who worked so diligently to develop such a thoughtful and thorough report.

I used those recommendations in developing a path forward, looking at both the spending and the revenues, as well as the short- and a long-term solution.

In the short-term, we will re-examine base expenditures to find savings in the Department's operations. I've also signed Executive Order #78, which implements key financial controls for transportation and mandates regular reporting of transportation revenue and expenditures on an annual basis.

To assist the new Secretary manage and oversee Trust Fund operations, I will appoint a financial management oversight committee, comprised of private sector experts, to review and monitor expenditures, track revenues to ensure stronger financial management and help us all be better stewards of the state's transportation program.

As recommended by the Task Force, I have directed my Administration to work with the Bond Bill Committee to identify projects that can be deferred or cut from the program, using the Trust Fund's revenue resources where they are most needed.

Once our review is complete, we will examine shifting some of the Trust Fund's costs to the general fund, as well as exploring the possibility of private/public partnerships or other innovative funding plans for critical needs, such as the Route 301 project.

In the long run, we are obviously going to need new revenues for the Trust Fund to ensure the fund is solvent for the future. But this year, we must start with a short-term strategy that will lay the foundation for the difficult choices in the years ahead.

My Administration will also continue to focus on the important challenges we face in the area of public safety.

We've worked hard to add troopers to our State Police, and next week, I'll propose to add eight additional state troopers to the force, bringing our total complement to 655 sworn officers, more troopers than at any time in our state's history.

The demands on our State Troopers are many and they're complicated, and as we ask more and more of these brave men and women, we'll work to make sure that they have the people, the technology and the tools to do their job.

Another vital component in Delaware's public safety is our correctional system. Our correctional officers and other personnel in the system keep us all safe under some of the most stressful conditions imaginable, and they deserve the respect of every Delawarean.

Commissioner Taylor and I have been working since 2003 to improve the working conditions, and I am proud that we have been able to build up that workforce.

We have improved compensation for our correctional officers. Since 2004, correctional officers' pay has increased by 15 percent. In order to meet the continued challenges of filling vacancies in the system, an additional three percent increase has been implemented and took effect on January One.

Our work is paying off. We are seeing improvements in both the vacancy rate and the turnover rate for correctional officers over the same period of time. We have more work to do to fill these important positions, but we're building on a solid record of success.

Another challenging issue facing our correction system is the delivery of adequate health care services. As you know, the inmate population is very difficult to serve. Often people who arrive at our institutions have high health risks and yes long neglected medical conditions.

While providing medical treatment, our correctional system must maintain constant attention to the security concerns.

We have expended a tremendous amount of resources and effort within the Department to assure that our correctional health system is the very best it can be.

When concerns arose last year about the state's vendor for inmate medical service, we worked with the members of the Joint Finance Committee to get a new provider on an expedited basis, ensuring that there was no interruption in medical care. Since that time, we have worked to improve medical services by: creating a new position in the corrections department to oversee the delivery of medical care; establishing a single point of medical contact for inmates' families; and conducting quarterly case reviews of medical treatment records by our State's Division of Public Health.

These initiatives in addition to our work to maintain accreditation of our correctional medical system.

I am proud of our Commissioner and all that we have done to ensure that adequate medical care is provided to those in our prisons. And we will continue to work to ensure that the system has the confidence of all of you and Delaware citizens.

Our juvenile justice system also faces daunting challenges.

The population growth of Delaware's children continues to rise, and children in the system have more challenges and more complicated problems than ever before.

We will work next year to build more effective ways to reach these troubled youth. We need to aggressively treat, educate and prepare these children for a productive role in our society so that they will not be the next generation of adult prisoners.

The Children's Department has developed innovative ways to treat this population, including treating youth in settings outside detention, improving mental health and substance abuse treatment programs.

My budget this year will also include additional funding for Delaware's first veterans home, and I look forward to the December opening of this facility as a great tribute to our Delaware veterans.

My budget plan for the upcoming year will be responsive and responsible. It will have a budget growth of less than 6 percent. We will have a prudent spending plan to ensure that we can cover some of the growing demands, like Medicaid and school enrollment, while still providing the basic core services to Delawareans.

As you can see, we are following through with my vision to nurture the seeds we have sown for Delaware's future, ensuring that we can help them grow and bear fruit. We have succeeded in doing just that, in education, in health, environment and economic development.

But, as always there's more to be done not only for those of us here today, but for our children and grandchildren as well.

To that end, I hope you will carefully consider the initiatives I have laid out this year and the years to follow.

Together, we can ensure that Delaware continues to be a state where people are proud to live, work and raise their children. Together, we have achieved tremendous success and made remarkable accomplishments. I look forward to working with you as we all strive toward the goal of making our state the nation's best.

Thank you.

Mr. Speaker Spence thanked the Governor for her address.

Mr. Speaker Spence requested that the duly appointed escort committee reassemble to escort the Governor back to her Executive Office.

Representative Smith moved that the Chief Clerk of the House and the Secretary of the Senate compare their respective Journals to see if they agree.

The Chief Clerk of the House and the Secretary of the Senate compared their Journals, found them to agree and so notified the Speaker.

Representative Smith moved that the House recess at 2:52 p.m.

The House reconvened at 4:49 p.m. with Representative Ulbrich as Acting Speaker.

The Reading Clerk read the following communications into the record:

Memorandum

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: The Honorable V. George Carey  
State Representative  
DATE: January 19, 2006



RE: Absence from Session

Please be advised that it is necessary for me to be absent today since I will be out of state on State business.

Memorandum

TO: The Honorable Terry R. Spence  
Speaker of the House

FROM: The Honorable Robert F. Gilligan  
House Minority Leader

DATE: January 19, 2006

RE: Absence from Session

I will be absent from session today, Thursday, January 19th, 2006 for personal reasons. Thank you for your attention with this matter.

Representatives Cathcart, Marshall, Mulrooney & Caulk requested that they be marked present.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with action on **SJR 8 w/SA 1**.

The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Oberle brought **SJR 8 w/SA 1**, jointly sponsored by Senator Blevins & cosponsored by Senator Sorenson, before the House for consideration.

**SJR 8 - EXTENDING THE TIME FRAMES FOR THE PROMULGATION OF REGULATIONS RELATED TO HOME HEALTH AGENCIES.**

Representative Oberle made comments.

The roll call on **SJR 8 w/SA 1** was taken and revealed:

YES: 36.

ABSENT: Representatives Carey, Fallon, Gilligan, Hudson & Maier - 5.

Therefore, having received a constitutional majority, **SJR 8 w/SA 1** was returned to the Senate.

Representatives Williams & Lavelle requested that they be marked present during the roll call.

Representative Smith deferred to Representative Lofink.

Representative Lofink brought **HB 332**, jointly sponsored by Senator DeLuca & Representatives Spence, Lee, Oberle & VanSant & Senator Still & cosponsored by Representative Thornburg, before the House for consideration.

**HB 332 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY.**

Mr. Speaker Spence resumed the Chair.

Representative Lofink made comments. Representative DiPinto requested and was granted privilege of the floor for Andrew J. Aerenson, representing Diamond Entertainment Group. Representatives Oberle, Miro & Lofink made comments.

The roll call on **HB 332** was taken and revealed:

YES: 31.

NO: Representatives Booth, Hocker, Smith & Valihura - 4.

ABSENT: Representatives Carey, Fallon, Gilligan, Lavelle, Maier & Roy - 6.

Therefore, having received a constitutional majority, **HB 332** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HB 273**, jointly sponsored by Representative Miro & Representative Ulbrich & Senator Cloutier & Senator Copeland & Representatives Maier & Lavelle, before the House for consideration.

**HB 273 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CERTAIN LOCAL SCHOOL BOARDS.**

Representatives Valihura & Wagner made comments. Representative Wagner requested and was granted privilege of the floor for Susan Francis, Executive Director, Delaware School Boards Association. Representative Wagner made comments.

Representative Valihura moved to place **HB 273** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Lee deferred to Representative Valihura.

Representative Valihura brought **HB 252**, jointly sponsored by Representative Schwartzkopf & Representatives DiPinto, Fallon, Lavelle, Maier, Miro, Mulrooney & Thornburg & Senators Connor, Sorenson & Cloutier & cosponsored by Representatives Spence & Wagner, before the House for consideration.

**HB 252 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX RETURNS.**

Representative Valihura introduced and brought **HA 1 to HB 252** before the House for consideration. Representative Valihura made a comment. **HA 1** was adopted by voice vote.

Representative Valihura made comments.

The roll call on **HB 252 w/HA 1** was taken and revealed:

YES: 37.



ABSENT: Representatives Carey, Fallon, Gilligan & Maier - 4.

Therefore, having received a constitutional majority, **HB 252 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner made an announcement. Representatives Williams, Schooley, Keeley & Wagner made comments.

Representative Smith deferred to Representative Hudson.

Representative Hudson introduced **HB 336**, jointly sponsored by Representative Spence & Senator DeLuca & Representatives Buckworth, Miro, VanSant, Ennis & Johnson & Senator Still.

**HB 336 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATED TO FARM WINERIES.**

Mr. Speaker Spence assigned **HB 336** to the House Administration Committee.

The Majority Leader moved to recess for caucus and to the call of the Chair at 5:37 p.m.

Mr. Speaker Spence called the House to order at 2:17 p.m. on January 24, 2006.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 239 & SCR 27** and requests the concurrence of the House; **HCR 39, HCR 42 & HCR 44** and is returning same to the House.

JoAnn Hedrick

Chief Clerk of the House

Delaware House of Representatives

411 Legislative Ave.

Dover, DE 19901

Dear Ms. Hedrick:

I am in receipt of your letter dated January 20, 2006 in reference to possible conflicts of interest on bills addressed during my absence on January 19, 2006. Pursuant to House Rule 16, I am identifying a possible conflict interest in regards to **HB 332**.

Thank you for your attention to this matter. Please do not hesitate to contact me should you have any further questions.

Sincerely,

Robert F. Gilligan

State Representative

19th District

Representative Roy made comments. Representative Roy moved to suspend the rules which interfere with introduction of and action on **HB 338**. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Roy introduced and brought **HB 338**, jointly sponsored by Senator Venables & Representatives Carey, Lofink, Oberle, Ennis, Keeley, Cathcart, Lavelle, Miro, Stone & Mulrooney & Senators Blevins, Cook, DeLuca, Connor & Simpson, before the House for consideration.

**HB 338 - AN ACT TO AMEND THE FISCAL YEAR 2006 BOND AND CAPITAL IMPROVEMENTS ACT; PROVIDING FOR THE CREATION OF A SCHOOL CONSTRUCTION MARKET PRESSURE FUND WITHIN THE DEPARTMENT OF EDUCATION; AMENDING TITLE 17 OF THE DELAWARE CODE RELATING TO SAFE RECREATION; AND AMENDING THE LAWS OF DELAWARE.**

Representative Roy moved to place **HB 338** on the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Stone introduced and brought **HCR 45**, sponsored on behalf of All Representatives & jointly sponsored by Senator Cook on behalf of All Senators, before the House for consideration.

**HCR 45 - DESIGNATING FEBRUARY AS AMERICAN HEART MONTH AND RECOGNIZING THE GO RED FOR WOMEN MOVEMENT IN DELAWARE.**

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

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

APPROPRIATIONS: **SB 242** - 3F,1M; **SS 1/SB 243** - 1F,3M; **SJR 9** - 2F,2M.

HOUSE ADMINISTRATION: **HB 336** - 3M.

The Majority Leader moved to adjourn at 2:25 p.m., thereby ending the current legislative day. The House reconvened at 2:26 p.m.

**7th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session  
January 24, 2006**

The Chief Clerk called the roll:

Members Present: 41.

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

The House observed a moment of silence in memory of John W. McGuire at the request of Representative Buckworth.

Mr. Speaker Spence 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 320** - WAGNER & SENATOR BLEVINS & SENATOR PETERSON; REPRESENTATIVES BUCKWORTH, MAIER, ULBRICH, HALL-LONG - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 29 of the Delaware Code Relating to the Freedom of Information Act.

**HA 1 to HB 271** - ULBRICH & REPRESENTATIVE MAIER & REPRESENTATIVE VALIHURA - Placed with the Bill.

**HA 1 to HB 330** - HUDSON - Placed with the Bill.

**SB 239** - DELUCA & REPRESENTATIVE STONE; SENATORS SOKOLA, SORENSON; REPRESENTATIVES KEELEY, LONGHURST, VIOLA - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 5 of the Delaware Code Relating to Payment Networks.

The House observed a moment of silence in memory of Walter E. Maier, father-in-law of Representative Pamela J. Maier, at the request of Representative Ulbrich.

Representative Lofink requested that he be marked present. Representatives Stone & DiPinto made comments. Representative Wagner requested that she be marked present.

Mr. Speaker Spence granted privilege of the floor to David B. Mitchell, Secretary, Department of Safety and Homeland Security. Secretary Mitchell introduced Deputy Secretary Neil Mills and yielded the floor to James E. Turner III, Director, Delaware Emergency Management Agency. Representatives Wagner, Smith, Miro, Ulbrich, Atkins, Ennis, Wagner & Atkins & Mr. Speaker Spence made comments. Representatives Williams & Plant requested that they be marked present.

Representative Smith introduced and brought **SCR 30**, sponsored by Senator Connor on behalf of All Senators & Representative Spence on behalf of All Representatives, before the House for consideration.

**SCR 30** - CONGRATULATING ERNEST G. TALBERT UPON BEING NAMED THE FIRST AFRICAN AMERICAN BRIGADIER GENERAL IN THE HISTORY OF THE DELAWARE NATIONAL GUARD.

Representative Smith made comments and introduced guests. Representatives Williams, Johnson & Wagner made comments.

Representative Cathcart requested that he be marked present.

**SCR 30** was adopted by voice vote and was returned to the Senate.

Mr. Speaker Spence granted privilege of the floor to Brigadier General Ernest G. Talbert, representing the Delaware Air National Guard. Mr. Speaker Spence made comments, introduced guests and granted privilege of the floor to Senator Dorinda A. Connor. Representative Cathcart made an announcement. Representative Wagner introduced a guest.

The Majority Leader moved to recess for caucus at 3:35 p.m.

The House reconvened at 5:45 p.m.

Representative Smith deferred to Representative Roy.

Representative Roy moved to lift **HB 338** from the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Roy brought **HB 338**, jointly sponsored by Senator Venables & Representatives Carey, Lofink, Oberle, Ennis, Keeley, Cathcart, Lavelle, Miro, Stone & Mulrooney & Senators Blevins, Cook, DeLuca, Connor & Simpson, before the House for consideration.

**HB 338** - AN ACT TO AMEND THE FISCAL YEAR 2006 BOND AND CAPITAL IMPROVEMENTS ACT; PROVIDING FOR THE CREATION OF A SCHOOL CONSTRUCTION MARKET PRESSURE FUND WITHIN THE DEPARTMENT OF EDUCATION; AMENDING TITLE 17 OF THE DELAWARE CODE RELATING TO SAFE RECREATION; AND AMENDING THE LAWS OF DELAWARE.

Representative Roy made comments.

The roll call on **HB 338** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 338** was sent to the Senate for concurrence.

Representatives Caulk, Lavelle, Mulrooney & Oberle requested that they be marked present during the roll call.

Representative Buckworth requested and was granted privilege of the floor to present a House Tribute to Senior Airman E4 Nicholas Spsychalski. Mr. Speaker Spence made comments.

Representative Valihura made an announcement.

Representative Hudson moved to suspend the rules which interfere with action on **HB 330**. The motion was seconded by Representative Lavelle and adopted by voice vote.

Representative Hudson brought **HB 330**, jointly sponsored by Senator Adams & Representatives Smith & Gilligan & Senators Bunting, Marshall & Venables, before the House for consideration.

**HB 330** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE REALTY TRANSFER TAX. (2/3 bill)

Representative Hudson requested that **HA 1 to HB 330** be stricken. Representative Hudson deferred to Representative Stone. Representative Stone introduced and brought **HA 2 to HB 330** before the House for consideration. Representative Stone made comments.

**HA 2** was adopted by voice vote. Representatives Hudson, Valihura & Hudson made comments.

The roll call on **HB 330 w/HA 2** was taken and revealed:

YES: 40.

ABSENT: Representative Gilligan - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 330 w/HA 2** was sent to the Senate for concurrence.

Representative Smith made comments regarding **HB 330**.

Representative Smith deferred to Representative Schwartzkopf.

Representative Schwartzkopf brought **HB 326**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 326 - AN ACT TO AMEND CHAPTER 197, VOLUME 54 OF THE LAWS OF DELAWARE, THE CHARTER OF THE CITY OF REHOBOTH BEACH, AS AMENDED, RELATING TO AN INCREASE IN THE AMOUNT LIMIT FOR AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR CERTAIN OTHER OBLIGATIONS WITHOUT REFERENDUM. (2/3 bill)**

Representatives Schwartzkopf, Lavelle, Smith & Thornburg made comments.

The roll call on **HB 326** was taken and revealed:

YES: 40.

ABSENT: Representative Gilligan - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 326** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier brought **HB 260**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 260 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO RABIES CONTROL IN ANIMAL AND HUMAN POPULATIONS.**

Representative Maier introduced and brought **HA 1 to HB 260** before the House for consideration. Representative Maier made a comment. **HA 1** was adopted by voice vote.

Representatives Maier, DiPinto, Ewing & Maier made comments.

The roll call on **HB 260 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Gilligan - 1.

Therefore, having received a constitutional majority, **HB 260 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with action on **SJR 9**. The motion was properly seconded and adopted by voice vote.

Representative DiPinto brought **SJR 9**, jointly sponsored by Senator Cook & Senators McBride, Henry, Vaughn, Amick & Cloutier & Representatives Buckworth, Fallon, Ulbrich, Williams & Schwartzkopf, before the House for consideration.

**SJR 9 - THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2006.**

Representative DiPinto made comments.

The roll call on **SJR 9** was taken and revealed:

YES: 40.

ABSENT: Representative Gilligan - 1.

Therefore, having received a constitutional majority, **SJR 9** was returned to the Senate.

Representative Lee deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with action on **SB 242**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative DiPinto brought **SB 242**, jointly sponsored by Senator Cook & All Senators & All Representatives, before the House for consideration.

**SB 242 - AN ACT MAKING A ONE TIME SUPPLEMENTAL GENERAL FUND APPROPRIATION OF FIVE MILLION DOLLARS TO THE DEPARTMENT OF EDUCATION FOR THE CREATION OF AN ENERGY FUND. (F/N)**

Representatives DiPinto & Booth made comments.

The roll call on **SB 242** was taken and revealed:

YES: 40.

ABSENT: Representative Gilligan - 1.

Therefore, having received a constitutional majority, **SB 242** was returned to the Senate.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with action on **SS 1 for SB 243**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative DiPinto brought **SS 1 for SB 243**, jointly sponsored by Senator Cook & Representative Wagner & Senators McBride, Henry, Vaughn, Amick, Cloutier & Still & Representatives Buckworth, Fallon, Ulbrich, Schwartzkopf & Williams, before the House for consideration.

**SB 243 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DISABILITY INSURANCE PROGRAM.**

Representative DiPinto made comments.

The roll call on **SS 1 for SB 243** was taken and revealed:

YES: 40.

ABSENT: Representative Gilligan - 1.

Therefore, having received a constitutional majority, **SS 1 for SB 243** was returned to the Senate.

Representative Smith deferred to Representative Stone.

Representative Stone moved to suspend the rules which interfere with introduction of and action on **SB 249**. The motion was properly seconded and adopted by voice vote.

Representative Stone introduced and brought **SB 249**, jointly sponsored by Senator DeLuca & Senators Adams, McDowell, Sorenson & Still & Representatives Hudson, Spence, Smith, Lee, Gilligan & VanSant & Senators Blevins, Cook, Henry, Sokola, Venables, Amick, Connor, Cloutier, Copeland, Bonini & Simpson & Representatives Buckworth, Carey, DiPinto, Fallon, Lofink, Maier, Miro, Roy, Thornburg, Valihura, Longhurst, Schwartzkopf, Ennis, Williams, Schooley, Johnson, Keeley, Mulrooney, Marshall, Hall-Long, Viola, McWilliams & Plant, before the House for consideration.

**SB 249 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO THE BANK FRANCHISE TAX. (3/5 bill)**

Representative Stone made comments. Representative Lavelle requested and was granted privilege of the floor for Joseph Schoell, Legal Counsel, Office of the Governor. Representatives Lavelle, Hudson & Smith made comments.

The roll call on **SB 249** was taken and revealed:

YES: 40.

ABSENT: Representative Gilligan - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 249** was returned to the Senate.

The Majority Leader moved to recess to the call of the Chair at 6:49 p.m.

Mr. Acting Speaker Roy called the House to order at 2:20 p.m. on January 25, 2006.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 248, SB 249, SB 31 w/SA 1, SCR 28 & SCR 30** and requests the concurrence of the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Spence, do hereby request that my name be removed as a cosponsor of **HB 319**.

Date: January 24, 2006

Signed: Terry R. Spence

The Majority Leader moved to adjourn at 2:21 p.m., thereby ending the current legislative day. The House reconvened at 2:22 p.m.

### **8th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session January 25, 2006**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Buckworth, Caulk & Gilligan – 3.

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

Mr. 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 337 - EWING & SENATOR ADAMS; REPRESENTATIVES LEE, BUCKWORTH, CATHCART, HOCKER, WAGNER, ENNIS, KEELEY, PLANT, CAULK - PUBLIC SAFETY - An Act to Amend Chapter 43, Title 21 of the Delaware Code Pertaining to Flashing Lights on School Buses.**

**HB 339 - EWING & SENATOR ADAMS - HOUSE ADMINISTRATION - An Act to Amend Chapter 237, Volume 51, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Bridgeville" Permitting the Commissioners of Bridgeville by Ordinance to Establish Election Districts. (2/3 bill)**

**HB 340 - ATKINS & SENATOR VAUGHN; REPRESENTATIVES SMITH, LEE, BUCKWORTH, CAREY, DIPINTO, EWING, HOCKER, MIRO, STONE, THORNBURG, ENNIS, KEELEY, WILLIAMS - CORRECTIONS - An Act to Amend Title 11 of the Delaware Code Authorizing the Department of Correction to Implement a Pilot Prisoner Work Program in Sussex County.**

**HB 341 - ATKINS & SENATOR BUNTING; REPRESENTATIVES SPENCE, SMITH, BUCKWORTH, CAREY, DIPINTO, EWING, HOCKER, HUDSON, MAIER, MIRO, STONE, ULBRICH, GILLIGAN, VANSANT, KEELEY - NATURAL RESOURCES & ENVIRONMENTAL**

MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Prohibitions Concerning Game and Fish.

**HA 1 to HB 292** - CATHCART & REPRESENTATIVE ROY - Placed with the Bill.

**SB 31 w/SA 1** - MCBRIDE; SENATORS COPELAND, SOKOLA; REPRESENTATIVES HUDSON, MULROONEY, VALIHURA, VIOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Professional Land Surveyors.

**SB 248** - COOK; REPRESENTATIVES DIPINTO, WAGNER; SENATORS ADAMS, MCDOWELL, DELUCA, STILL, SORENSON, BUNTING, MCBRIDE, HENRY, VAUGHN, AMICK, CLOUTIER, CONNOR; REPRESENTATIVES SPENCE, SMITH, LEE, GILLIGAN, VANSANT, BUCKWORTH, FALLON, ULBRICH, SCHWARTZKOPF, WILLIAMS - APPROPRIATIONS - An Act to Amend Title 14 and Title 29 of the Delaware Code Relating to Leave of Absence for Military Service.

**HA 1 to SB 62** - OBERLE - Placed with the Bill.

Mr. Acting Speaker Roy appointed Representative Booth as Acting Speaker.

Representative Smith brought the following prefiled **Consent Calendar #20** before the House for consideration.

**HCR 46** – SCHOOLEY & REPRESENTATIVE HALL-LONG & SENATOR SOKOLA; REPRESENTATIVES ENNIS, JOHNSON, KEELEY, LONGHURST, MAIER, MARSHALL, MCWILLIAMS, MULROONEY, PLANT, SCHWARTZKOPF, SPENCE, VANSANT, VIOLA, WAGNER, WILLIAMS; SENATORS AMICK, BLEVINS, CONNOR, SORENSON - – Creating a Task Force on Class Size and Unit Count Allocation in Education.

**SCR 27** – BLEVINS & SENATOR SORENSON ON BEHALF OF ALL SENATORS & REPRESENTATIVE HUDSON ON BEHALF OF ALL REPRESENTATIVES – Designating the Month of February 2006 as Teen Dating Violence Awareness and Prevention Month in Delaware.

**SCR 28** – SOKOLA & SENATOR VENABLES ON BEHALF OF ALL SENATORS AND REPRESENTATIVE WAGNER ON BEHALF OF ALL REPRESENTATIVES – Commending Delaware 2006 Teacher of the Year, Garrett Walton Lydic and the State’s District Teachers of the Year, for the Outstanding Contributions to the Betterment of Education in Delaware.

Representatives Valihura, Viola & Keeley requested that they be marked present.

Representative Smith deferred to Representative Roy.

Representative Roy introduced and brought **HR 48**, sponsored on behalf of All Representatives, before the House for consideration.

**HR 48** – A Resolution Honoring Nathan Hayward, III Upon His Retirement from the Delaware Department of Transportation.

Representative Smith requested that **HR 48** be added to **Consent Calendar #20**.

Representative Stone requested that she be marked present. Representative Ulbrich requested and was granted personal privilege of the floor to introduce guests.

Representative Roy introduced and brought **HR 49**, jointly sponsored by Representative Spence & Representative DiPinto & Representative Miro & Representative Lavelle & Representative Lofink & Representative Ulbrich & Representative Valihura & Representative Gilligan & Representative Keeley & Representative Marshall & Representative Mulrooney & Representative Viola, before the House for consideration.

**HR 49** – Celebrating January 29th Through February 4th as Catholic Schools Week in Delaware.

Representative Smith requested that **HR 49** be added to **Consent Calendar #20**.

Representative DiPinto introduced and brought **HCR 47**, jointly sponsored by Representative Booth & Senator McBride & Senator Sokola, before the House for consideration.

**HCR 47** - Recognizing E. I. Dupont De Nemours and Company for Their Global Leadership in Reducing Greenhouse Gases (GHGs) Over the Past Ten Years and Their Recent Award by Business Week as "The Top Green Company".

Representative DiPinto requested that **HCR 47** be added to **Consent Calendar #20**.

**Consent Calendar #20** was adopted by voice vote and **HCR 46** & **HCR 47** were sent to the Senate for concurrence, **HR 48** & **HR 49** were declared passed and **SCR 27** & **SCR 28** were returned to the Senate.

Representatives Roy requested and was granted personal privilege of the floor to make comments regarding **HR 49**. Representatives Keeley & Smith made comments.

The Reading Clerk read the following communication into the record:

HOUSE TRIBUTE ANNOUNCEMENT #56

DATE: January 25, 2006

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                               | Date      | Type | Description                                          |
|-----------|---------------------------------------|-----------|------|------------------------------------------------------|
| H143-1275 | Longhurst<br>cosponsor: Rep. Schooley | 1/10/2006 | T    | Kelly Hudson - Dedication - Caravel Academy          |
| H143-1276 | VanSant                               | 1/7/2006  | T    | David & Theresa McGinness - 50th Wedding Anniversary |

|           |                        |            |   |                                                         |
|-----------|------------------------|------------|---|---------------------------------------------------------|
| H143-1277 | Schwartzkopf           | 1/14/2006  | T | Clark & Harriet Woodring - 50th Wedding Anniversary     |
| H143-1278 | Stone                  | 1/3/2006   | M | Richard H. Goriup                                       |
| H143-1279 | VanSant                | 10/22/2005 | T | Donald & Louise Goelzhauser/50th Wedding Anniversary    |
| H143-1280 | McWilliams             | 12/8/2005  | T | Stephen & Eileen Martinenza/60th Wedding Anniversary    |
| H143-1281 | Schooley               | 12/4/2005  | T | Sanford & Joan Brandt - 50th Wedding Anniversary        |
| H143-1282 | Marshall               | 11/12/2005 | T | Samuel & Leonore Mirabella/50th Wedding Anniversary     |
| H143-1283 | Gilligan               | 12/3/2005  | T | John & Vivian Quinn - 50th Wedding Anniversary          |
| H143-1284 | Stone                  | 1/4/2006   | M | Faye M. Conner                                          |
| H143-1285 | Hall-Long              | 1/14/2006  | T | Timothy O'Shields - Fireman of the Year – Townsend      |
| H143-1286 | Hall-Long              | 1/14/2006  | T | Gilbert Poore, Jr. - Townsend Firefighters Hall of Fame |
| H143-1287 | Hall-Long              | 1/14/2006  | T | Frank Moffit, Jr. - Fire Police Emeritus – Townsend     |
| H143-1288 | Hall-Long              | 1/14/2006  | T | Raymond Barcus, Sr. - Fire Police Emeritus – Townsend   |
| H143-1289 | Hall-Long              | 1/14/2006  | T | David Hall - EMT of the Year - Townsend                 |
| H143-1290 | Wagner                 | 12/7/2005  | T | Myron Steele - Named Leading Lawyer in America          |
| H143-1291 | Atkins                 | 12/7/2005  | T | William Chandler, III/Named Leading Lawyer in America   |
| H143-1292 | Hudson                 | 12/7/2005  | T | Leo Strine, Jr. - Named Leading Lawyer in America       |
| H143-1293 | Buckworth              | 1/12/2006  | T | Kathleen Thomas - Horace Mann Teaching Award            |
|           | cosponsor: Rep. Wagner |            |   |                                                         |
| H143-1294 | Smith                  | 1/10/2006  | T | Michael Turssline, Jr. - Eagle Scout                    |
| H143-1295 | Oberle                 | 1/31/2006  | T | Barbara Mack - Retirement - DelDOT - 33+ Years          |
| H143-1296 | Booth                  | 1/12/2006  | T | John Davidson - 50th Birthday                           |
| H143-1297 | Outten                 | 1/14/2006  | T | Melvin Wyatt/Chief Emeritus/Harrington Fire Company     |
| H143-1298 | Outten                 | 1/14/2006  | T | William H. Outten/Chief Emeritus/Harrington Fire Co.    |
| H143-1299 | Ennis                  | 1/28/2006  | T | Pearl Betts - 90th Birthday                             |

T- Tribute

M - Memoriam

Representative Ennis requested that he be marked present. Representative Smith deferred to Representative Ulbrich. Representative Ulbrich introduced guests. Representative Ulbrich requested and was granted privilege of the floor for Anthony S. Digenekis, Director, Delaware Technical & Community College and Muret Ari representing Ankeno University, Turkey. Representatives Smith & Marshall made comments. Representative Cathcart requested that he be marked present. Representative Ennis introduced a guest. Representative Smith deferred to Representative VanSant. Representative VanSant requested and was granted privilege of the floor to present a House Tribute to Representative Dennis P. Williams on the occasion of receiving the State Bar Association's Distinguished Legislative Service Award.

The Reading Clerk read the following communication into the record:

#### MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives

FROM: The Honorable Gerald A. Buckworth  
State Representative

DATE: January 25, 2006

RE: Absence from Session

Please be advised that it is necessary for me to be absent January 25th and January 26th, since I will be out of state on personal and family business.

Representative Schooley requested that **HJR 19** be stricken.

Representative Smith deferred to Representative Miro.

Representative Miro introduced **HB 343**, jointly sponsored by Senator Sokola.

**HB 343 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO DINNER THEATRES.**

Mr. Acting Speaker assigned **HB 343** to the Business/Corporations/Commerce Committee.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:46 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:46 P.M.: Representatives Hudson, Mulrooney, Oberle & Spence.

Mr. Acting Speaker Oberle called the House to order at 2:17 p.m. on January 26, 2006.

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

AGRICULTURE: **HB 276** – 1F,5M; **HB 313** – 6F.

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **SB 239** – 4F,3M.

HEALTH & HUMAN DEVELOPMENT: **HB 331** – 5M; **SB 157 w/SA 1** – 5M.

HOUSING & COMMUNITY AFFAIRS: **HB 251** – 7M.

LABOR: **SS 1/SB 53 w/SA 1 & 2** – 2F,4M; **HB 269** – 5M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 311** – 3M; **SB 32** – 1F,2M; **SB 41** – 3M; **SB 187 w/SA 2** – 3M; **SB 233** – 3M.



PUBLIC SAFETY: **HB 282** – 1F,5M; **HB 248** – 6M; **HB 297** – 1F,5M; **HB 304** – 1F,5M; **HB 328** – 6M; **SB 144 w/SA 1** – 6M; **SB 117** – 4M.

VETERANS AFFAIRS: **HB 335** – 8F,1M.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 246 w/SA 1** and requests the concurrence of the House; **HB 332**, **HB 330 w/HA 2** & **HB 261 w/HA 1** and is returning same to the House.

Mr. Acting Speaker assigned **SS 1/SB 53** & **SB 157** to the Appropriations Committee.

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.

**9th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session  
January 26, 2006**

The Assistant Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Caulk & Buckworth – 2.

A prayer was offered by Representative Gregory F. Lavelle, Eleventh Representative District.

Mr. 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 342** - HUDSON & SENATOR BLEVINS; REPRESENTATIVES LEE, BUCKWORTH, CAREY, EWING, LAVELLE, STONE, THORNBURG, WAGNER, ENNIS; SENATORS PETERSON, AMICK, SIMPSON - JUDICIARY - An Act to Amend Title 29 of the Delaware Code Relating to the Definition of Attorney General.

**HB 344** - WAGNER & SENATOR COOK; REPRESENTATIVE LAVELLE - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 29 of the Delaware Code Relating to the Operations of the Department of Transportation.

**HB 345** - WAGNER & SENATOR COOK; REPRESENTATIVE LAVELLE - GAMING & PARIMUTUELS - An Act to Amend Title 29 of the Delaware Code Relating to the Operations of the Delaware State Lottery.

**HB 346** - BOOTH & SENATOR SIMPSON; REPRESENTATIVES SPENCE, SMITH, LEE, ATKINS, BUCKWORTH, CATHCART, EWING, HOCKER, HUDSON, LOFINK, MIRO, OBERLE, OUTTEN, STONE, VALIHURA, WAGNER, VANSANT, ENNIS, HALL-LONG, JOHNSON, KEELEY, MCWILLIAMS, PLANT, SCHOOLEY, VIOLA, WILLIAMS, CAULK; SENATORS BUNTING, SOKOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Pertaining to School Nurses.

**SB 246 w/SA 1** - HENRY & REPRESENTATIVE DIPINTO - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Delaware State Arts Council.

Mr. Acting Speaker introduced a guest. Representative Marshall requested and was granted personal privilege of the floor to introduce a guest. Mr. Acting Speaker & Representative Gilligan made comments. Representative Lee deferred to Representative Booth. Representative Booth requested and was granted privilege of the floor for Mike DiPaolo, Director, Lewes Historical Society. Representative Booth made comments.

Representative Hall-Long requested that she be marked present. Representative Hall-Long requested and was granted privilege of the floor to introduce guests. Mr. Acting Speaker made a comment.

Representatives Wagner & DiPinto requested that they be marked present. Representative Fallon made comments. Representatives Miro, Spence, Cathcart & Mulrooney requested that they be marked present.

Representative Smith deferred to Representative Spence.

Representative Spence made comments. Representative Spence brought **HB 335**, jointly sponsored by Representative Cathcart & Representative Atkins & Senator Bunting & Senator McBride & Senator Vaughn & Representatives Smith, Lee, Booth, Buckworth, Carey, DiPinto, Ewing, Fallon, Hocker, Hudson, Lavelle, Lofink, Maier, Miro, Oberle, Outten, Stone, Thornburg, Ulbrich, Valihura, Wagner, VanSant, Ennis, Hall-Long, Longhurst, Marshall, Mulrooney, Plant & Williams & Senators Amick, Sorenson, Connor & Cloutier & cosponsored by Senator Cook, before the House for consideration.

**HB 335** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMMISSION OF VETERANS' AFFAIRS.

Representative Spence made comments. Representative Spence introduced and brought **HA 1 to HB 335**, jointly sponsored by Representative Cathcart & Representative Atkins & Representatives Smith, Lee, Booth, Buckworth, Carey, DiPinto, Ewing, Fallon, Hocker, Hudson, Lavelle, Lofink, Maier, Miro, Oberle, Outten, Roy, Stone, Thornburg, Ulbrich, Valihura, Wagner, VanSant, Ennis, Hall-Long, Longhurst, Marshall, Mulrooney, Plant & Williams, before the House for consideration. Representative Spence made comments. Representative Spence deferred to Representative Cathcart. Representative Cathcart made comments.

**HA 1 to HB 335** was adopted by voice vote.

Representative Spence made comments and introduced a guest.

The roll call on **HB 335 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Buckworth & Caulk - 2.

Therefore, having received a constitutional majority, **HB 335 w/HA 1** was sent to the Senate for concurrence.

Representatives Hudson, Schwartzkopf & Stone requested that they be marked present during the roll call.

Representative Spence requested and was granted privilege of the floor for Richard M. Magner, Richard E. Ennis, Cornelius C. Carroll, Ruth B. Harden, John A. Endres, Paul V. Lardizzone and Lou Spitzfaden, representing the Commission of Veterans Affairs. Representative Spence presented a United States Flag and a Delaware State Flag flown on a mission in Iraq to the Commissioners. Mr. Acting Speaker & Representatives Spence & Smith made comments.

Representative Smith brought **SB 162 w/SA 1 & 2**, jointly sponsored by Senator Blevins & Senator Cook & Representatives Lavelle & Hall-Long, before the House for consideration.

**SB 162 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.**

Representative Smith moved to place **SB 162 w/SA 1 & 2** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith made comments.

Representative Smith moved to suspend the rules which interfere with introduction of and action on **HS 1 for HB 296**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith introduced and brought **HS 1 for HB 296**, jointly sponsored by Senator McDowell, before the House for consideration.

**HB 296 - AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO THE PRESERVATION OF THE TERRITORIAL INTEGRITY OF DELAWARE AND THE MARKING OF OUR NORTHEASTERN BOUNDARY.**

Representatives Smith & Valihura made comments.

Representative Smith moved to place **HS 1 for HB 296** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

The Majority Leader moved to recess for caucus at 3:10 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 3:53 p.m.

Representative Smith deferred to Representative Stone.

Representative Stone brought **SB 239**, jointly sponsored by Senator DeLuca & Senators Sokola & Sorenson & Representatives Longhurst & Viola & cosponsored by Representative Keeley, before the House for consideration.

**SB 239 - AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO PAYMENT NETWORKS.**

Representative Stone made comments.

The roll call on **SB 239** was taken and revealed:

YES: 38.

ABSENT: Representatives Buckworth, Caulk & Valihura - 3.

Therefore, having received a constitutional majority, **SB 239** was returned to the Senate.

Representative Valihura announced that he did not vote on **SB 239** because of a possible conflict of interest.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with action on **SB 248**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative DiPinto brought **SB 248**, jointly sponsored by Senator Cook & Representative Wagner & Senators Adams, McDowell, DeLuca, Still, Sorenson, Bunting, McBride, Henry, Vaughn, Amick, Cloutier & Connor & Representatives Spence, Smith, Lee, Gilligan, VanSant, Buckworth, Fallon, Ulbrich, Schwartzkopf & Williams, before the House for consideration.

**SB 248 - AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO LEAVE OF ABSENCE FOR MILITARY SERVICE. (F/N)**

Representative DiPinto made comments.

The roll call on **SB 248** was taken and revealed:

YES: 39.

ABSENT: Representatives Buckworth & Caulk - 2.

Therefore, having received a constitutional majority, **SB 248** was returned to the Senate.

Representative Smith moved to lift **SB 162 w/SA 1 & 2** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **SB 162 w/SA 1 & 2**, jointly sponsored by Senator Blevins & Senator Cook & Representatives Lavelle & Hall-Long, before the House for consideration.

**SB 162 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.**

Representatives Smith & Wagner made comments.

The roll call on **SB 162 w/SA 1 & 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Buckworth & Caulk - 2.

Therefore, having received a constitutional majority, **SB 162 w/SA 1 & 2** was returned to the Senate.

Representative Smith made an announcement.

Representative Ulbrich requested and was granted personal privilege of the floor to introduce guests.

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **SB 32**, jointly sponsored by Senator McBride & Senators Copeland & Sokola & Representatives Mulrooney, Valihura & Viola, before the House for consideration.

**SB 32 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO LICENSING OF PODIATRIST IN RESIDENCY PROGRAMS.**

Representative Hudson made a comment.

The roll call on **SB 32** was taken and revealed:

YES: 39.

ABSENT: Representatives Buckworth & Caulk - 2.

Therefore, having received a constitutional majority, **SB 32** was returned to the Senate.

Representative Lee brought **HB 282**, jointly sponsored by Representative Outten & Representative Ennis & Senator Bunting & Senator Vaughn, before the House for consideration.

**HB 282 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE DEPARTMENTS AND FIRE POLICE.**

Representative Lee made comments.

The roll call on **HB 282** was taken and revealed:

YES: 39.

ABSENT: Representatives Buckworth & Caulk - 2.

Therefore, having received a constitutional majority, **HB 282** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Atkins.

Representative Atkins moved to suspend the rules which interfere with action on **HB 276**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Atkins brought **HB 276**, jointly sponsored by Senator Adams & Senator Bunting & Representatives Lee, Booth, Buckworth, Carey, Ewing, Hocker, Outten, Thornburg, Valihura, Ennis & Caulk, before the House for consideration.

**HB 276 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO PESTICIDES.**

Representatives Atkins, Maier, Hudson, Carey, Ulbrich, Atkins, Oberle, Ewing, Marshall, Atkins, Ennis & Hall-Long made comments.

The roll call on **HB 276** was taken and revealed:

YES: 38.

ABSENT: Representatives Buckworth, Caulk & Stone - 3.

Therefore, having received a constitutional majority, **HB 276** was sent to the Senate for concurrence.

Mr. Speaker Spence made an announcement.

Mr. Speaker Spence introduced a guest.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **HB 338** and is returning same to the House.

Representative Smith deferred to Representative VanSant.

Representative VanSant introduced **HB 350**, jointly sponsored by Representative Gilligan & Senator Adams & Senators McDowell, DeLuca & Venables.

**HB 350 - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2007; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; REPROGRAMMING CERTAIN FUNDS OF THE STATE; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; AND SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS. (3/4 bill)**

Mr. Speaker Spence assigned **HB 350** to the Capital Infrastructure Committee.

Representative Schooley made comments.

Representative Schooley brought **HCR 46 w/SA 1**, jointly sponsored by Representative Hall-Long & Senator Sokola & Representatives Ennis, Johnson, Keeley, Longhurst, Maier, Marshall, McWilliams,

Mulrooney, Plant, Schwartzkopf, Spence, VanSant, Viola, Wagner & Williams & Senators Amick, Blevins, Connor & Sorenson, before the House for concurrence on **SA 1**.

**HCR 46 - CREATING A TASK FORCE ON CLASS SIZE AND UNIT COUNT ALLOCATION IN EDUCATION.**

**HCR 46 w/SA 1** was adopted by voice vote.

Representative Smith made comments regarding **HB 351**.

Representative Smith introduced **HB 351**, jointly sponsored by Senator Henry & Representatives Hudson & Roy & cosponsored by Representatives Lavelle, Ewing, Maier, Spence, Thornburg & Ulbrich & Senators Blevins, Copeland & Simpson.

**HB 351 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE AND VOLUME 75 OF THE LAWS OF DELAWARE RELATING TO STUDENT ASSESSMENTS.**

Mr. Speaker Spence assigned **HB 351** to the Education Committee.

Representatives Smith & Wagner made comments regarding **HB 351**.

Representative Lee introduced **HB 349**, sponsored by Representative Smith & Senator Henry & Representatives Hudson, Miro & Roy & cosponsored by Representatives Lavelle, Maier, Lee, Spence & Ulbrich & Senators Blevins, Copeland & Simpson.

**HB 349 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE PUBLIC EDUCATION ASSESSMENT AND ACCOUNTABILITY SYSTEM.**

Mr. Speaker Spence assigned **HB 349** to the Education Committee.

The Majority Leader moved to recess to the call of the Chair at 4:47 p.m.

Mr. Acting Speaker Roy called the House to order at 2:11 p.m. on March 14, 2006.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HJR 17** and requests the concurrence of the House; **HCR 46 w/SA 1** and is returning same to the House

January 26, 2006

TO: House Speaker Terry R. Spence

FROM: Representative G. Wallace Caulk, Jr.

SUBJECT: Absence from Session

I am unable to attend session January 26, 2006, due to business obligations.

The Majority Leader moved to adjourn at 2:12 p.m., thereby ending the current legislative day. The House reconvened at 2:13 p.m.

**10th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session  
March 14, 2006**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Plant – 1.

The House observed a moment of silence in memory of James L. Cresson at the request of Representative Booth.

A prayer was offered by Representative Joseph W. Booth, Thirty-Seventh Representative District.

Mr. 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 out of session prefiled legislation was introduced:

February 8, 2006

**HS 1 for HB 118 - HUDSON & SENATOR SIMPSON; REPRESENTATIVES SMITH, BUCKWORTH, EWING, LAVELLE, MIRO, VALIHURA; SENATOR SORENSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to the Department of Finance.**

**HB 347 - BOOTH & SENATOR SIMPSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Professions and Occupations. (2/3 bill)**

**HB 348 - DIPINTO & REPRESENTATIVE HUDSON & REPRESENTATIVE MIRO & SENATOR HENRY; REPRESENTATIVES LAVELLE, PLANT; SENATOR MCDOWELL - GAMING & PARIMUTUELS - An Act to Amend Title 29 of the Delaware Code Relating to the Establishment of Additional Video Lottery Facilities.**

**HB 352 - WAGNER & SENATOR MCBRIDE; REPRESENTATIVES CATHCART, DIPINTO, HOCKER, LAVELLE, MAIER, THORNBURG, ULBRICH; SENATOR BLEVINS - JUDICIARY - An Act to Amend Title 29 of the Delaware Code Relating to the State Department of Justice.**

**HB 353 - ENNIS & SENATOR VAUGHN; REPRESENTATIVES HALL-LONG, THORNBURG; SENATOR COOK - HOUSE ADMINISTRATION - An Act to Amend Chapter 176, Volume 74, Laws of Delaware, the Charter of the Town of Smyrna to Provide for Notice and Appeals for Supplemental Property Tax Assessments. (2/3 bill)**

**HB 354** - VALIHURA & REPRESENTATIVE LAVELLE & SENATOR PETERSON & SENATOR CLOUTIER & SENATORS COPELAND, BLEVINS - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Freedom of Information Act.

**HB 356** – SCHWARTZKOPF & SENATOR BUNTING; REPRESENTATIVES ATKINS, EWING - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Terroristic Threatening. (2/3 bill)

**HA 1 to HB 313** - HALL-LONG - Placed with the Bill.

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

March 1, 2006

**HB 358** - HUDSON & REPRESENTATIVE LAVELLE & REPRESENTATIVE VALIHURA & SENATOR BLEVINS - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Elections.

**HB 360** - KEELEY; REPRESENTATIVES SPENCE, ULBRICH - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Protection of Minors from Harmful Materials.

March 14, 2006

**HB 359** - HUDSON & SENATOR COOK; REPRESENTATIVES SPENCE, SMITH, LEE, ATKINS, BUCKWORTH, CAREY, CATHCART, DIPINTO, EWING, FALLON, HOCKER, LOFINK, OBERLE, OUTTEN, STONE, THORNBURG, MULROONEY, WAGNER, GILLIGAN, VANSANT, ENNIS; SENATORS DELUCA, BUNTING, MCBRIDE, VAUGHN, VENABLES, STILL, BONINI, COPELAND, SIMPSON - PUBLIC SAFETY - An Act to Amend Title 11 of the Delaware Code Relating to the Issuance of Permits to Carry a Deadly Weapon Concealed.

Representatives Valihura, Marshall, Schooley, Viola, Lavelle & Hall-Long requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:18 p.m.

The House reconvened at 3:51 p.m. with Representative Atkins as Acting Speaker.

Representative Smith deferred to Representative Spence.

Representatives Spence, Oberle, DiPinto, Schwartzkopf, Stone, McWilliams, Keeley, Mulrooney, Wagner & Cathcart requested that they be marked present.

Representative Smith deferred to Representative Cathcart.

Mr. Speaker Spence resumed the Chair.

Representative Cathcart brought **SB 81 w/SA 1**, jointly sponsored by Senator Bunting & Senators McBride, McDowell, Peterson, Venables & Sorenson & Representatives Spence, Buckworth, Hocker, Hudson, Lavelle, Miro, Wagner, George, Hall-Long, Keeley & Schwartzkopf & cosponsored by Senators DeLuca, Connor, Henry & Sokola & Representatives Gilligan & Maier, before the House for consideration.

**SB 81** - AN ACT TO AMEND TITLE 9 AND TITLE 29 OF THE DELAWARE CODE RELATING TO CERTIFICATES OF RELEASE OR DISCHARGE FROM ACTIVE MILITARY SERVICE (DD FORM 214).

Representative Cathcart deferred to Representative Valihura. Representative Valihura brought **HA 1 to SB 81** before the House for consideration. Representatives Valihura, Cathcart & Booth made comments. **HA 1** was adopted by voice vote.

Representative Cathcart deferred to Representative Miro. Representative Miro made comments. Representative Miro requested that **HA 2 to SB 81** be stricken. Representative Cathcart made comments.

The roll call on **SB 81 w/SA 1 & HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 81 w/SA 1 & HA 1** was returned to the Senate for concurrence on **HA 1**.

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

Representative Smith deferred to Representative Hall-Long.

Representative Hall-Long brought **HB 313**, jointly sponsored by Representative Carey & Senator Bunting & Representatives Caulk, Ennis, Keeley, Mulrooney, Outten, Plant, Thornburg & Viola & Senator Venables, before the House for consideration.

**HB 313** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO AGRICULTURAL LAND USE.

Representative Hall-Long brought **HA 1 to HB 313** before the House for consideration. Representative Hall-Long made a comment. **HA 1** was adopted by voice vote. Representative Hall-Long made comments.

The roll call on **HB 313 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Miro & Plant - 2.

Therefore, having received a constitutional majority, **HB 313 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Outten.

Representative Outten brought **HB 328**, jointly sponsored by Senator Bunting & Representatives Atkins, Booth, Buckworth, Carey, Ewing, Fallon, Maier, Miro, Spence, Stone, Ulbrich, Valihura, Wagner & Keeley & Senators Henry, Sokola, Connor & Simpson & cosponsored by Representative Spence, before the House for consideration.

**HB 328 - AN ACT TO AMEND TITLE 23, DELAWARE CODE RELATING TO OPERATION OF A VESSEL OR BOAT WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR AND/OR DRUGS. (2/3 bill)**

Representative Outten moved to place **HB 328** on the Speaker's Table. The motion was seconded by Representative Smith and adopted by voice vote.

The Majority Leader moved to recess at 4:11 p.m.

The House reconvened at 4:21 p.m.

Representative Smith deferred to Representative Outten.

Representative Outten moved to lift **HB 328** from the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Outten brought **HB 328**, jointly sponsored by Senator Bunting & Representatives Atkins, Booth, Buckworth, Carey, Ewing, Fallon, Maier, Miro, Spence, Stone, Ulbrich, Valihura, Wagner & Keeley & Senators Henry, Sokola, Connor & Simpson & cosponsored by Representative Spence, before the House for consideration.

**HB 328 - AN ACT TO AMEND TITLE 23, DELAWARE CODE RELATING TO OPERATION OF A VESSEL OR BOAT WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR AND/OR DRUGS. (2/3 bill)**

Representative Outten introduced and brought **HA 1 to HB 328** before the House for consideration. Representative Outten made a comment. **HA 1** was adopted by voice vote. Representatives Outten, Ennis & Gilligan made comments.

The roll call on **HB 328 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 328 w/HA 1** was sent to the Senate for concurrence.

Representatives Wagner, Thornburg & Schooley made announcements.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HCR 45 & HCR 47** and is returning same to the House.

March 14, 2006

The Honorable Terry R. Spence  
Speaker, House of Representatives  
Legislative Hall

Dover, Delaware 19901

Dear Representative Spence:

I will be unable to attend legislative session this week due to personal reasons.

Thank you for your consideration in this matter.

Sincerely,

Hazel D. Plant

State Representative

Second District

January 31, 2006

LEGISLATIVE ADVISORY #15

Governor Ruth Ann Minner signed the following legislation on the date indicated: 1/24/06 – **SB 249**; 1/26/06 – **HB 202 aab HA 1, HB 330 aab HA 2, SB 242, SS 1/SB 243, SJR 8 aab SA 1 & SJR 9.**

February 7, 2006

LEGISLATIVE ADVISORY #16

Governor Ruth Ann Minner signed the following legislation on the date indicated: 2/1/06 – **HJR 17, HB 261 aab HA 1, HB 332, HB 338, SB 32, SB 162 aab SA 1 & SA 2, SB 239 & SB 248.**

The Majority Leader moved to recess to the call of the Chair at 4:34 p.m.

Mr. Acting Speaker Buckworth called the House to order at 2:23 p.m. on March 15, 2006.

The Majority Leader moved to adjourn at 2:23 p.m., thereby ending the current legislative day. The House reconvened at 2:24 p.m.

**11th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session  
March 15, 2006**

The Chief Clerk called the roll:

Members Present: 33.



Members Absent: Representatives Cathcart, Caulk, Fallon, Gilligan, Lofink, Plant, Schooley & Williams – 8.

A prayer was offered by Representative Deborah D. Hudson, Twelfth Representative District.

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

The following prefiled legislation was introduced:

**HB 361** - BOOTH & SENATOR VAUGHN; REPRESENTATIVES SMITH, DIPINTO, HOCKER, HUDSON, OUTTEN, WAGNER, SCHOOLEY, SCHWARTZKOPF; SENATOR BUNTING - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Reorganization of School Districts.

**HB 362** - EWING & REPRESENTATIVE ATKINS & REPRESENTATIVE SCHWARTZKOPF & SENATOR VAUGHN; REPRESENTATIVES SPENCE, LEE, OUTTEN, WAGNER - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**HA 1 to HB 311** - OBERLE - Placed with the Bill.

**HA 2 to HB 311** - OBERLE - Placed with the Bill.

**HA 1 to HB 336** - OBERLE - Placed with the Bill.

**HA 1 to HB 359** - HUDSON - Placed with the Bill.

Representative Ewing made an announcement.

Representatives Wagner, Stone & Viola requested that they be marked present.

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

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives

FROM: Tina Fallon  
Representative – Thirty-Ninth Representative District

RE: Absence from Session

DATE: March 15, 2006

Please be advised that I will be unable to attend session Wednesday, March 15, 2006 due to illness.

Thank you for your consideration in this matter.

Representative Smith deferred to Representative Marshall. Representative Marshall requested and was granted privilege of the floor to present a House Tribute to representatives of the Property Advisory Group. John B. Bentz, Gregg Jenner and Saundra R. Johnson addressed the House. Mr. Acting Speaker made a comment.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #57

DATE: March 15, 2006

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                 | Date       | Type | Description                                                                      |
|---------------------------------|-------------------------|------------|------|----------------------------------------------------------------------------------|
| H143-1300                       | Spence                  | 1/14/2006  | T    | Rudy Norton - Retirement - DSEA - 30 Years                                       |
| H143-1301                       | Booth                   | 1/22/2006  | T    | Thomas Rathfon/Troop 95 Scoutmaster/Retirement                                   |
| H143-1302                       | Wagner                  | 1/8/2006   | M    | James Arthur Wall                                                                |
| H143-1303                       | Stone                   | 1/12/2006  | T    | Sandra Wootten - Retirement - Capital Schools                                    |
| H143-1304                       | Gilligan & Rep. VanSant | 1/24/2006  | T    | Honorable Dennis Williams - Distinguished Legislative Service Award              |
| cosponsors: All Representatives |                         |            |      |                                                                                  |
| H143-1305                       | Outten                  | 1/9/2006   | M    | Harry Richard Crouse                                                             |
| H143-1306                       | Spence                  | 1/17/2006  | T    | Honorable William Oberle, Jr. - Assisted Army National Guard - Humanitarian Work |
| cosponsors: All Representatives |                         |            |      |                                                                                  |
| H143-1307                       | Outten                  | 1/12/2006  | M    | Paul S. Callaway                                                                 |
| H143-1308                       | McWilliams              | 1/17/2006  | T    | Dave Kelly - Hiked Appalachian National Scenic Trail                             |
| H143-1309                       | Wagner                  | 10/29/2005 | T    | Laura Silverman & Brian Cooper - Marriage                                        |
| H143-1310                       | Oberle                  | 1/18/2006  | T    | David Coffield - Legislative Essay Scholarship                                   |
| H143-1311                       | Atkins                  | 1/15/2006  | M    | Audrey Jane Palmer                                                               |
| H143-1312                       | Ennis                   | 9/23/2005  | T    | Reynolds & Barbara Jones - 55th Wedding Anniversary                              |
| H143-1313                       | Marshall                | 1/19/2006  | T    | Property Advisory Group - Commitment to Community Programming                    |
| cosponsors: All Representatives |                         |            |      |                                                                                  |
| H143-1314                       | Wagner                  | 6/17/2005  | T    | Jennifer Zayas & Steven Pate - Marriage                                          |
| H143-1315                       | Miro                    | 1/27/2006  | T    | Chinese American Community Center/Year of the Dog                                |
| H143-1316                       | Wagner                  | 1/12/2006  | M    | Trayonis Marquais Allen                                                          |
| H143-1317                       | Marshall                | 1/24/2006  | T    | Richards, Layton & Finger - Bar Association Pro Bono Award                       |

|           |                                  |           |   |                                                                          |
|-----------|----------------------------------|-----------|---|--------------------------------------------------------------------------|
| H143-1318 | Lavelle                          | 1/24/2006 | T | Honorable Catherine Cloutier - Bar Association Legislative Service Award |
|           | cosponsors: All Representatives  |           |   |                                                                          |
| H143-1319 | Carey                            | 1/24/2006 | T | Mitzi Boddy/Bar Association Government Service Award                     |
| H143-1320 | Buckworth                        | 1/25/2006 | T | Johnny Smith - 80th Birthday                                             |
| H143-1321 | Buckworth                        | 1/18/2006 | T | Jim Harvey - Tennis Coach of the Year                                    |
| H143-1322 | Buckworth                        | 1/24/2006 | T | Nicholas Spychalski - Two Tours of Duty in Iraq                          |
| H143-1323 | Atkins                           | 2/12/2006 | T | Abe Clark - 90th Birthday                                                |
|           | cosponsors: Reps. Carey & Hocker |           |   |                                                                          |

#### HOUSE TRIBUTE ANNOUNCEMENT #58

DATE: March 15, 2006

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                          | Date      | Type | Description                                                        |
|-----------|----------------------------------|-----------|------|--------------------------------------------------------------------|
| H143-1324 | Hudson                           | 1/24/2006 | T    | Patricia Bussard - Mary Marsh Award                                |
| H143-1325 | Ennis                            | 1/17/2006 | M    | Raymond Wilhoit                                                    |
| H143-1326 | Roy                              | 1/5/2006  | T    | James & Josephine Tardona/60th Wedding Anniversary                 |
| H143-1327 | Roy                              | 6/11/2005 | T    | Leonard & Florence Beck - 50th Wedding Anniversary                 |
| H143-1328 | DiPinto                          | 1/24/2006 | T    | Marie LaBruyere - Bar Association ProBono Award                    |
| H143-1329 | Smith                            | 1/24/2006 | T    | Christine Dempsey - Bar Association Pro Bono Award                 |
|           | cosponsor: Rep. DiPinto          |           |      |                                                                    |
| H143-1330 | Buckworth                        | 1/22/2006 | M    | John W. McGuire                                                    |
|           | cosponsors: Reps. Stone & Wagner |           |      |                                                                    |
| H143-1331 | Spence                           | 1/14/2006 | T    | Tom Boyle - Defeated Speaker Spence – Phoenician Invitational      |
|           | cosponsors: All Representatives  |           |      |                                                                    |
| H143-1332 | Ulbrich                          | 1/14/2006 | M    | Walter E. Maier                                                    |
|           | cosponsors: All Representatives  |           |      |                                                                    |
| H143-1333 | Marshall                         | 2/2/2006  | T    | MSgt. Diane Ridall/Assignment/Wilmington Police                    |
| H143-1334 | Hudson                           | 1/25/2006 | T    | Dave Sills - Community Involvement                                 |
| H143-1335 | Booth                            | 2/4/2006  | T    | Chief Dennis Swain/Georgetown Fire Co./Life Saver                  |
| H143-1336 | Booth                            | 2/4/2006  | T    | Deputy Chief Penuel Barrett - Georgetown Fire Company - Life Saver |
| H143-1337 | Booth                            | 2/4/2006  | T    | Keith Bryan/Georgetown Fire Company/Life Saver                     |
| H143-1338 | Booth                            | 2/4/2006  | T    | David Johnson/Georgetown Fire Company/Life Saver                   |
| H143-1339 | Booth                            | 2/4/2006  | T    | Jeff Ward - Georgetown Fire Company – Life Saver                   |
| H143-1340 | Booth                            | 2/4/2006  | T    | Tony Wise - Georgetown Fire Company – Life Saver                   |
| H143-1341 | Booth                            | 2/4/2006  | T    | Kevin Brumley/Georgetown Fire Company/Life Saver                   |
| H143-1342 | Wagner                           | 1/24/2006 | M    | Donna Porter McConnell                                             |
| H143-1343 | Outten                           | 1/31/2006 | T    | Donald Lonski - Meritorious Service to Country                     |
| H143-1344 | Hudson                           | 1/24/2006 | M    | Kanthi Iyengar                                                     |
| H143-1345 | VanSant                          | 2/11/2006 | T    | Harry Land - Five Points Fire Company Member of the Year           |
|           | cosponsors: All Representatives  |           |      |                                                                    |
| H143-1346 | Schwartzkopf                     | 1/19/2006 | T    | Chip Hearn Family - Business of the Year – Rehoboth-Dewey Beach    |

#### HOUSE TRIBUTE ANNOUNCEMENT #59

DATE: March 15, 2006

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      | Date      | Type | Description                                                  |
|-----------|--------------|-----------|------|--------------------------------------------------------------|
| H143-1347 | Hudson       | 1/21/2006 | T    | Dale & Clarice Wolf - AstraZeneca Lifetime Achievement Award |
| H143-1348 | Spence       | 1/30/2006 | M    | SFC Gerard P. Vavala                                         |
| H143-1349 | Spence       | 1/29/2006 | M    | Lorraine Mary Ward Peterson                                  |
| H143-1350 | DiPinto      | 1/28/2006 | M    | Robert J. Thompson                                           |
| H143-1351 | Ennis        | 2/28/2006 | T    | Wilbur & Rita Majors - 60th Wedding Anniversary              |
| H143-1352 | Ennis        | 1/29/2006 | M    | Ricky L. Lambert                                             |
| H143-1353 | Ennis        | 1/24/2006 | M    | Catherine Virginia Solloway                                  |
| H143-1354 | DiPinto      | 3/11/2006 | T    | Andrew DeSantis - Eagle Scout                                |
| H143-1355 | Outten       | 2/4/2006  | M    | Gertrude I. Morgan                                           |
| H143-1356 | Wagner       | 2/5/2006  | M    | Harry William Mikesell                                       |
| H143-1357 | Schwartzkopf | 2/5/2006  | M    | Charles A. Marsch                                            |
| H143-1358 | Wagner       | 2/9/2006  | T    | Booker T. Washington Elementary/Distinguished School         |
| H143-1359 | Wagner       | 2/9/2006  | T    | Fairview Elementary - Distinguished School                   |
| H143-1360 | Longhurst    | 2/9/2006  | T    | John & Marie Dugan - 60th Wedding Anniversary                |
| H143-1361 | VanSant      | 2/4/2006  | T    | Joseph & Julia deJulius - 50th Wedding Anniversary           |

|           |                                                             |           |   |                                                                  |
|-----------|-------------------------------------------------------------|-----------|---|------------------------------------------------------------------|
| H143-1362 | Roy & Spence                                                | 2/16/2006 | T | Lt. Charles Rynkowski, Jr. - Retirement – State Police           |
|           | cosponsors: Reps. Ennis, Ewing, Lee, Schwartzkopf & VanSant |           |   |                                                                  |
| H143-1363 | Gilligan                                                    | 8/14/2005 | T | Rudolph & Leta Feldman - 50th Wedding Anniversary                |
| H143-1364 | Stone                                                       | 2/7/2006  | M | Thom A. Parman                                                   |
|           | cosponsors: All Representatives                             |           |   |                                                                  |
| H143-1365 | Ennis                                                       | 2/16/2006 | T | Baxter Weber/President/White Oak Farms Civic Asso.               |
| H143-1366 | Longhurst                                                   | 2/15/2006 | T | Katherine Stewart - Legislative Essay Scholarship - Second Place |
| H143-1367 | Stone                                                       | 2/4/2006  | M | Sara Crossley Emerson                                            |
| H143-1368 | Schooley                                                    | 2/22/2006 | T | Rosaria Macera - National Board Certification                    |
| H143-1369 | Schooley                                                    | 2/22/2006 | T | Dianne Nichols - National Board Certification                    |
| H143-1370 | Ewing                                                       | 2/11/2006 | M | Robert J. Bennett                                                |
| H143-1371 | Hall-Long                                                   | 2/16/2006 | T | Gladys Ennis - 100th Birthday                                    |

#### HOUSE TRIBUTE ANNOUNCEMENT #60

DATE: March 15, 2006

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                                       | Date      | Type | Description                                                     |
|-----------|-----------------------------------------------|-----------|------|-----------------------------------------------------------------|
| H143-1372 | Johnson                                       | 3/26/2006 | T    | Robert & Helen Whitlow - 50th Wedding Anniversary               |
| H143-1373 | Hudson                                        | 2/9/2006  | M    | Edward Graham Jefferson                                         |
| H143-1374 | Hocker                                        | 2/25/2006 | T    | Lord Baltimore Lions Club - 60th Anniversary                    |
| H143-1375 | Buckworth                                     | 2/17/2006 | T    | Star Hill's African American Heritage Day                       |
| H143-1376 | Wagner                                        | 2/14/2006 | M    | Alma M. Baker                                                   |
| H143-1377 | Buckworth                                     | 2/15/2006 | T    | Grady Wilson/Teacher of the Year/Air Force Association          |
| H143-1378 | Wagner                                        | 3/17/2006 | T    | John & Diane Smith - 50th Wedding Anniversary                   |
| H143-1379 | Ulbrich                                       | 2/15/2006 | T    | Ronald Walker - New Castle County Chamber of Commerce President |
| H143-1380 | Marshall                                      | 2/7/2006  | M    | Sandra Butler                                                   |
| H143-1381 | Maier                                         | 3/4/2006  | T    | Daniel Villareal - Eagle Scout                                  |
| H143-1382 | Booth                                         | 2/4/2006  | T    | Michael Briggs - Georgetown Fireman of the Year                 |
| H143-1383 | Booth                                         | 2/4/2006  | T    | Lou Davis - Georgetown Lifetime Fireman of the Year             |
| H143-1384 | Plant                                         | 2/27/2006 | T    | Knotty Pine Restaurant - Historical Marker Placement            |
| H143-1385 | Maier                                         | 2/17/2006 | T    | William Russell/Contribution/Veterans Home Establishment        |
| H143-1386 | Outten                                        | 2/14/2006 | T    | Ruth Ann Messick - 75th Birthday                                |
| H143-1387 | Outten                                        | 2/14/2006 | M    | Thelma Rash                                                     |
| H143-1388 | Schwartzkopf                                  | 1/21/2006 | T    | Pete & Carol Sheldon - 50th Wedding Anniversary                 |
| H143-1389 | Schwartzkopf                                  | 3/19/2006 | T    | Jessie Reilly - 100th Birthday                                  |
| H143-1390 | Johnson                                       | 3/7/2006  | T    | Josephine Anderson - 100th Birthday                             |
| H143-1391 | Schwartzkopf                                  | 1/18/2006 | T    | Edward Hill - 100th Birthday                                    |
| H143-1392 | DiPinto                                       | 2/24/2006 | T    | Richard Pryor - Retirement - Wilmington Mayor's Office          |
| H143-1393 | Valihura                                      | 2/21/2006 | M    | Martha Schiek                                                   |
|           | cosponsors: Reps. Lavelle, McWilliams & Smith |           |      |                                                                 |
| H143-1394 | Keeley                                        | 2/28/2006 | T    | Lolita Lopez - Induction - Women's Hall of Fame                 |
|           | cosponsors: Reps. Keeley & Lavelle            |           |      |                                                                 |
| H143-1395 | Booth                                         | 2/24/2006 | T    | Irene Rust/Retirement/Kent/Sussex Detox Center                  |
| H143-1396 | Cathcart                                      | 1/30/2006 | T    | William Kelley - 81st Birthday                                  |
| H143-1397 | Schwartzkopf                                  | 2/27/2006 | T    | Everett Beach - Army Commander's Award                          |

#### HOUSE TRIBUTE ANNOUNCEMENT #61

DATE: March 15, 2006

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                          | Date      | Type | Description                                  |
|-----------|----------------------------------|-----------|------|----------------------------------------------|
| H143-1398 | Schwartzkopf                     | 2/27/2006 | T    | Peter Schott - Outstanding Community Service |
| H143-1399 | Maier                            | 2/28/2006 | T    | Diane Cooke - 50th Birthday                  |
| H143-1400 | Fallon                           | 3/16/2006 | T    | Nanticoke Senior Center - 35th Anniversary   |
| H143-1401 | Hudson                           | 3/1/2006  | T    | Liane Sorenson - Women's Day Celebration     |
|           | cosponsors: Reps. Carey & Fallon |           |      | Honors                                       |
| H143-1402 | Lee                              | 3/1/2006  | T    | Gerry Royal - Women's Day Celebration        |
|           | cosponsors: Reps. Carey & Fallon |           |      | Honors                                       |
| H143-1403 | Buckworth                        | 3/4/2006  | T    | George Frick - Retirement                    |
| H143-1404 | Maier                            | 3/22/2006 | T    | Catherine Netta - 80th Birthday              |
| H143-1405 | Lofink                           | 3/4/2006  | T    | Kathy Wootson-Foster - 50th Birthday         |
| H143-1406 | Wagner                           | 2/26/2006 | M    | Warner Roach, Jr.                            |

|           |                           |           |   |                                                                 |
|-----------|---------------------------|-----------|---|-----------------------------------------------------------------|
| H143-1407 | Stone                     | 2/27/2006 | M | Gerald Mills                                                    |
| H143-1408 | Outten                    | 3/14/2006 | T | Stephen Mynatt, II - Eagle Scout                                |
| H143-1409 | Outten                    | 3/4/2006  | T | Bruce Hickman/Retirement/Campbell's Cabinet Shop                |
| H143-1410 | Schwartzkopf              | 3/2/2006  | T | William Geppert - National Board Certification                  |
| H143-1411 | Schwartzkopf              | 3/2/2006  | T | Wendy Harrington - National Board Certification                 |
| H143-1412 | Schwartzkopf              | 3/2/2006  | T | John Hilton - National Board Certification                      |
| H143-1413 | Schwartzkopf              | 3/2/2006  | T | Heather Rodriguez-Costa/National Board Certification            |
| H143-1414 | Viola                     | 3/2/2006  | T | Crystal Lancoour - National Board Certification                 |
| H143-1415 | Viola                     | 3/2/2006  | T | Carly Henry - National Board Certification                      |
| H143-1416 | Viola                     | 3/2/2006  | T | Jane Blessing - National Board Certification                    |
| H143-1417 | Schwartzkopf              | 2/7/2006  | T | Minnie Smith-Burton - Honored - Business & Professional Women   |
| H143-1418 | Schwartzkopf              | 2/7/2006  | T | Lucienne Vignol Wolfe - Honored – Business & Professional Women |
| H143-1419 | Wagner                    | 2/27/2006 | M | Dr. Rhoslyn Jones Bishoff                                       |
|           | cosponsor: Rep. Buckworth |           |   |                                                                 |
| H143-1420 | Hudson                    | 3/7/2006  | T | Brady Kohn Foundation/Establishing Cord Blood Bank              |
| H143-1421 | Hudson                    | 3/7/2006  | T | Christiana Hospital - Established Cord Blood Bank               |

Representative Atkins requested that **HB 162** be stricken.

Representative Atkins introduced a guest.

Representative Smith brought the following prefiled **Consent Calendar #21** before the House for consideration.

**HR 50** – WAGNER & REPRESENTATIVE VALIHURA – Creating a Task Force to Review the Need for Facilities in Each County for Non-Serious Offenses.

**HR 51** – VALIHURA – Extending the Reporting Date of Abandoned Property Administration and Policies Task Force.

**HCR 48** – LONGHURST & SENATOR SOKOLA; REPRESENTATIVES ENNIS, HALL-LONG, JOHNSON, KEELEY, LAVELLE, MCWILLIAMS, PLANT SCHOOLEY, SPENCE ULBRICH, VIOLA, WILLIAMS; SENATOR AMICK – Creating a Task Force to Study Licensed Speech/Language Pathologists in Delaware and to Develop Strategies for Reducing the Shortfall of State Licensed Speech/Language Pathologists.

**HCR 50** – WAGNER & REPRESENTATIVE VALIHURA & SENATOR HENRY – Creating a Task Force to Review the Need for Facilities in Each County for Non-Serious Offenses.

**HCR 51** – WAGNER & SENATOR BLEVINS; REPRESENTATIVES EWING, LAVELLE, OBERLE, THORNBURG, ULBRICH, KEELEY, VIOLA – A Resolution Encouraging the Delaware State Police and the Department of Technology and Information to Increase the Visibility and Content of the Sex Offender Website.

**HCR 52** – MAIER & REPRESENTATIVE ULBRICH & REPRESENTATIVE WAGNER & SENATOR SOKOLA – Expanding the Alternative Education Task Force.

**HCR 53** – EWING & REPRESENTATIVE MIRO ON BEHALF OF ALL REPRESENTATIVES & SENATOR HENRY ON BEHALF OF ALL SENATORS – Proclaiming March 2006 as American Red Cross Month.

**HCR 54** – MAIER ON BEHALF OF ALL REPRESENTATIVES & SENATOR BLEVINS ON BEHALF OF ALL SENATORS – Recognizing April as Child Abuse Prevention Month in Delaware.

Representative Smith requested that **HCR 48** & **HCR 53** be removed from **Consent Calendar #21**. Mr. Acting Speaker assigned **HCR 48** to the Policy Analysis & Government Accountability Committee.

Representative Smith introduced and brought **HR 53**, sponsored on behalf of All Representatives, before the House for consideration.

**HR 53** – MOURNING THE DEATH OF THE “FIRST LADY” OF THE CIVIL RIGHTS MOVEMENT, CORETTA SCOTT KING.

Representative Smith made comments regarding **HR 53**.

Representative Smith requested that **HR 53** be added to **Consent Calendar #21**.

**Consent Calendar #21** was adopted by voice vote and **HR 50**, **HR 51** & **HR 53** were declared passed and **HCR 50**, **HCR 51**, **HCR 52** & **HCR 54** were sent to the Senate for concurrence.

Representative Ulbrich requested that she be marked present.

Representative Smith deferred to Representative Miro.

Representative Miro brought **HCR 53**, jointly sponsored by Representative Ewing on behalf of All Representatives & Senator Henry on behalf of All Senators, before the House for consideration.

**HCR 53** - PROCLAIMING MARCH 2006 AS AMERICAN RED CROSS MONTH.

Representative Miro made comments. Representative Miro requested and was granted privilege of the floor for John R. Danzeisen, Chairman of the Board of Directors, American Red Cross of the Delmarva Peninsula.

**HCR 53** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Atkins made an announcement.

Mr. Acting Speaker assigned **HB 295** to the Appropriations Committee.

Representative Maier made an announcement.

The Majority Leader moved to recess for Committee Meetings and to the call of the Chair at 2:53 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:53 P.M.: Representatives Carey, Oberle & Spence.

Mr. Acting Speaker Buckworth called the House to order at 2:15 p.m. on March 16, 2006.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SS 2/SB 43 & SCR 29** and requests the concurrence of the House; **HCR 53** and is returning same to the House;

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

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

BUSINESS/CORPORATIONS/COMMERCE: **HB 343** – 4F,2M.

CORRECTIONS: **HB 340** – 4M.

HEALTH & HUMAN DEVELOPMENT: **SB 119 w/SA 2** – 5M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 341** – 7M.

PUBLIC SAFETY: **SB 193** – 5M.

REVENUE & FINANCE: **HS1/HB 118** – 3F,3M.

Mr. Acting Speaker assigned **HB 340** to the Appropriations Committee.

Representatives Williams & Schooley requested that they be marked present for the current Legislative Day

The Majority Leader moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

### **12th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session March 16, 2006**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Plant & Wagner – 2.

A prayer was offered by Representative John C. Atkins, Forty-First Representative District.

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

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

The following prefiled legislation was introduced:

**HB 363** - EWING & REPRESENTATIVE ATKINS & REPRESENTATIVE SCHWARTZKOPF & SENATOR VAUGHN - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Rules of the Road.

**HB 364** - EWING & SENATOR ADAMS & SENATOR VAUGHN; REPRESENTATIVES LEE, BUCKWORTH, CAREY, DIPINTO, HOCKER, HUDSON, MAIER, MIRO, THORNBURG, ULBRICH, ENNIS, KEELEY - PUBLIC SAFETY - An Act to Amend Title 21, Delaware Code Relating to Rules of the Road. (2/3 bill)

**HB 365** - MAIER & SENATOR PETERSON & SENATOR CLOUTIER; REPRESENTATIVES HUDSON, OBERLE, ULBRICH, VALIHURA, ENNIS; SENATORS SORENSON, AMICK - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Tattoo Parlors.

**SS 2 for SB 43** - BLEVINS & REPRESENTATIVE GILLIGAN; SENATORS SOKOLA, HENRY, PETERSON, MARSHALL; REPRESENTATIVES KEELEY, ENNIS, OUTTEN, BUCKWORTH - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Absentee Ballots.

Representatives Lofink, Viola & Hall-Long requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:21 p.m.

The House reconvened at 4:04 p.m. with Representative Lee as Acting Speaker.

Representative Spence requested that he be marked present. Representative Smith deferred to Representative Lavelle. Representative Lavelle made an announcement. Representative Gilligan requested that he be marked present. Representative Gilligan & Mr. Acting Speaker made comments.

Representative Smith deferred to Representative Miro.

Representative Miro moved to suspend the rules which interfere with introduction of and action on **HS 1 for HB 134**. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representatives Cathcart, Ulbrich & Schwartzkopf requested that they be marked present.

Representative Miro introduced and brought **HS 1 for HB 134**, jointly sponsored by Senator Blevins & Representatives Spence, Lee, Buckworth, Carey, DiPinto, Ewing, Hudson, Maier, Wagner & Hall-Long & Senators Peterson & Sorenson & cosponsored by Representative Ulbrich, before the House for consideration.



**HB 134** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO LIMITATIONS ON CAUSES OF ACTIONS AGAINST MEDICAL PERSONNEL PROVIDING VOLUNTEER MEDICAL SERVICES DURING A STATE OF EMERGENCY.

Representative Miro made comments.

The roll call on **HS 1 for HB 134** was taken and revealed:

YES: 39.

ABSENT: Representatives Plant & Wagner - 2.

Therefore, having received a constitutional majority, **HS 1 for HB 134** was sent to the Senate for concurrence.

Representatives DiPinto, Ennis, Hudson, Keeley, Mulrooney, Stone, Roy & Oberle requested that they be marked present during the roll call.

Representative Miro introduced guests. Representatives Marshall & Miro made comments regarding **HS 1 for HB 134**.

Representative Smith deferred to Representative Ennis.

Representative Ennis brought **HB 304**, jointly sponsored by Senator Vaughn & Representatives Buckworth, Carey, Caulk, Ewing, George, Johnson, Keeley, Lee, Longhurst, McWilliams, Mulrooney, Outten, Schooley, Spence & VanSant, before the House for consideration.

**HB 304** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ELECTRIC POWERED BICYCLES.

Representative Ennis introduced and brought **HA 1 to HB 304** before the House for consideration. Representative Ennis made a comment. **HA 1** was adopted by voice vote. Representative Ennis made comments.

The roll call on **HB 304 w/HA 1** was taken and revealed:

Representative Spence deferred to Representative Schooley.

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

YES: 39.

ABSENT: Representatives Plant & Wagner - 2.

Therefore, having received a constitutional majority, **HB 304 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Miro.

Representative Miro brought **HB 343**, jointly sponsored by Senator Sokola, before the House for consideration.

**HB 343** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO DINNER THEATRES.

Representative Miro made comments. Representative Hudson introduced and brought **HA 1 to HB 343**, jointly sponsored by Representative Miro, before the House for consideration. Representatives Hudson, Gilligan, Miro & Ulbrich made comments.

**HA 1** was adopted by voice vote. Representative Miro requested and was granted privilege of the floor for John H. Cordrey, Commissioner of Alcohol. Representatives Miro & Ulbrich made comments.

The roll call on **HB 343 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Plant & Wagner - 2.

Therefore, having received a constitutional majority, **HB 343 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier requested that **HB 281** be stricken.

Representative Smith deferred to Representative Maier.

Representative Maier brought **SCR 12**, jointly sponsored by Senator Venables & Representative Ewing & Senators Sokola, Cloutier & Sorenson & Representatives Buckworth, DiPinto & Keeley, before the House for consideration.

**SCR 12** - ESTABLISHING A TASK FORCE TO EXAMINE HOW TO IMPLEMENT A "SHORT-FORM" ADVANCED HEALTH CARE DIRECTIVE TO BE ASSOCIATED WITH A NOTATION ON DELAWARE DRIVER LICENSES AND NON-DRIVER IDENTIFICATION CARDS.

Representative Ewing brought **HA 1 to SCR 12** before the House for consideration. Representative Ewing made a comment. **HA 1** was adopted by voice vote. Representative Ewing brought **HA 2 to SCR 12** before the House for consideration. Representative Ewing made a comment. **HA 2** was adopted by voice vote. Representative Ewing introduced and brought **HA 3 to SCR 12** before the House for consideration. Representative Ewing made a comment. **HA 3** was adopted by voice vote.

**SCR 12 w/HA 1, 2 & 3** was adopted by voice vote and was returned to the Senate for concurrence on **HA 1, 2 & 3**.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: The Honorable Terry R. Spence



FROM: Speaker of the House of Representatives  
Nancy H. Wagner  
Representative – Thirty-First Representative District  
RE: Absence from Session  
DATE: March 16, 2006

Please be advised that I will be unable to attend session Thursday, March 16, 2006. I will be attending to personal business.

Thank you for your consideration in this matter.

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

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:09 p.m. on March 21, 2006.

The Reading Clerk read the following communications into the record:

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: Representative Joseph G. DiPinto  
DATE: March 16, 2006  
RE: Absence from Session

Please be advised that it is necessary for me to be absent from session on March 21, 2006, Tuesday, due to a off-site meeting.

Thank you for your understanding.

Ms. JoAnn M. Hedrick  
Chief Clerk of the House  
House of Representatives  
State of Delaware  
Legislative Hall  
Room H129  
Dover, Delaware 19901

Dear Ms. Hedrick:

Thank you for expressing your strong support for increased funding for the Low-Income Home Energy Assistance Program (LIHEAP) and the Weatherization Program. As always, I appreciate your interest and input on these important issues.

I certainly understand your support for increased funding for LIHEAP and the Weatherization Program. Americans affected both directly and indirectly by Hurricane Katrina, and its dramatic impact on the price of oil and gas, deserve our nation's full support. I assure you that I will work with my colleagues on the Appropriations Committee to provide these programs with an adequate level of funding.

Thank you again for contacting me. Please do not hesitate to contact me in the future about other matters of importance to you.

With best personal regards, I am

Sincerely yours,  
Thomas R. Carper  
United States Senator

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.

**13th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session  
March 21, 2006**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives DiPinto & Plant -2.

A prayer was offered by Representative Bruce C. Ennis, Twenty-Eighth Representative District.

Mr. Speaker Spence 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 367** - BUCKWORTH & SENATOR VAUGHN; REPRESENTATIVES OUTTEN, STONE, WAGNER, ENNIS, HALL-LONG, CAULK; SENATORS STILL, SIMPSON - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 9 of the Delaware Code Relating to the General Powers of the Government of Kent County.

**HB 368** - HUDSON & SENATOR BLEVINS & SENATOR SORENSON - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Hunting Licenses.

**HA 2 to HB 359** - HUDSON - Placed with the Bill.

Representative Smith requested and was granted personal privilege of the floor to introduce a guest.  
Representative Wagner requested that she be marked present.  
Representative Wagner requested and was granted personal privilege of the floor to make a comment.  
Representative Ewing made comments. Representative Gilligan requested and was granted personal privilege of the floor to make comments. Representative Smith made comments. Representative Viola requested that he be marked present.

Representative Smith deferred to Representative Hall-Long.

Representative Hall-Long requested and was granted personal privilege of the floor to present a House Tribute to Ashlee Greenwell, Miss Delaware U.S.A. Miss Greenwell addressed the House.

Representative Williams requested that he be marked present.

Representative Ewing made an announcement.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HCR 50, HCR 51 & HCR 52** and is returning same to the House.

March 21, 2006

The Honorable Terry R. Spence

Speaker, House of Representatives

Legislative Hall

Dover, Delaware 19901

Dear Representative Spence:

I will be unable to attend legislative session this week due to personal reasons.

Thank you for your consideration in this matter.

Sincerely,

Hazel D. Plant

State Representative

Second District

Mr. Speaker Spence, Representatives Keeley & Ennis made comments.

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

The Majority Leader moved to recess for caucus at 2:24 p.m.

The House reconvened at 4:40 p.m.

Representative Cathcart requested that he be marked present and made an announcement.

Representatives Schwartzkopf, Hudson & Mulrooney requested that they be marked present.

Representative Smith deferred to Representative Oberle.

Representative Oberle requested that he be marked present.

Representative Oberle requested that **HB 153 & HB 269** be stricken.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on **HB 366**. The motion was seconded by Representative Lofink and adopted by voice vote.

Representative Oberle introduced and brought **HB 366** before the House for consideration.

**HB 366 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF JUSTICE.**

Representatives Stone & McWilliams requested that they be marked present.

Representative Oberle introduced and brought **HA 1 to HB 366** before the House for consideration. Representatives Oberle, Wagner & Smith made comments. Representative Oberle requested and was granted privilege of the floor for Carl Danberg, Attorney General. Representatives Smith & Ewing made comments. Representative Miro requested that he be marked present. Representatives Wagner, Miro, Marshall, Johnson, Wagner & Oberle made comments. Representative Oberle moved to place **HA 1** on the Speaker's Table. The motion was properly seconded and adopted by voice vote. Representative Oberle moved to place **HB 366** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith deferred to Representative Buckworth.

Representatives Ulbrich, Maier & Keeley requested that they be marked present.

Representative Buckworth brought **HB 331**, jointly sponsored by Senator Blevins & Representatives Spence, Hudson, Valihura, Wagner, Keeley & Schooley & Senator Still, before the House for consideration.

**HB 331 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE PERTAINING TO CHILD SUPPORT ORDERS.**

Representative Buckworth made comments.

The roll call on **HB 331** was taken and revealed:

YES: 39.

ABSENT: Representatives DiPinto & Plant - 2.

Therefore, having received a constitutional majority, **HB 331** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Lavelle.

Representative Lavelle introduced and brought **HR 55**, jointly sponsored by Representatives Smith, Atkins, Booth, Maier, Ulbrich, Valihura, Schooley & Williams on behalf of All Representatives, before the House for consideration.

**HR 55 - TO RECOGNIZE THE EASTER SEALS OF DELAWARE FOR SPONSORING ANOTHER SUCCESSFUL VOLLEYBALL CHALLENGE FUNDRAISING EVENT.**

WHEREAS, the 25th Annual CAI/Easter Seals Volleyball Challenge was held last weekend at the University of Delaware's Carpenter Sports Center in Newark with about 200 teams participating in the fundraising event; and

WHEREAS, Delaware Republicans with "Team: This Won't Take Long" were among the physical powerhouse players taking to the court this year, helping to raise money for a very worthy cause; and

WHEREAS, "Team: This Won't Take Long," comprised of heavy-hitters, including House Majority Leader Wayne Smith, Representatives Joe Booth, Greg Lavelle, Bob Valihura, John Atkins and Pam Maier and Senator Charlie Copeland and House staff members, Carie Riley, Rodney Brittingham, John Matlusky, Joe Fulgham and Stephanie Mantegna, made a proud showing, placing second in a wide field of tough, committed volleyball competitors; and

WHEREAS, "Team: This Won't Take Long" worked hard for bragging rights off the court, as well, by topping its opponent in the fundraising category by raising an impressive \$1,930 and helping Easter Seals to exceed its annual goal with a final fundraising tally of nearly \$273,000; and

WHEREAS, the weekend volleyball competition was all in good fun with the main accomplishment being the special lives impacted by the annual event; and

WHEREAS, participants in the Easter Seals Volleyball Challenge each year help to make it possible for people with disabilities to live, work, learn and participate fully in the community with independence and dignity.

NOW THEREFORE:

BE IT RESOLVED by the House of Representatives of the 143rd General Assembly of the State of Delaware that the Easter Seals of Delaware be recognized for sponsoring another successful Volleyball Challenge fundraising event.

BE IT FURTHER RESOLVED that there are no winners or losers in this year's Challenge, but only good-natured participants glad to take part in a friendly competition between organizations all working to raise money for the same cause.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be sent to the Easter Seals of Delaware.

Representatives Smith, Lavelle, Schwartzkopf, Atkins, Ewing, Mulrooney, Lavelle & Keeley made comments.

Representative Lavelle moved to place **HR 55** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **HS 1 for HB 118**, jointly sponsored by Senator Simpson & Representatives Smith, Buckworth, Ewing, Lavelle, Miro & Valihura & Senator Sorenson, before the House for consideration.

**HB 118 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF FINANCE.**

Representative Hudson made comments.

The roll call on **HS 1 for HB 118** was taken and revealed:

YES: 39.

ABSENT: Representatives DiPinto & Plant - 2.

Therefore, having received a constitutional majority, **HS 1 for HB 118** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Booth. Representative Booth made an announcement.

Representative Smith deferred to Representative Maier.

Representative Maier requested that **HB 193** be stricken.

Representatives Wagner, Maier, Hudson & Smith made announcements.

The Majority Leader moved to recess to the call of the Chair at 5:26 p.m.

Mr. Speaker Spence called the House to order at 2:20 p.m. on March 22, 2006.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 260** and requests the concurrence of the House  
Representative DiPinto requested that he be marked present for the current Legislative Day.

The Majority Leader moved to adjourn at 2:21 p.m., thereby ending the current legislative day.

The House reconvened at 2:22 p.m.

**14th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session  
March 22, 2006**

The Chief Clerk called the roll:

Members Present: 36.

Members Absent: Representatives Caulk, Gilligan, Lofink, Longhurst & Plant -5.

Representative Keeley deferred to Representative Buckworth.

A prayer was offered by Representative Helene M. Keeley, Third Representative District.

The House observed a moment of silence in memory of Vasuki Hiraesave, Central District Engineer, Department of Transportation at the request of Representative Buckworth.

Mr. Speaker Spence 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 369** - SPENCE - GAMING & PARIMUTUELS - An Act to Amend Title 29 of the Delaware Code Relating to Lotteries, Creating a Special Fund for the Purpose of Providing Short Term Residential Electricity Cost Relief and Making a Supplemental Appropriation to Said Fund.

**HB 370** - ATKINS & SENATOR BUNTING; REPRESENTATIVES SPENCE, SMITH, BUCKWORTH, CAREY, DIPINTO, EWING, HOCKER, HUDSON, MAIER, MIRO, STONE, ULBRICH, GILLIGAN, VANSANT, KEELEY - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Prohibitions Concerning Game and Fish.

**HB 371** - OBERLE; REPRESENTATIVE SPENCE & REPRESENTATIVE ATKINS & REPRESENTATIVE CATHCART & REPRESENTATIVE LOFINK & SENATOR BUNTING; REPRESENTATIVES LEE, ATKINS, BOOTH, FALLON, OUTTEN, DIPINTO, SCHWARTZKOPF, ULBRICH, BUCKWORTH, CAREY, EWING, HOCKER, LAVELLE, MIRO, THORNBURG, GILLIGAN, ENNIS, JOHNSON, KEELEY, LONGHURST, SCHOOLEY, VIOLA, WILLIAMS; ALL SENATORS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses. (2/3 bill)

**HB 372** - ULBRICH & SENATOR BUNTING - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Assessment of Fitness of Public School Students.

**HB 373** - CATHCART & REPRESENTATIVE EWING & SENATOR MCBRIDE; REPRESENTATIVES BOOTH, BUCKWORTH, CAREY, DIPINTO, FALLON, HUDSON, SPENCE, OBERLE, VALIHURA, WAGNER, ENNIS, HALL-LONG, KEELEY, LONGHURST, MULROONEY, PLANT, VIOLA, WILLIAMS; SENATORS STILL, SORENSON, AMICK, CLOUTIER, CONNOR, SIMPSON - VETERANS AFFAIRS - An Act to Amend Title 1 of the Delaware Code Relating to Veterans' Day, Public School Students, and the Employees of Public School Districts and Charter Schools.

**HA 3 to HB 311** - ULBRICH - Placed with the Bill.

**HJR 20** - WAGNER & SENATOR SOKOLA - EDUCATION - Extending the Reporting Date for the Task Force to Review Best Practices of Educational Assessments.

**SB 260** - SIMPSON & REPRESENTATIVE BOOTH - HOUSE ADMINISTRATION - An Act to Amend Chapter 170, Volume 57, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the City of Lewes", Relating to the City Manager and the Police Force. (2/3 bill)

Representative Smith introduced and brought **HR 52** before the House for consideration.

Representative Viola requested that he be marked present.

**HR 52** - COMMENDING JAMES A. STEWART FOR HIS DEDICATED SERVICE TO THE STATE OF DELAWARE AS HE RETIRES FROM HIS POSITION OF ADMINISTRATOR OF MUSEUMS AND HISTORICAL SITES.

WHEREAS, Jim Stewart began his career with the State of Delaware back in 1974 when he worked for the Division of Historical and Cultural Affairs for two summers while pursuing his Bachelor's Degree in Business Administration with a minor in History; and

WHEREAS, after obtaining his Master's Degree in History from the University of Delaware, Jim accepted a position with the Division as Museum Curator of Buildings in 1979; and

WHEREAS, in July of 1988, Jim received a temporary promotion to Administrator of Museums and Historic Sites wherein this capacity his skills and ability were so apparent that he was permanently promoted to this position in March of 1989, where he served until his retirement on January 31, 2006; and

WHEREAS, under Jim's leadership and foresight, the Division grew from 63 historic buildings to 95 structures, stretching out over 32 separate properties; and

WHEREAS, Jim participated with the renovation and building of the Visitors Center in Dover, as well as assisted with the establishment of the Sewell Biggs Museum, and the historic raising, preservation and permanent housing of the Debraak artifacts; and

WHEREAS, as a member of the Delaware Civil War Society, Inc. since its inception, Jim's invaluable support and guidance helped the Society raise over \$300,000 to install a Delaware State Monument at Gettysburg, Pennsylvania, in honor the Delawareans who fought there in the 1st and 2nd Delaware regiments of volunteer infantry. His many hours of dedicated assistance were key to ensuring the project's success; and

WHEREAS, Jim oversaw some of Delaware's most treasured sites that are enjoyed by thousands of tourists and residents each year, such as the John Dickinson Plantation, the Buena Vista and Belmont Hall

Conference Centers, the Old State House, the Old New Castle Courthouse, Meeting House Gallery I & II, and the Zwaanendael Museum; and

WHEREAS, Jim's true passion was the Johnson Victrola Museum which under his careful guidance he made a unique place to visit with a rich history and an outstanding collection.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 143rd General Assembly of the State of Delaware that we hereby commend James A. Stewart for his commitment, dedication and outstanding service as Administrator of Museums and Historical Sites.

BE IT FURTHER RESOLVED that that a suitably prepared copy of this Resolution be presented to James A. Stewart.

Representative Smith requested and was granted personal privilege of the floor to make comments.

**HR 52** was adopted by voice vote.

Representative Smith requested and was granted privilege of the floor for James A. Stewart.

Representative Atkins requested that he be marked present.

Representative Wagner requested that **HB 344** be stricken.

The Reading Clerk read the following resolution into the record at the request of Mr. Speaker Spence.

**HR 38** – COMMENDING DX-CEEDS, PARENT COMPANY OF DELEXCHANGE, FOR THEIR OUTSTANDING WORK IN DEVELOPING ENRICHING RELATIONSHIPS BETWEEN MAINSTREAM AND UNDERSERVED COMMUNITIES THROUGH ENTREPRENEURSHIP AND TECHNOLOGY ECONOMIC DEVELOPMENT INITIATIVES.

WHEREAS, in 2001, DeLEXCHANGE was conceived as an initiative of the Metropolitan Wilmington Urban League and the Delaware Technology Park to facilitate equal access to local corporate and government procurement information for all Delaware small businesses, particularly minority-owned and women-owned, who have struggled to compete for contracts in the public and private sectors; and

WHEREAS, in November, 2003 DX-CEEDS, Inc. was created to manage DeLEXCHANGE as a non-profit corporation with a mission to develop enriching relationships between mainstream and underserved communities through entrepreneurship and technology-led economic development initiatives in a way that improves everyone's quality of life; and

WHEREAS, DeLEXCHANGE helps lower the cost of marketing for small businesses, provides a time-saving tool for corporate and government buyers seeking competitive local suppliers, and serves as a clearinghouse for business events that will help Delaware foster an entrepreneurial environment; and

WHEREAS, since their inception, over 1,000 business events of their marketing partners have been communicated via their website which has help small businesses get more business with corporations and State agencies; and

WHEREAS, their marketing partners include the Delaware Economic Development Office, Delaware Small Business Development Center, the Delaware State Chamber of Commerce, Delaware Technology Park, First State Community Loan Fund, Metropolitan Wilmington Urban League, Minority Supplier Development Council – PA-NJ-DE, and the Delaware Chapter of National Association of Women Business Owners; and

WHEREAS, DX-CEEDS recently received a \$500,000 matching Technology Opportunity Program grant from the United States Department of Commerce by which DeLEXCHANGE will be able to enhance its business development education and on-line matching of procurement opportunities, and will also help small businesses that win new contracts efficiently find new employees.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 143rd General Assembly of the State of Delaware that we hereby commend DX-CEEDS for its outstanding work in advancing businesses in Delaware, especially small businesses that are minority and women owned and for helping Delaware foster an entrepreneurial environment.

BE IT FURTHER RESOLVED that we wish DX-CEEDS continued success in all of its future endeavors.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be forwarded to Ty Austin, CEO and President of DX-CEEDS.

Mr. Speaker Spence granted privilege of the floor to Tyrone Austin, CEO and President of DX-CEEDS.

Representative Smith brought the following prefiled **Consent Calendar #22** before the House for consideration.

**HCR 55** – DIPINTO & SENATOR HENRY; REPRESENTATIVES SPENCE, LEE, ATKINS, BUCKWORTH, CAREY, CATHCART, EWING, HOCKER, HUDSON, LAVELLE, LOFINK, OUTTEN, STONE, VANSANT, ENNIS, HALL-LONG, JOHNSON, KEELEY, LONGHURST, MCWILLIAMS, MULROONEY, SCHOOLEY, SCHWARTZKOPF, WILLIAMS; SENATORS ADAMS, MCDOWELL, DELUCA, BUNTING, PETERSON, VAUGHN, STILL, SORENSON, CLOUTIER, CONNOR, COPELAND, SIMPSON – Recognizing the Quiet River Initiative's Efforts in the Conservation of the Brandywine Creek Watershed and the Creation of a Long-Term Mechanism for Developing Heritage Conservation Partnerships.



**SCR 29** – SOKOLA & REPRESENTATIVE MAIER – Commending the Work of Communities in Schools and Designating March 15th as Communities in Schools of Delaware Day.

**Consent Calendar #22** was adopted by voice vote and **HCR 55** was sent to the Senate for concurrence and **SCR 29** was returned to the Senate.

Representative Roy requested that he be marked present. Representative Schwartzkopf requested and was granted personal privilege of the floor to introduce guests. Mr. Speaker Spence made comments. Representative Ewing made an announcement. Representative Hudson requested that she be marked present.

Representative Atkins requested that **HB 341** be stricken.

Representative Atkins made an announcement.

The Majority Leader moved to recess for committee meetings to the call of the Chair at 2:45 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:45 P.M.: Representatives Cathcart, Maier, Miro, Mulrooney & Oberle.

Mr. Acting Speaker Buckworth called the House to order at 2:09 p.m. on March 23, 2006.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SCR 31** and requests the concurrence of the House

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

EDUCATION: **HCR 33** - 7M.

HOUSE ADMINISTRATION: **HB 339** - 3M; **HB 353** - 3M; **HB 358** - 3M; **SB 246 w/SA 1** - 3M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 370** - 7M.

PUBLIC SAFETY: **HB 37** - 7M; **HB 359** - 1F,4M.

Mr. Acting Speaker reassigned **HB 369** to the Appropriations Committee.

Representative Longhurst requested that she be marked present for the current Legislative Day.

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.

### **15th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session March 23, 2006**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Lavelle & Plant - 2.

A prayer was offered by Acting Speaker Gerald A. Buckworth, Thirty-Fourth Representative District.

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

The following prefiled legislation was introduced:

**HS 1 for HB 243** - LEE & SENATOR VAUGHN; REPRESENTATIVE WAGNER - PUBLIC SAFETY - An Act to Amend Chapter 23 of Title 24 of the Delaware Code Relating to Pawnbrokers and Junk Dealers. (2/3 bill)

**HB 374** - VALIHURA & REPRESENTATIVE VANSANT & SENATOR VAUGHN & SENATOR BONINI - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Motor Vehicle Theft.

**HB 375** - CATHCART & SENATOR SOKOLA; REPRESENTATIVES CAREY, EWING, FALLON, HOCKER, LOFINK, MIRO, OBERLE, STONE, VALIHURA, WAGNER, VANSANT, KEELEY, MULROONEY, PLANT - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**HB 376** - ATKINS & REPRESENTATIVE BOOTH & REPRESENTATIVE EWING & REPRESENTATIVE HOCKER & SENATOR VAUGHN & SENATOR VENABLES & SENATOR SIMPSON; REPRESENTATIVES LEE, BUCKWORTH, CAREY - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Reorganization of School Districts.

**HA 1 to HA 1 to HB 366** - MIRO - Placed with the Bill.

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

Representative Hall-Long requested that she be marked present.

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

The House reconvened at 4:20 p.m. with Representative Ewing as Acting Speaker.

The Reading Clerk read the following communication into the record:

#### **MEMORANDUM**

TO: THE HONORABLE TERRY R. SPENCE  
SPEAKER OF THE HOUSE OF REPRESENTATIVES  
FROM: REPRESENTATIVE Gregory F. Lavelle  
DATE: March 23, 2006  
RE: Absence from Session



Please be advised that it is necessary for me to be absent Thursday, March 23, 2006 due to family matters. Thank you for your understanding.

Representative Spence requested that he be marked present.

Representative Lee deferred to Representative Spence.

Representative Spence moved to suspend the rules which interfere with action on **HB 336**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Spence brought **HB 336**, jointly sponsored by Representative Hudson & Senator DeLuca & Representatives Buckworth, Miro, VanSant, Ennis & Johnson & Senator Still, before the House for consideration.

**HB 336 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATED TO FARM WINERIES.**

Representative Spence made comments.

Representative Oberle requested that he be marked present and made comments. Representative Oberle requested that **HA 1 to HB 336** be stricken. Representative Spence made comments.

The roll call on **HB 336** was taken and revealed:

YES: 32.

ABSENT: Representatives Caulk, DiPinto, Gilligan, Lavelle, Plant, Roy, Schwartzkopf, Smith & Valihura - 9.

Therefore, having received a constitutional majority, **HB 336** was sent to the Senate for concurrence.

Representatives Atkins, Lofink, Miro, Mulrooney, Schooley, Viola, Williams, Ulbrich, Maier, Hudson, Cathcart & Keeley requested that they be marked present during the roll call.

Mr. Speaker Spence resumed the Chair.

Representative Lee deferred to Representative Oberle.

Representative Oberle brought **SB 233**, sponsored by Senator Peterson & Senators McDowell & Representative Maier & cosponsored by Senator Bonini, before the House for consideration.

**SB 233 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATED TO FUNERAL SERVICES.**

Representative Oberle made comments.

The roll call on **SB 233** was taken and revealed:

YES: 34.

ABSENT: Representatives Caulk, Gilligan, Lavelle, Plant, Roy, Smith & Valihura - 7.

Therefore, having received a constitutional majority, **SB 233** was returned to the Senate.

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

Representative Wagner requested and was granted personal privilege of the floor to make comments.

Representative Lee deferred to Representative Maier.

Representative Maier brought **SB 119 w/SA 2**, jointly sponsored by Senator Blevins, before the House for consideration.

**SB 119 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT ENFORCEMENT.**

Representative Maier made a comment.

The roll call on **SB 119 w/SA 2** was taken and revealed:

YES: 34.

ABSENT: Representatives Caulk, Gilligan, Lavelle, Plant, Roy, Smith & Valihura - 7.

Therefore, having received a constitutional majority, **SB 119 w/SA 2** was returned to the Senate.

Representative Lee deferred to Representative Booth.

Representative Booth introduced **HB 379** jointly sponsored by Senator Adams & Representatives Buckworth, Hudson, Oberle, Outten & Thornburg & cosponsored by Representatives Carey & Schwartzkopf.

**HB 379 - AN ACT TO AMEND TITLE 4, DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS LICENSES AND LICENSE FEES.**

Mr. Speaker Spence assigned **HB 379** to the Business/Corporations/Commerce Committee.

Mr. Speaker Spence introduced a guest.

Representative Lee deferred to Representative Atkins.

Representative Atkins moved to suspend the rules which interfere with action on **HB 370**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Atkins brought **HB 370**, jointly sponsored by Senator Bunting & Representatives Spence, Smith, Buckworth, Carey, DiPinto, Ewing, Hocker, Hudson, Maier, Miro, Stone, Ulbrich, Gilligan, VanSant & Keeley, before the House for consideration.

**HB 370 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROHIBITIONS CONCERNING GAME AND FISH.**

Representatives Atkins & Cathcart made comments.

The roll call on **HB 370** was taken and revealed:

YES: 36.

ABSENT: Representatives Caulk, Lavelle, Plant, Smith & Valihura - 5.

Therefore, having received a constitutional majority, **HB 370** was sent to the Senate for concurrence. Representative Gilligan requested that he be marked present during the roll call.

Representative Roy requested and was granted personal privilege of the floor to make an announcement.

Representative Gilligan introduced **HA 1 to HR 55**, jointly sponsored by Representative Schwartzkopf.

AMEND House Resolution No. 55 by striking lines 1 through 11 in their entirety and substituting in lieu thereof the following:

"WHEREAS, the 25th Annual CAI/Easter Seals Volleyball Challenge was held last weekend at the University of Delaware's Carpenter Sports Center in Newark; and

WHEREAS, Delaware Republicans with "Team: This Won't Take Long." which included House Majority Leader Wayne Smith, Representatives Joe Booth, Greg Lavelle, Bob Valihura, John Atkins and Pam Maier and Senator Charlie Copeland and House staff members, Carie Riley, Rodney Brittingham, John Matlusky, Joe Fulgham and Stephanie Mantegna lived up to its name; and

WHEREAS, Delaware Democrats with "Team: 6 in 06" (hereinafter referred to as the "Winners") which included U.S. Senator Tom Carper, Lieutenant Governor John Carney, Insurance Commissioner Matthew Denn, Representatives Pete Schwartzkopf, Valerie Longhurst, John Viola, Helene Keeley and Michael Mulrooney were able to defeat "Team: This won't take long" in 3 straight games; and

WHEREAS, "Team: This Won't Take Long" and the Winners helped Easter Seals to exceed its annual goal with a final fundraising tally of nearly \$273,000; and"

**HA 1 to HR 55** was placed with the Resolution.

Representative Stone made comments regarding **HA 1 to HR 55**.

Representative Booth made an announcement.

The Majority Whip moved to recess to the call of the Chair at 4:48 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Member was marked present by the Chief Clerk after the House recessed at 4:48 P.M.: Representative Valihura.

Mr. Speaker Spence called the House to order at 2:10 p.m. on March 28, 2006.

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

Mr. Speaker Spence reassigned **HB 371** to the Veterans Affairs Committee.

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.

## **16th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session March 28, 2006**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Hudson & Plant.

A prayer was offered by Representative V. George Carey, Thirty-Sixth Representative District.

Mr. Speaker Spence 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 4 - VALIHURA & SENATOR MCDOWELL & REPRESENTATIVE SPENCE & REPRESENTATIVE SMITH & REPRESENTATIVE LEE & REPRESENTATIVE GILLIGAN & REPRESENTATIVE VANSANT & SENATOR ADAMS & SENATOR DELUCA & SENATOR STILL & SENATOR SORENSON; REPRESENTATIVE HUDSON - ENERGY COMMITTEE - An Act to Amend Title 26 of the Delaware Code Concerning the Oversight of Public Utilities that Distributed and Supply Electricity to Retail Electric Customers in the State.**

**HB 5 - VALIHURA & SENATOR MCDOWELL & REPRESENTATIVE SPENCE & REPRESENTATIVE SMITH & REPRESENTATIVE LEE & REPRESENTATIVE GILLIGAN & REPRESENTATIVE VANSANT & SENATOR ADAMS & SENATOR DELUCA & SENATOR STILL & SENATOR SORENSON; REPRESENTATIVE HUDSON - ENERGY COMMITTEE - An Act Waiving Provisions of the Delaware Code to Allow the State to Procure Electricity on the Retail or Wholesale Market.**

**HB 377 - SMITH & SENATOR SOKOLA; REPRESENTATIVES BUCKWORTH, HUDSON, KEELEY, MIRO, THORNBURG; SENATORS CLOUTIER, COPELAND, VENABLES - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the State Student Testing Program.**

**HB 378 - MAIER & SENATOR BLEVINS; REPRESENTATIVES HUDSON, HALL-LONG, SCHOOLEY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to the Division of State Service Centers.**

**HA 1 to HB 37 - OBERLE - Placed with the Bill.**

**HA 1 to HB 66 - BOOTH - Placed with the Bill.**

**HJR 21 - DIPINTO & SENATOR COOK - APPROPRIATIONS - The Official Estimate of General Fund Revenues for Fiscal Year 2006.**

**HJR 22 - VALIHURA & SENATOR MCDOWELL & REPRESENTATIVE SPENCE & REPRESENTATIVE SMITH & REPRESENTATIVE LEE & REPRESENTATIVE GILLIGAN & REPRESENTATIVE VANSANT & SENATOR ADAMS & SENATOR DELUCA & SENATOR STILL & SENATOR SORENSON; REPRESENTATIVE HUDSON - ENERGY COMMITTEE - Ensuring Delaware's Energy Future Summit.**

Representative Lofink requested that he be marked present.

Representative Smith deferred to Representative Stone.

Representative Stone requested and was granted privilege of the floor for Matt Sundeen, National Conference of State Legislatures Liaison to the State of Delaware.

The Reading Clerk read the following communications into the record:

March 28, 2006

The Honorable Terry R. Spence

Speaker, House of Representatives

Legislative Hall

Dover, Delaware 19901

Dear Representative Spence:

I will be unable to attend legislative session today due to personal reasons.

Thank you for your consideration in this matter.

Sincerely,

Hazel D. Plant

State Representative

Second District

MEMORANDUM

TO: The Honorable Terry R. Spence

Speaker of the House of Representatives

FROM: The Honorable Deborah Hudson

State Representative

DATE: March 28, 2006

RE: Absence from Session

Please excuse me from session on Tuesday March 28, Wednesday March 29 and Thursday March 30, 2006. I am away on state business and will return on April 4, 2006.

Representatives Atkins & Hall-Long requested that they be marked present.

Representative Smith deferred to Representative Schooley. Representative Schooley made an announcement. Representative Smith deferred to Representative Viola. Representative Viola requested and was granted personal privilege of the floor to introduce guests and to make comments. Representative Valihura requested that he be marked present and requested and was granted personal privilege to make comments. Representative Ennis requested that he be marked present.

The Majority Leader moved to recess for caucus at 2:24 p.m.

The House reconvened at 4:13 p.m.

Representative Ewing requested that he be marked present and made an announcement.

Representatives DiPinto, Ulbrich, Schwartzkopf, Wagner, Mulrooney & Miro requested that they be marked present.

Representative Smith deferred to Representative Ennis.

Representative Ennis brought **HB 353**, jointly sponsored by Senator Vaughn & Representatives Hall-Long & Thornburg & Senator Cook, before the House for consideration.

**HB 353 - AN ACT TO AMEND CHAPTER 176, VOLUME 74, LAWS OF DELAWARE, THE CHARTER OF THE TOWN OF SMYRNA TO PROVIDE FOR NOTICE AND APPEALS FOR SUPPLEMENTAL PROPERTY TAX ASSESSMENTS. (2/3 bill)**

Representative Ennis made comments.

Representatives Buckworth, Lavelle & McWilliams requested that they be marked present.

The roll call on **HB 353** was taken and revealed:

YES: 39.

ABSENT: Representatives Hudson & Plant - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 353** was sent to the Senate for concurrence.

Representatives Cathcart, Oberle & Williams requested that they be marked present during the roll call.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 37**, cosponsored by Senator Sorenson & Representatives Spence, Ulbrich & Valihura, before the House for consideration.

**HB 37 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (2/3 bill)**

Representative Oberle brought **HA 1 to HB 37** before the House for consideration. Representative Oberle made comments. **HA 1** was adopted by voice vote.

Representatives Wagner, Smith, Thornburg, Oberle, DiPinto & Wagner made comments.

Representative Wagner requested and was granted privilege of the floor for Andrea Summers, representing the Office of Highway Safety. Representatives DiPinto, Marshall, Wagner, Booth, Maier, Ulbrich, Ewing, DiPinto, Wagner & Williams made comments.

The roll call on **HB 37 w/HA 1** was taken and revealed:

YES: Representatives Atkins, Booth, Buckworth, Carey, Cathcart, Ewing, Fallon, Gilligan, Hall-Long, Hocker, Lavelle, Lofink, Longhurst, Maier, McWilliams, Oberle, Roy, Schooley, Stone, Ulbrich, Valihura, Viola, Wagner & Spence - 24.

NO: 13.

NOT VOTING: Representative Ennis - 1.

ABSENT: Representatives Hudson, Lee & Plant - 3.

Therefore, not having received a constitutional majority of at least two-thirds Members of the House, **HB 37 w/HA 1** was declared defeated.

Representative Cathcart requested and was granted personal privilege of the floor to make an announcement. Representative Lavelle requested and was granted personal privilege of the floor to introduce a guest. Representatives Wagner & Marshall made announcements.

Mr. Speaker Spence appointed Representative Roy as Acting Speaker.

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

JUDICIARY: **HB 308** - 5M; **HB 342** - 5M; **HB 356** - 5M.

Representative Spence introduced and brought **HCR 56**, sponsored on behalf of All Representatives & by Senator McBride on behalf of All Senators, before the House for consideration.

**HCR 56** - PROCLAIMING MARCH 30, 2006, AS LIBERTY DAY.

Representative Spence deferred to Representative Smith. Representatives Smith, Spence & Gilligan made comments.

**HCR 56** was adopted by voice vote and was sent to the Senate for concurrence.

Mr. Acting Speaker made an announcement.

The Reading Clerk read the following communication into the record:

Delaware General Assembly

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Terry R. Spence, do hereby request that my name be removed as cosponsor of **HB 280**.

Date: March 28, 2006

Signed: Terry R. Spence

The Majority Leader moved to recess to the call of the Chair at 4:50 p.m.

Mr. Acting Speaker Booth called the House to order at 2:07 p.m. on March 29, 2006.

Representative Ewing requested that **HB 364** be stricken.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 261 w/SA 2**, **SB 254** & **SB 241** and requests the concurrence of the House; **HB 245**, **HB 282** & **HB 326** and is returning same to the House.

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.

**17th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session**

**March 29, 2006**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Gilligan, Hudson & Plant – 3.

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

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

Representative Keeley requested that she be marked present.

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

The following prefiled legislation was introduced:

**HB 380** - BOOTH & SENATOR ADAMS - HOUSE ADMINISTRATION - An Act to Amend Chapter 276, Volume 65, Laws of Delaware, as Amended, the Charter of the Town of Georgetown, to Provide for Municipal Tax Increment Financing and Municipal Special Development Districts, to Provide for an Exception to Competitive Bidding for Certain Contracts in Connection with Municipal Tax Increment Financing and Municipal Special Development Districts, and to Provide for Certain Matters Relating to Collection and Levy of Special Ad Valorem Taxes, Special Taxes, and Ad Valorem Taxes in Connection with Municipal Tax Increment Financing and Municipal Special Development Districts. (2/3 bill)

**HB 381** - MAIER & REPRESENTATIVE SPENCE & REPRESENTATIVE LEE & SENATOR BUNTING - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Definition of Employees for Purposes of Workers Compensation.

**HA 1 to HB 317** - SPENCE - Placed with the Bill.

**HA 3 to HB 359** - MAIER & REPRESENTATIVE HUDSON - Placed with the Bill.

**HA 1 to HB 369** - SPENCE - Placed with the Bill.

**HA 2 to HB 369** - SPENCE - Placed with the Bill.

**SB 241** - VAUGHN & REPRESENTATIVE STONE; SENATOR COOK; REPRESENTATIVES BUCKWORTH & ENNIS - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 9 of the Delaware Code Relating to Appeals from Decisions of the Regional Planning Commission.

**SB 254** - VAUGHN & REPRESENTATIVE VALIHURA; SENATORS VENABLES, BONINI & REPRESENTATIVE KEELEY - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Wrongful Death.

**SB 261 w/SA 2** - ADAMS & REPRESENTATIVE LEE; SENATOR VAUGHN - JUDICIARY - An Act to Amend Certain Provisions of Chapter 92, Title 10 and Chapter 59, Title 11 of the Delaware Code Relating to Procedures in the Justice of the Peace Court.

Representative Smith made comments regarding **HB 37 w/HA 1**.

Representative Smith moved to restore **HB 37 w/HA 1**. The motion was seconded by Representative Lee and adopted by voice vote.

**HB 37** – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (2/3 bill)

Representative Smith moved to place **HB 37 w/HA 1** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Smith deferred to Representative Wagner. Mr. Speaker Spence resumed the Chair. Representative Wagner made comments regarding **HB 37** and introduced guests. Representative Wagner deferred to Representative Maier. Representative Maier made comments and introduced guests. Representative Keeley made comments. Representative Wagner introduced guests and requested and was granted privilege of the floor for Dr. Susanna Lee, President, Jobs for Delaware Graduates, and Shaquanna Younger, President, Delaware Career Association; Melanie Ramsey, Secretary, Delisha Portlock, Treasurer and Tabatha Workman, Reporter. Mr. Speaker Spence & Representative Wagner made comments.

Representative Ulbrich requested and was granted personal privilege of the floor to introduce guests. Mr. Speaker Spence made a comment. Representative Booth introduced a guest. Representative Hall-Long requested and was granted personal privilege of the floor to introduce a guest. Representative Smith deferred to Representative Thornburg. Representatives Thornburg & Maier made announcements

Representative Smith brought the following **Consent Calendar #23** before the House for consideration.

**HR 56** – DIPINTO & REPRESENTATIVE CATHCART ON BEHALF OF ALL REPRESENTATIVES – Declaring April 6th, 2006 as Autism Awareness Day in Delaware.

**SCR 31** – ADAMS & REPRESENTATIVE SPENCE & REPRESENTATIVE GILLIGAN & SENATOR STILL – Honoring Liberty Day in Delaware as March 30, 2006.

**Consent Calendar #23** was adopted by voice vote and **HR 56** was declared passed and **SCR 31** was returned to the Senate.

Representative Lavelle requested that he be marked present.

The Reading Clerk read the following communications into the record:

**HOUSE TRIBUTE ANNOUNCEMENT #62**

DATE: March 29, 2006

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>Date</u> | <u>Type</u> | <u>Description</u>                                                         |
|---------------|--------------------------|-------------|-------------|----------------------------------------------------------------------------|
| H143-1422     | Plant                    | 3/4/2006    | T           | John Webb - First African-American Warden in DE                            |
|               | cosponsor: Rep. Williams |             |             |                                                                            |
| H143-1423     | Hudson                   | 2/23/2006   | M           | Charles Bartels                                                            |
| H143-1424     | Hudson                   | 2/23/2006   | M           | E. O. Langerak                                                             |
| H143-1425     | Buckworth                | 3/5/2006    | M           | Deborah Dawson Kesselring                                                  |
| H143-1426     | Hudson, Maier            | 3/7/2006    | T           | Community Blood Services – Cord Blood Bank                                 |
| H143-1427     | Booth                    | 4/15/2006   | T           | Michael Goins - Eagle Scout                                                |
| H143-1428     | Keeley                   | 2/15/2006   | M           | Gentris Bryant                                                             |
| H143-1429     | Outten                   | 4/8/2006    | T           | Doris Bostick - 50 Years of Service - Felton Fire Company Ladies Auxiliary |
| H143-1430     | Buckworth                | 2/25/2006   | T           | Chris Keech - Wrestling Champion                                           |
| H143-1431     | Buckworth                | 2/25/2006   | T           | Ian Moser - Wrestling Champion                                             |
| H143-1432     | Buckworth                | 2/25/2006   | T           | Chris Diaz - Wrestling Champion                                            |
| H143-1433     | Buckworth                | 2/25/2006   | T           | Matt Cathell - Wrestling Champion                                          |
| H143-1434     | Buckworth                | 2/25/2006   | T           | Luke Rebertus - Wrestling Champion                                         |
| H143-1435     | Buckworth                | 2/25/2006   | T           | Vinnie Ranauto - Wrestling Champion                                        |
| H143-1436     | Carey                    | 3/18/2006   | T           | James Abbott - Fireman of the Year - Carlisle Fire Company                 |
| H143-1437     | Carey                    | 3/18/2006   | T           | Vail Johnson - 55 Years of Service - Carlisle Fire Company                 |

|           |          |           |   |                                                                      |
|-----------|----------|-----------|---|----------------------------------------------------------------------|
| H143-1438 | Fallon   | 3/8/2006  | T | Drs. John Lynch & Janette Rodriguez - Free Dental Care - 60 Children |
| H143-1439 | Lofink   | 3/24/2006 | T | Carolyn Good - Retirement - Howard High School                       |
| H143-1440 | Maier    | 3/31/2006 | T | Elsie Godwin - Retirement - DelDOT - 39 Years                        |
| H143-1441 | Marshall | 2/2/2006  | M | Edward Rimmel                                                        |
| H143-1442 | Marshall | 3/29/2006 | T | Chester Selden - 90th Birthday                                       |
| H143-1443 | Fallon   | 4/15/2006 | T | Harley-Davidson of Seaford - 30th Anniversary                        |
| H143-1444 | Wagner   | 3/5/2006  | M | Louis A. Pisapia                                                     |
| H143-1445 | Lee      | 3/8/2006  | M | Gary Ward                                                            |
| H143-1446 | Carey    | 3/11/2006 | T | Howard Hitchens/52 Years/Memorial Volunteer Fire Co.                 |
| H143-1447 | Carey    | 3/11/2006 | T | Willard Potter/50 Years/Memorial Volunteer Fire Co.                  |
| H143-1448 | Carey    | 3/11/2006 | T | Herman Sharp, Jr./50 Years/Memorial Volunteer Fire Co.               |

#### HOUSE TRIBUTE ANNOUNCEMENT #63

DATE: March 29, 2006

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                                                                    | Date      | Type | Description                                                |
|-----------|----------------------------------------------------------------------------|-----------|------|------------------------------------------------------------|
| H143-1449 | Outten                                                                     | 3/6/2006  | M    | Evelyn Lare                                                |
| H143-1450 | DiPinto                                                                    | 3/11/2006 | M    | Richard Joyce                                              |
| H143-1451 | Maier                                                                      | 2/14/2006 | T    | Francis & Max Wilson - 55th Wedding Anniversary            |
| H143-1452 | Plant                                                                      | 3/12/2006 | T    | Canaan Baptist Church - 3rd Anniversary                    |
| H143-1453 | Buckworth                                                                  | 3/15/2006 | T    | Caesar Rodney Wrestling Team/Division I Champions          |
| H143-1454 | Booth                                                                      | 3/18/2006 | T    | Shirley Hitchens - 70th Birthday                           |
| H143-1455 | Ulbrich                                                                    | 3/17/2006 | T    | Alma Tolomeo - 100th Birthday                              |
| H143-1456 | Buckworth                                                                  | 3/28/2006 | T    | James Gary - Retirement - Heritage at Dover - 13 Years     |
| H143-1457 | Schooley                                                                   | 5/6/2006  | T    | Brian Wool - Eagle Scout                                   |
| H143-1458 | Lee                                                                        | 2/24/2006 | T    | Detective Jamie Wilson/Laurel Police/Policeman of the Year |
| H143-1459 | Atkins                                                                     | 3/18/2006 | T    | Clarence Gilbert Johnson - 90th Birthday                   |
| H143-1460 | Carey                                                                      | 3/9/2006  | M    | John F. Maher                                              |
| H143-1461 | Fallon                                                                     | 4/15/2006 | T    | Emma Jane Gray - 100th Birthday                            |
| H143-1462 | Spence                                                                     | 3/18/2006 | T    | Easter Seals - 25th Anniversary Volleyball Tournament      |
|           | cosponsors: All Representatives                                            |           |      |                                                            |
| H143-1463 | Outten                                                                     | 3/25/2006 | T    | Houston Volunteer Fire Company/80th Anniversary            |
| H143-1464 | Atkins                                                                     | 2/24/2006 | T    | Allan Baker - Oyster Knife - Successful Bid                |
| H143-1465 | Hudson                                                                     | 3/10/2006 | T    | Edward Frederick - 80th Birthday                           |
| H143-1466 | DiPinto                                                                    | 3/12/2006 | M    | Paul Andrisani                                             |
| H143-1467 | Atkins                                                                     | 2/11/2006 | T    | DeWitt & Arneva Wolfe - 50th Wedding Anniversary           |
| H143-1468 | Lavelle                                                                    | 3/16/2006 | T    | Elizabeth Hrupsa - 95th Birthday                           |
| H143-1469 | Booth                                                                      | 3/14/2006 | M    | William F. Baxter, Sr.                                     |
|           | cosponsors: Reps. Atkins & Schwartzkopf                                    |           |      |                                                            |
| H143-1470 | Carey                                                                      | 3/13/2006 | M    | James Leedom Cresson                                       |
|           | cosponsors: Reps. Atkins, Booth, Ewing, Fallon, Hocker, Lee & Schwartzkopf |           |      |                                                            |
| H143-1471 | Caulk                                                                      | 3/18/2006 | T    | Thomas Walker, III - Eagle Scout                           |
| H143-1472 | Lee                                                                        | 3/20/2006 | T    | Jay & Millie Hall - Laurel Citizens of the Year            |

T- Tribute

M - Memoriam

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:40 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:40 P.M.: Representatives Cathcart, Longhurst, Mulrooney, Oberle, Roy & Valihura.

Mr. Acting Speaker Booth called the House to order at 2:02 p.m. on March 30, 2006.

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

EDUCATION: **HB 361** - 4M,3U; **HB 377** - 9M; **HJR 20** - 9M.

HOUSE ADMINISTRATION: **SB 58** - 4M; **SB 260** - 4M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 316** - 7M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 320** - 3M.

PUBLIC SAFETY: **HS 1/HB 243** - 4M; **HB 363** - 4M.

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **HB 367** - 1F,3M; **SB 19** - 2F,3M.

VETERANS AFFAIRS: **HB 371** - 9F; **HB 373** - 3F,7M.

Representatives Mulrooney & Longhurst requested that they be marked present for the current Legislative Day. Representative Fallon made comments.



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.

**18th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session  
March 30, 2006**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Hudson & Plant.

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

Mr. 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 324** - MAIER & SENATOR BLEVINS; REPRESENTATIVES HALL-LONG & HUDSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Patients' Trust Fund.

**HA 1 to HB 356** - SCHWARTZKOPF - Placed with the Bill.

**HJR 23** - HALL-LONG & REPRESENTATIVE GILLIGAN & SENATOR BLEVINS & SENATOR SOKOLA & SENATOR VAUGHN; REPRESENTATIVES ENNIS, JOHNSON, KEELEY, LONGHURST, MARSHALL, MCWILLIAMS, MULROONEY, PLANT, SCHOOLEY, SCHWARTZKOPF, VANSANT, VIOLA, WILLIAMS; SENATOR AMICK - ENERGY COMMITTEE - Requesting the Delaware Public Service Commission to Study the Feasibility of Re-regulating the Electric Industry in Delaware.

**SB 236** - BLEVINS & REPRESENTATIVE OBERLE - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Chapter 25, Title 18 of the Delaware Code Relating to Rates and Rating Organizations.

Representative Smith deferred to Representative Wagner.

Representative Wagner introduced guests. Representative Smith requested and was granted privilege of the floor for Coreigh Price, a fourth grade student at Booker T. Washington Elementary School.

Representative Wagner requested and was granted privilege of the floor to present a House Tribute to Daniel T. Perkins of the Challenge Program. Representative Smith made comments and introduced guests. Mr. Acting Speaker, Representatives Gilligan & Wagner made comments. Representative Atkins requested that he be marked present and requested and was granted personal privilege of the floor to introduce a guest. Representatives Hocker, McWilliams, Maier & Lavelle requested that they be marked present. Representative Lavelle requested and was granted personal privilege of the floor to make a comment. Representatives Keeley & Spence 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 236** and requests the concurrence of the House.

March 30, 2006

The Honorable Terry R. Spence

Speaker

House of Representatives

Legislative Hall

Dover, Delaware 19901

Dear Speaker Spence:

I will be unable to attend legislative session today due to personal reasons.

Thank you for your consideration in this matter.

Sincerely,

Hazel D. Plant

State Representative

Second District

Representative Buckworth requested that he be marked present.

Representative DiPinto requested and was granted personal privilege of the floor for himself and Representative Keeley to present a House Tribute to Lorretta F. Walsh on the occasion of her induction into the Hall of Fame of Delaware Women. Representative Keeley made comments.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence reassigned **HCR 48** to the Education Committee.

Representatives Roy & Carey requested that they be marked present.

Representative Smith made an announcement.

The Majority Leader moved to recess for caucus at 2:25 p.m.

Representative Oberle requested that he be marked present.

The House reconvened at 4:00 p.m. with Representative Oberle as Acting Speaker.

The Reading Clerk read the following communication into the record:

Delaware General Assembly  
WITHDRAWAL OF SPONSORSHIP REQUEST

I, Senator George Bunting, do hereby request that my name be removed as cosponsor of **HB 376**.

Date: March 30, 2006

Signed: George H. Bunting

Representative Smith deferred to Representative Ewing.

Representative Ewing brought **HB 339**, jointly sponsored by Senator Adams, before the House for consideration.

**HB 339** - AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" PERMITTING THE COMMISSIONERS OF BRIDGEVILLE BY ORDINANCE TO ESTABLISH ELECTION DISTRICTS. (2/3 bill)

Representative Ewing made comments.

The roll call on **HB 339** was taken and revealed:

YES: 37.

ABSENT: Representatives Booth, Hall-Long, Hudson & Plant - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 339** was sent to the Senate for concurrence.

Representatives Lofink, Stone, Ulbrich, Cathcart, Ennis & Williams requested that they be marked present during the roll call.

Mr. Speaker Spence resumed the Chair.

Representative Smith made an announcement.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought **SB 144 w/SA 1**, sponsored by Senator Connor & Senators Amick, Henry, Sokola, Sorenson & Venables & Representatives Ennis, Lavelle, Smith, Viola & Maier, before the House for consideration.

**SB 144** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO ABANDONED PERSONAL PROPERTY.

Representative Ewing made comments.

The roll call on **SB 144 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Hudson & Plant - 2.

Therefore, having received a constitutional majority, **SB 144 w/SA 1** was returned to the Senate.

Representative Smith moved to lift **HR 55** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **HR 55**, sponsored by on behalf of All Representatives, before the House for consideration.

**HR 55** - TO RECOGNIZE THE EASTER SEALS OF DELAWARE FOR SPONSORING ANOTHER SUCCESSFUL VOLLEYBALL CHALLENGE FUNDRAISING EVENT.

Representative Gilligan brought **HA 1 to HR 55**, jointly sponsored by Representative Schwartzkopf, before the House for consideration. Representative Smith introduced and brought **HA 1 to HA 1 to HR 55** before the House for consideration.

AMEND House Amendment No. 1 to House Resolution No. 55 on line 8 by deleting the phrase "hereinafter referred to as the 'Winners'" and substituting in lieu thereof the phrase "Official theme song 'To Dream the Impossible Dream'".

FURTHER AMEND the Synopsis of House Amendment No. 1 to House Resolution No. 55 by inserting the phrase", who at the time was understandably preoccupied with great affairs of the State," after the words "Representative Smith" and before the word "may".

Representatives Smith & Gilligan made comments. **HA 1 to HA 1** was adopted by voice vote. **HA 1 w/HA 1** was adopted by voice vote. Representative Smith moved to place **HR 55 w/HA 1 & HA 1 to HA 1** on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Lavelle introduced and brought **HS 1 for HR 55**, jointly sponsored by Representative Atkins & Representative Booth & Representative Lavelle & Representative Maier & Representative Ulbrich & Representative Valihura & Representative Schooley & Representative Williams, on behalf of All Representatives, before the House for consideration.

**HR 55** - TO RECOGNIZE THE EASTER SEALS OF DELAWARE FOR SPONSORING ANOTHER SUCCESSFUL VOLLEYBALL CHALLENGE FUNDRAISING EVENT.

Representatives Lavelle, Ulbrich, Gilligan, Schwartzkopf & Lavelle made comments.

**HS 1 for HR 55** was adopted by voice vote.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **HB 371**, jointly sponsored by Representative Spence & Representative Atkins & Representative Cathcart & Representative Lofink & Senator Bunting & Representatives Lee, Atkins, Booth, Buckworth, Carey, Ewing, Hocker, Lavelle, Miro, Thornburg, Gilligan, Ennis, Johnson, Keeley, Longhurst, Schooley, Viola & Williams & Senators Blevins & Amick &

cosponsored by Representatives DiPinto, Fallon, Outten, Schwartzkopf & Ulbrich & cosponsored by Senators Adams, Bonini, Cloutier, Connor, Cook, Copeland, DeLuca, Henry, Marshall, McDowell, McBride, Peterson, Simpson, Sokola, Sorenson, Still & Venables, before the House for consideration.

**HB 371 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.** (2/3 bill)

Representative Oberle introduced and brought **HA 1 to HB 371** before the House for consideration. Representative Oberle made comments. **HA 1** was adopted by voice vote. Representative Oberle introduced a guest. Representative Oberle, Mr. Speaker Spence, Representatives Ewing, Smith, Marshall, Oberle, Ewing, Schwartzkopf & Fallon made comments.

The roll call on **HB 371 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Hudson, Lee, Plant & Valihura - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 371 w/HA 1** was sent to the Senate for concurrence.

Representative Oberle introduced a guest. Mr. Speaker Spence made comments and introduced a guest.

Mr. Speaker Spence declared a recess at 4:42 p.m.

The House reconvened at 5:10 p.m.

Representative Smith made an announcement regarding **HB 6**.

Representative Smith deferred to Representative Valihura. Representative Valihura made an announcement.

Representative Booth requested that **HB 346** be stricken.

Representative Keeley requested that **HB 38** be stricken.

The Majority Leader moved to recess to the call of the Chair at 5:15 p.m.

Mr. Speaker Spence called the House to order at 2:13 p.m. on April 4, 2006.

The following prefiled legislation was introduced:

March 30, 2006

**HB 6 – VALIHURA & SENATOR ADAMS & REPRESENTATIVE SPENCE & REPRESENTATIVE SMITH & REPRESENTATIVE LEE & REPRESENTATIVE GILLIGAN & REPRESENTATIVE VANSANT & SENATOR MCDOWELL & SENATOR DELUCA & SENATOR STILL & SENATOR SORENSON - ENERGY COMMITTEE - An Act to Amend Title 26 of the Delaware Code Concerning the Oversight of Public Utilities that Distributed and Supply Electricity to Retail Electric Customers in the State.**

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 281, SB 263 & SB 280** and requests the concurrence of the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Dennis P. Williams, do hereby request that my name be removed as cosponsor of **HB 308**.

Date: March 30, 2006

Signed: Dennis P. Williams

Representative Hudson requested that she be marked present for the current Legislative Day.

The Majority Leader moved to adjourn at 2:14 p.m., thereby ending the current legislative day. The House reconvened at 2:15 p.m.

### **19th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session April 4, 2006**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Fallon – 1.

A prayer was offered by Representative John C. Atkins, Forty-First Representative District.

Mr. Speaker Spence 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 325 - MAIER & SENATOR BLEVINS; SENATORS HENRY, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Promoting Public Health in this State.** (3/5 bill)

**HB 382 - ENNIS & SENATOR COOK; REPRESENTATIVES EWING, HALL-LONG, LEE, OUTTEN, SPENCE, VANSANT; SENATOR VAUGHN - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Occupational and Business Licenses and Taxes.**

**HB 383 - MAIER & SENATOR BLEVINS; REPRESENTATIVES BOOTH, EWING, MCWILLIAMS, STONE; SENATORS HENRY, PETERSON, SORENSON, CONNOR - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to the Division of State Service Centers.**

**HB 384 - GILLIGAN & SENATOR SOKOLA; REPRESENTATIVES KEELEY, MIRO, SPENCE; SENATORS HENRY, BUNTING - SUBCOMMITTEE MANUFACTURED HOUSING - An**

Act to Amend Title 25 of the Delaware Code Relating to the Manufactured Home Owners and Community Owners Act.

**HB 385** - WAGNER & SENATOR SOKOLA; REPRESENTATIVES ATKINS, BUCKWORTH, EWING, FALLON, MIRO - CORRECTIONS - An Act to Amend Title 11 of Delaware Code Relating to Random Drug Testing for Department of Education Employees on Permanent Assignment at Department of Correction Facilities.

**HB 386** - SPENCE & SENATOR MCBRIDE - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Uniform Commercial Driver License Act.

**HB 388** - MIRO & SENATOR VAUGHN; REPRESENTATIVE SPENCE - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Offenses Relating to Recording Devices.

**HA 2 to HB 37** - WAGNER - Placed with the Bill.

**HA 4 to HB 359** - MARSHALL - Placed with the Bill.

**HA 5 to HB 359** - MARSHALL - Placed with the Bill.

**HA 6 to HB 359** - MARSHALL - Placed with the Bill.

**HA 7 to HB 359** - MARSHALL - Placed with the Bill.

**HA 8 to HB 359** - MARSHALL - Placed with the Bill.

**HA 9 to HB 359** - MARSHALL - Placed with the Bill.

**HA 10 to HB 359** - MARSHALL - Placed with the Bill.

**HA 1 to HB 367** - BUCKWORTH - Placed with the Bill.

**HA 1 to HCR 33** - MARSHALL - Placed with the Bill.

**SB 263** - SOKOLA & REPRESENTATIVE WAGNER - EDUCATION - An Act to Amend Chapter 13, Volume 74, Laws of Delaware, as Amended, by Eliminating the Sunset Provision Relating to the Professional Standards Board.

**SB 280** - HENRY & SENATORS CONNOR, CLOUTIER; REPRESENTATIVES ULBRICH, KEELEY; SENATORS MCDOWELL, BLEVINS, SOKOLA, MARSHALL, VENABLES, STILL, SORENSON; REPRESENTATIVES SPENCE, SMITH, LEE, HUDSON, VALIHURA, ENNIS, HALL-LONG, STONE - ENERGY COMMITTEE - An Act Providing a Supplemental General Fund Appropriation for the Delaware Energy Assistance Program.

**SB 281** - DELUCA & SENATOR COOK; REPRESENTATIVES ROY, DIPINTO; SENATORS MCDOWELL, ADAMS, STILL, SORENSON, HENRY, VENABLES; REPRESENTATIVES SPENCE, SMITH, LEE, HUDSON - ENERGY COMMITTEE - An Act to Make a Supplemental General Fund Appropriation to the Department of Natural Resources and Environmental Control of Eight Million Dollars for the Energy Efficiency Program.

Mr. Speaker Spence introduced guests. Representatives Gilligan, Keeley & Maier requested that they be marked present. The House observed a moment of silence in memory of Edna Allen, mother of staff member, Carole Lloyd, at the request of Representative Maier. Representative Thornburg requested that **HB 110** be stricken. Representatives McWilliams & Lavelle requested that they be marked present. Representative Marshall requested that **HJR 13** be stricken.

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

ENERGY COMMITTEE: **HB 6** - 7M.

The Majority Leader moved to recess for caucus at 2:21 p.m.

The House reconvened at 5:33 p.m. with Representative Buckworth as Acting Speaker.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 259 w/SA 1 & SS 1/SB 2** and requests the concurrence of the House.

April 3, 2006

TO: House Speaker Terry R. Spence

FROM: Representative Tina Fallon

SUBJECT: Absence from Session

I am unable to attend session on today, Tuesday, April 4, 2006, due to illness.

Representative Smith deferred to Representative Thornburg.

Representative Thornburg introduced a guest.

Representative Thornburg requested that **HB 275** be stricken.

Representative Smith deferred to Representative Maier.

Representative Maier introduced and brought **HR 54**, jointly sponsored by Representative Ulbrich, before the House for consideration.

**HR 54** - URGING THE UNITED STATES CONGRESS TO PASS THE AMERICAN HORSE SLAUGHTER PREVENTION ACT.

**HR 54** was adopted by voice vote.

Representative Maier introduced guests.

Representative Smith deferred to Representative Thornburg.

Representative Thornburg brought **HB 242** before the House for consideration.

**HB 242** - AN ACT AWARDING SPECIAL PENSION BENEFITS TO RAYMOND H. MALENFANT. (F/N)

Representative Thornburg brought **HA 1 to HB 242** before the House for consideration. Representative Thornburg made a comment. **HA 1** was adopted by voice vote. Representative Thornburg made comments.

Representative Schwartzkopf requested that he be marked present.

Representative Smith made comments.

The roll call on **HB 242 w/HA 1** was taken and revealed:

YES: 33.

NO: Representatives Lee, Maier, Smith, Ulbrich - 4.

ABSENT: Representatives Fallon, Lavelle, Stone & Valihura - 4.

Therefore, having received a constitutional majority, **HB 242 w/HA 1** was sent to the Senate for concurrence.

Representatives Cathcart, Lofink, Longhurst, Oberle, Ulbrich, Viola & Miro requested that they be marked present during the roll call.

Representative Smith deferred to Representative Keeley.

Representative Keeley brought **HB 283**, jointly sponsored by Representative Longhurst & Representative Ulbrich & Representatives Buckworth, DiPinto, Lavelle, Spence & Wagner, before the House for consideration.

**HB 283 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. (2/3 bill)**

Representative Keeley made comments.

The roll call on **HB 283** was taken and revealed:

YES: 33.

NO: Representatives Marshall, Mulrooney, Plant & Williams - 4.

ABSENT: Representatives Fallon, Lofink, Oberle & Spence - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 283** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HB 248**, jointly sponsored by Representatives Buckworth, DiPinto, Ewing, Fallon, Hocker, Hudson, Miro, Stone, Thornburg & Ulbrich & Senators Cloutier & Connor, before the House for consideration.

**HB 248 - AN ACT TO AMEND TITLE 21 RELATING TO MOTOR VEHICLES AND SPECIAL REGISTRATION PLATES.**

Representative Valihura made comments.

The roll call on **HB 248** was taken and revealed:

YES: 40.

ABSENT: Representative Fallon - 1.

Therefore, having received a constitutional majority, **HB 248** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Mr. Speaker Spence resumed the Chair.

Representative Wagner moved to lift **HB 37 w/HA 1** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Wagner brought **HB 37 w/HA 1**, jointly sponsored by Senator Sorenson & cosponsored by Representatives Spence, Ulbrich & Valihura, before the House for consideration.

**HB 37 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.**

Representative Wagner made comments.

Representative Wagner brought **HA 2 to HB 37** before the House for consideration. Representative Wagner made comments. **HA 2** was adopted by voice vote. Representative Wagner made a comment.

The roll call on **HB 37 w/HA 1 & 2** was taken and revealed:

YES: 22.

NO: Representatives Caulk, DiPinto, Johnson, Keeley, Longhurst, M Marshall, Miro, Mulrooney, Plant, Schwartzkopf, VanSant & Williams - 12.

NOT VOTING: Representatives Cathcart, Ennis, Outten, Thornburg & Viola - 5.

ABSENT: Representatives Fallon & Lee - 2.

Therefore, having received a constitutional majority, **HB 37 w/HA 1 & 2** was sent to the Senate for concurrence.

Mr. Speaker Spence assigned **HCR 33** to the Education Committee & reassigned **HB 379** to the Economic Development/Banking & Insurance Committee.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought **HB 311**, jointly sponsored by Senator Copeland, & Senator Sokola & Representatives Hudson & Valihura, before the House for consideration.

**HB 311 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ARCHITECTURAL LICENSING AND DISCIPLINARY STANDARDS IN DELAWARE. (2/3 bill)**



Representative Ulbrich deferred to Representative Oberle. Representative Oberle brought **HA 1 to HB 311** before the House for consideration. Representative Oberle made a comment. **HA 1** was adopted by voice vote. Representative Oberle brought **HA 2 to HB 311** before the House for consideration. Representative Oberle made comments.

**HA 2** was adopted by voice vote. Representative Ulbrich brought **HA 3 to HB 311** before the House for consideration. Representative Ulbrich made a comment. **HA 3** was adopted by voice vote. Representative Ulbrich made comments.

The roll call on **HB 311 w/HA 1, 2 & 3** was taken and revealed:

YES: 40.

ABSENT: Representative Fallon - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 311 w/HA 1, 2 & 3** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth brought **HB 367**, jointly sponsored by Senator Vaughn & Representatives Outten, Stone, Wagner, Ennis, Hall-Long & Caulk & Senators Still & Simpson, before the House for consideration.

**HB 367 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE GENERAL POWERS OF THE GOVERNMENT OF KENT COUNTY.**

Representative Buckworth brought **HA 1 to HB 367** before the House for consideration.

Representative Buckworth made comments. **HA 1** was adopted by voice vote. Representative Buckworth deferred to Representative Hudson. Representative Hudson introduced and brought **HA 2 to HB 367**, jointly sponsored by Representative Smith & Representative Thornburg & Representative Ulbrich, before the House for consideration. Representatives Hudson, Wagner, Smith & Cathcart made comments. Representative Wagner requested and was granted privilege of the floor for Ron Smith, Commissioner, Kent County Levy Court. Representatives Wagner, Buckworth, Cathcart, Marshall, Wagner, Booth, Ennis, Wagner, Buckworth, Hudson & Ennis made comments. Representative Hudson moved to place **HA 2** on the Speaker's Table. The motion was properly seconded and adopted by voice vote. Representatives Cathcart & Buckworth made comments. Representative Buckworth moved to place **HB 367 w/HA 1** on the Speaker's Table. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Smith brought **HB 5**, jointly sponsored by Senator DeLuca & Representative Valihura & Senator McDowell & Representative Spence & Representative Lee & Representative Gilligan & Representative VanSant & Senator Adams & Senator Still & Senator Sorenson & Representative Hudson, before the House for consideration.

**HB 5 - AN ACT WAIVING PROVISIONS OF THE DELAWARE CODE TO ALLOW THE STATE TO PROCURE ELECTRICITY ON THE RETAIL OR WHOLESALE MARKET.**

Representative Smith introduced and brought **HA 1 to HB 5** before the House for consideration. Representative Outten announced that he will not be participating in the debate or voting on **HB 5** or on **HA 1 to HB 5** because of a possible conflict of interest. Representative Smith made a comment. **HA 1** was adopted by voice vote. Representatives Smith & Oberle made comments.

The roll call on **HB 5 w/HA 1** was taken and revealed:

YES: 38.

NOT VOTING: Representative Outten - 1.

ABSENT: Representatives Caulk & Fallon - 2.

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

Representative Smith requested and was granted personal privilege of the floor to make comments. Representative Atkins made comments.

The Chief Clerk read the following Amended Committee Report into the record:

ENERGY: **HB 6 - 8M.**

Representative Smith deferred to Representative Valihura.

Representative Valihura moved to suspend the rules which interfere with action on **HB 6**. The motion was seconded by Representative Atkins and adopted by voice vote.

Representative Valihura brought **HB 6**, jointly sponsored by Senator Adams & Representative Spence & Representative Smith & Representative Lee & Representative Gilligan & Representative VanSant & Senator McDowell & Senator DeLuca & Senator Still & Senator Sorenson, before the House for consideration.

**HB 6 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE CONCERNING THE OVERSIGHT OF PUBLIC UTILITIES THAT DISTRIBUTED AND SUPPLY ELECTRICITY TO RETAIL ELECTRIC CUSTOMERS IN THE STATE.**

Representative Outten announced that he will not be participating in the debate or voting on **HB 6** because of a possible conflict of interest. Representative Valihura made comments.

Representative Valihura introduced and brought **HA 1 to HB 6** before the House for consideration. Representative Valihura made comments. **HA 1** was adopted by voice vote. Representative Valihura made comments. Representative Smith requested and was granted personal privilege of the floor to make



comments. Representatives Valihura, Williams, McWilliams, Smith, Oberle, Valihura, Keeley, Johnson, Miro, DiPinto, Keeley, Oberle, Gilligan, Hall-Long, Valihura, Stone & Ulbrich, Mr. Speaker Spence & Representative Valihura made comments.

The roll call on **HB 6 w/HA 1** was taken and revealed:

YES: 34.

NO: Representatives Johnson, Keeley, Plant, Williams - 4.

NOT VOTING: Representative Outten - 1.

ABSENT: Representatives Caulk & Fallon - 2.

Therefore, having received a constitutional majority, **HB 6 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HJR 22**, jointly sponsored by Senator McDowell & Representative Spence & Representative Smith & Representative Lee & Representative Gilligan & Representative VanSant & Senator Adams & Senator DeLuca, & Senator Still & Senator Sorenson & Representative Hudson, before the House for consideration.

**HJR 22 - ENSURING DELAWARE'S ENERGY FUTURE SUMMIT.**

Representative Valihura made comments. Representative Valihura introduced and brought **HA 1 to HJR 22** before the House for consideration. Representative Valihura made comments. **HA 1** was adopted by voice vote.

The roll call on **HJR 22 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Caulk, Fallon, Plant & Williams - 4.

Therefore, having received a constitutional majority, **HJR 22 w/HA 1** was sent to the Senate for concurrence. Representative Smith made an announcement.

The Majority Leader moved to recess to the call of the Chair at 7:42 p.m.

Mr. Acting Speaker Booth called the House to order at 2:27 p.m. on April 5, 2006.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 313 w/HA 1 & HB 343 w/HA 1** and is returning same to the House.

TO: The Hon. Terry R. Spence  
Speaker of the House

FROM: John J. Viola,  
Representative, 26th District

DATE: April 4, 2006

RE: Absence from Session

Rep. Spence, I will not be in session on Thursday, April 6, 2006. I will be out of town on legislative business. If you have any questions, please contact me.

The Majority Leader moved to adjourn at 2:28 p.m., thereby ending the current legislative day. The House reconvened at 2:29 p.m.

## **20th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session April 5, 2006**

The Chief Clerk called the roll:

Members Present: 36.

Members Absent: Representatives Fallon, Keeley, Lofink, Miro & Wagner – 5.

A prayer was offered by Representative Pamela S. Maier, Twenty-First Representative District.

Mr. Acting Speaker invited students from the Dover Educational and Community Center to join him in leading those present in a pledge of allegiance to the American Flag.

Representative Valihura requested that he be marked present.

Mr. Acting Speaker introduced a guest.

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

The following prefiled legislation was introduced:

**HB 7 - SMITH & REPRESENTATIVE SPENCE & REPRESENTATIVE VANSANT & SENATOR VAUGHN & SENATOR CLOUTIER; REPRESENTATIVES LEE, CAREY, ENNIS, KEELEY, SCHWARTZKOPF, STONE, CAULK - PUBLIC SAFETY - An Act to Amend Title 11 and Title 20 of the Delaware Code Relating to the Delaware State Police.**

**HB 387 - ATKINS & SENATOR ADAMS; REPRESENTATIVES SPENCE, BOOTH, CAREY, EWING, HOCKER - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Pertaining to the Destruction of Crops by Wildlife.**

**HB 389 - WAGNER & REPRESENTATIVE STONE & REPRESENTATIVE WILLIAMS & SENATOR HENRY & SENATOR STILL; REPRESENTATIVES SPENCE, SMITH, LEE, ATKINS, BOOTH, BUCKWORTH, CAREY, CATHCART, DIPINTO, EWING, FALLON, HOCKER, LOFINK, MAIER, MIRO, OUTTEN, ROY, THORNBURG, ULBRICH, GILLIGAN, ENNIS, LONGHURST,**

MCWILLIAMS, SCHOOLEY, VIOLA, CAULK; SENATORS AMICK, BONINI, COPELAND, SIMPSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Delaware Student Excellence Equals Degree Act.

**HB 390** - LAVELLE & REPRESENTATIVE MAIER & SENATOR BONINI & SENATOR COPELAND; REPRESENTATIVE CAULK - APPROPRIATIONS - An Act to Amend Title 29, Delaware Code Relating to Budget Appropriation and Capital Budget Legislation.

**HB 391** - HUDSON & SENATOR BLEVINS & SENATOR SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to the Composition of the Domestic Violence Coordinating Council.

**HB 392** - HUDSON & REPRESENTATIVE HALL-LONG & SENATOR BLEVINS & SENATOR SORENSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Violation of Privacy. (2/3 bill)

**HB 393** - LAVELLE & SENATOR BLEVINS; REPRESENTATIVES MAIER, VALIHURA; SENATORS HENRY, PETERSON, SOKOLA, CLOUTIER, CONNOR, COPELAND, SIMPSON - HOUSE ADMINISTRATION - An Act Proposing an Amendment to Article V, Section 2 of the Constitution of the State of Delaware of 1897, as Amended, Relating to Voter Qualifications. (2/3 bill)

**HA 11 to HB 359** - MARSHALL - Placed with the Bill.

**HA 12 to HB 359** - SCHWARTZKOPF - Placed with the Bill.

**SS 1 for SB 2** - HENRY; REPRESENTATIVES WILLIAMS, PLANT - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Related to Insurance

**SB 259 w/SA 1** - PETERSON & REPRESENTATIVE VIOLA; SENATORS ADAMS, BLEVINS, COOK, DELUCA, HENRY, MCBRIDE, SOKOLA, CLOUTIER, COPELAND, SORENSON; REPRESENTATIVES HUDSON, MAIER, SPENCE, VALIHURA, ENNIS, JOHNSON, MARSHALL, MCWILLIAMS, MULROONEY & SCHWARTZKOPF - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Uniform Controlled Substances Act.

Representative Smith deferred to Representative Maier. Representative Maier introduced a guest. Representative Outten introduced a guest. Representative Stone requested and was granted personal privilege of the floor to introduce guests and make to comments. Students from the Dover Educational and Community Center sang a song and announced their names for the record. Representative Smith made comments. Representative Smith deferred to Representative Hocker. Representative Hocker requested and was granted personal privilege of the floor to introduce guests. Representative Ennis requested that he be marked present. Representative Marshall made comments. Representatives Plant & Schwartzkopf requested that they be marked present. Representative Buckworth requested and was granted privilege of the floor to introduce a guest.

Representative Smith requested and was granted privilege of the floor for the 2006 Legislative Scholarship Essay Contest Winners. Representative Longhurst introduced Catherine Stewart, second place winner and introduced guests and made comments. Representative Thornburg introduced Britney Lewis, third place winner and introduced guests and made comments. Representative Lavelle presented a House Tribute to Marianne Nagengast, winner of the contest and introduced guests and made comments. Representative Smith introduced guests and made comments.

Representative Smith brought the following prefiled **Consent Calendar #24** before the House for consideration.

**HR 57** – OUTTEN – Designating the Week of October 22, 2006 as Epidermolysis Bullosa Awareness Week.

**HR 58** – SPENCE – To Request the Delaware Federal Legislators to Support “Cyber Safety for Kids Act of 2006”.

**HCR 57** – ATKINS; SENATORS BUNTING & SIMPSON – To recognize May 2006 as Poppy Month in the State of Delaware.

Representative Atkins made an announcement.

**Consent Calendar #24** was adopted by voice vote and **HR 57** & **HR 58** were declared passed and **HCR 57** was sent to the Senate for concurrence.

Mr. Acting Speaker made an announcement.

Representative Thornburg requested and was granted privilege of the floor for Janice Pendleton representing the O.A.A.S.I.S. Adult Education Program.

Mr. Acting Speaker made comments. Representatives Ennis, Outten & Maier made comments regarding **HR 57**.

Representative Hudson requested that she be marked present.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:55 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:55 P.M.: Representatives Carey, Cathcart, Mulrooney, Oberle, Spence, Ulbrich & Williams.

Mr. Speaker Spence called the House to order at 2:15 p.m. on April 6, 2006.

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

APPROPRIATIONS: **HJR 21** - 2F,3M; **SB 157 w/SA 1** - 1F,4M.

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 379** - 9M.

ENERGY: **SB 280** - 4F,3M; **SB 281** - 1F,6M.

HOUSE ADMINISTRATION: **HB 380** - 4M.

JUDICIARY: **HB 362** - 6M; **HB 374** - 5M; **SB 79 w/SA 2** - 5M; **SB 254** - 5M; **SB 261 w/SA 2** -

5M.

LABOR: **HB 174** - 5M; **HB 381** - 5M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 387** - 1F,5M,1U.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 33** and requests the concurrence of the House  
**HB 339, HB 353, HB 313 w/HA 1, HB 343 w/HA 1, HCR 55 & HCR 56** and is returning same to the House.

#### MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: Representative Tina Fallon  
DATE: April 5, 2006  
RE: Absence from Session

Please be advised that that it is necessary for me to be absent today due to illness.

Thank you for your understanding.

Mr. Speaker Spence assigned **HB 174 & SB 79** to the Appropriations Committee.

Representatives Miro & Keeley requested that they be marked present for the current Legislative Day.

Representative Smith moved to suspend the rules which interfere with introduction of and action on **HB 400**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith introduced and brought **HB 400**, sponsored by Representative Roy & Senator Venables & Representatives Carey, Lofink, Oberle, Ennis & Keeley & Senators Blevins, Cook, DeLuca, Connor & Simpson & cosponsored by Senators Amick & McDowell, before the House for consideration.

**HB 400** - AN ACT TO AMEND THE FISCAL YEAR 2006 BOND AND CAPITAL IMPROVEMENTS ACT; AMENDING TITLE 29 OF THE DELAWARE CODE RELATING TO BOND PREMIUM; AND AMENDING THE LAWS OF DELAWARE.

Representative Smith moved to place **HB 400** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

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.

#### **21st LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session April 6, 2006**

The Chief Clerk called the roll:

Members Present: 37.

Members Absent: Representatives Fallon, Roy, Viola & Williams – 4.

A prayer was offered by Representative Wayne A. Smith, Seventh Representative District.

Mr. Speaker Spence 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 394** - WAGNER & REPRESENTATIVE ENNIS & SENATOR PETERSON;  
REPRESENTATIVES SPENCE, BUCKWORTH, CAREY, CATHCART, OBERLE, STONE,  
THORNBURG, ULBRICH, KEELEY; SENATORS SOKOLA, SORENSON, CONNOR - LABOR - An  
Act to Amend Chapter 11, Title 29 of the Delaware Code Providing for the Office of State Ombudsman.

**HB 395** - WAGNER & REPRESENTATIVE ENNIS & SENATOR PETERSON;  
REPRESENTATIVES SPENCE, BUCKWORTH, CAREY, CATHCART, DIPINTO, EWING, FALLON,  
HOCKER, LAVELLE, LOFINK, MIRO, OBERLE, OUTTEN, STONE, THORNBURG, ULBRICH,  
KEELEY; SENATOR SOKOLA - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the  
Delaware Code Relating to the Department of Technology and Information.

**HB 396** - WAGNER & REPRESENTATIVE ENNIS & SENATOR PETERSON;  
REPRESENTATIVES SPENCE, LEE, BUCKWORTH, CAREY, CATHCART, DIPINTO, EWING,  
HOCKER, LAVELLE, LOFINK, MAIER, MIRO, OBERLE, STONE, THORNBURG, ULBRICH,  
KEELEY, WILLIAMS; SENATORS SOKOLA, SORENSON, AMICK, CONNOR, SIMPSON - LABOR -  
An Act to Amend Title 29 of the Delaware Code Relating to the Merit System.

**HB 397** - HUDSON & SENATOR MARSHALL - REVENUE & FINANCE - An Act to Amend  
Title 30 of the Delaware Code Relating to Assessments of Interest and Penalty. (3/5 bill)

**HB 398** - HUDSON & SENATOR MARSHALL - REVENUE & FINANCE - An Act to Amend  
Titles 30 and 6 of the Delaware Code Relating to Taxation. (3/5 bill)

**HJR 24 - WAGNER & REPRESENTATIVE ENNIS & SENATOR PETERSON; REPRESENTATIVES SPENCE, SMITH, LEE, BUCKWORTH, CAREY, CATHCART, DIPINTO, EWING, HOCKER, LAVELLE, LOFINK, MAIER, MIRO, OBERLE, OUTTEN, STONE, THORNBURG, ULBRICH, VANSANT, HALL-LONG, JOHNSON, KEELEY, LONGHURST, MCWILLIAMS, MULROONEY, SCHOOLEY, SCHWARTZKOPF, WILLIAMS; SENATORS SOKOLA, AMICK, CONNOR, SIMPSON - LABOR -** Directing the Merit Employee Relations Board Establish a Page on the State Website for Information Dissemination for Use by State Employees and State Employees can Discuss these Matters with their Legislators without Fear of Reprisal.

The Chief Clerk read the following communication into the record at the request of Mr. Speaker Spence:

Memories of Yesterday

Back in the 1940's, Doug Van Sant and his buddies used to play a lot of sandlot baseball. They also loved to hang around Dover's ballpark, where the Class D Dover Phillies took on teams from other Delmarva towns, including Milford, Rehoboth Beach, Salisbury and Federalsburg.

One of the gang's favorite pastimes was waiting for foul balls or homeruns that landed outside the park, as the regulation baseballs were highly prized not only as souvenirs but because they could be used in neighborhood games.

"We loved 'em because then we didn't have to go buy them", Van Sant said.

Broken bats also were sought-after treasures, as they could be nailed, screwed and taped back together and also used in sandlot games.

Perhaps his biggest memento, however, was the catcher's mitt used by Phillie Jack Werner.

"One night he caught a ball wrong and busted a finger", Van Sant recalled. "He threw me the mitt and said, "Doug, could you hold on to this for me?"

Van Sant's still holding on to it. Werner gave him permission to keep the mitt, and it has remained a treasured keepsake for almost 60 years.

Representative Smith requested and was granted personal privilege of the floor to introduce guests. Representatives Maier & Plant requested that they be marked present.

Representative Hall-Long requested and was granted personal privilege of the floor to introduce a guest.

Representative DiPinto requested and was granted privilege of the floor to present a suitably prepared copy of **House Resolution 56** to Rob Gilsdorf, Chairman, Legislative Advocacy Committee, Delaware Autism Society. Mr. Gilsdorf addressed the House. Members of the Autism Society announced their names for the record. Mr. Speaker Spence made comments.

Representative Lavelle requested that he be marked present.

Representative DiPinto requested and was granted privilege of the floor to present a suitably prepared copy of **House Resolution 55** to John A. Hughes, Secretary, Department of Natural Resources and Environmental Control.

Representatives Wagner, McWilliams & Schwartzkopf requested that they be marked present.

Representatives Gilligan & Buckworth requested and were granted personal privilege of the floor to make comments. Representative DiPinto requested and was granted personal privilege of the floor to make an announcement.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: Representative Tina Fallon  
DATE: April 6, 2006  
RE: Absence from Session

Please be advised that that it is necessary for me to be absent today due to illness.

Thank you for your understanding.

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

HEALTH & HUMAN DEVELOPMENT: **HB 383 - 5M.**

Mr. Speaker Spence introduced a guest.

The Majority Leader moved to recess for caucus at 2:41 p.m.

The House reconvened at 4:30 p.m. with Representative Buckworth as Acting Speaker.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SS 1/SJR 3** and requests the concurrence of the House; **HB 5 w/HA 1 & HJR 22 w/HA 1** and is returning same to the House.

Delaware General Assembly

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Gerald Buckworth, do hereby request that my name be removed as cosponsor of **SB 253**.

Date: April 6, 2006

Signed: Gerald Buckworth

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

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **SB 241 - 1F,4M.**

Representative Smith deferred to Representative Hudson.

Mr. Speaker Spence resumed the Chair.

Representative Hudson brought **HB 358**, jointly sponsored by Representative Lavelle & Representative Valihura & Senator Blevins, before the House for consideration.

**HB 358 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.**

Representatives Cathcart, Mulrooney & Stone requested that they be marked present.

Representative Hudson introduced and brought **HA 1 to HB 358** before the House for consideration. Representative Hudson made comments. **HA 1** was adopted by voice vote. Representative Hudson made comments.

The roll call on **HB 358 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Fallon, Roy, Viola & Williams - 4.

Therefore, having received a constitutional majority, **HB 358 w/HA 1** was sent to the Senate for concurrence.

Representatives Oberle & Ulbrich requested that they be marked present during the roll call.

Representative Stone requested and was granted personal privilege of the floor to introduce a guest. Mr. Speaker Spence introduced a guest. Representative Gilligan requested and was granted personal privilege of the floor to make comments.

Mr. Speaker Spence assigned **SB 280 & SB 281** to the Appropriations Committee.

Representative Hudson requested and was granted personal privilege of the floor to make an announcement. Representative Lofink made comments.

Representative Wagner requested that **HB 255** be stricken. Representative Maier requested that **HB 378** be stricken. Representative Hudson requested that **HB 159 & HB 160** be stricken. Mr. Speaker Spence requested that **HB 308** be stricken.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought **HB 363**, jointly sponsored by Representative Atkins & Representative Schwartzkopf & Senator Vaughn, before the House for consideration.

**HB 363 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.**

Representative Ewing made comments.

The roll call on **HB 363** was taken and revealed:

YES: 37.

ABSENT: Representatives Fallon, Roy, Viola & Williams - 4.

Therefore, having received a constitutional majority, **HB 363** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Booth.

Representative Booth brought **HB 379**, jointly sponsored by Senator Adams & Representatives Buckworth, Hudson, Oberle, Outten & Thornburg & cosponsored by Representatives Carey & Schwartzkopf, before the House for consideration.

**HB 379 - AN ACT TO AMEND TITLE 4, DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS LICENSES AND LICENSE FEES.**

Representative Booth made comments.

The roll call on **HB 379** was taken and revealed:

YES: 36.

ABSENT: Representatives Fallon, Miro, Roy, Viola & Williams - 5.

Therefore, having received a constitutional majority, **HB 379** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Booth.

Representative Booth made comments.

Representative Booth moved to suspend the rules which interfere with introduction of and action on **HJR 25**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Booth introduced and brought **HJR 25**, sponsored by Representative Spence & Representatives Smith, Lee, Gilligan & VanSant on behalf of All Representatives & Senators Adams, McDowell, DeLuca, Still & Sorenson on behalf of All Senators, before the House for consideration.

**HJR 25 - COMMEMORATING THE THREE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF THE 1631 DUTCH SETTLEMENT AT ZWAANENDAEL, WHICH SERVED AS THE BASIS FOR THE FUTURE TOWN OF LEWES AND THE INDEPENDENT STATUS OF THE FUTURE DELAWARE STATE.**

Representative Booth made comments.

The roll call on **HJR 25** was taken and revealed:

YES: 36.

ABSENT: Representatives Fallon, Oberle, Roy, Viola & Williams - 5.

Therefore, having received a constitutional majority, **HJR 25** was sent to the Senate for concurrence.

Representative Smith brought **HB 241**, jointly sponsored by Senator Blevins & cosponsored by Representatives Ewing, Johnson, Keeley, Outten, Spence & Wagner, before the House for consideration.



**HB 241 - AN ACT RELATING TO CRIMINAL CONSEQUENCES OF CONDUCT THAT INVOLVES CERTAIN TRAFFICKING OF PERSONS AND INVOLUNTARY SERVITUDE.**

Representative Smith made comments. Representative Smith brought **HA 1 to HB 241** before the House for consideration. Representative Smith made comments. **HA 1** was adopted by voice vote. Representatives Wagner & Smith made comments. Representative Smith requested and was granted privilege of the floor for Steven P. Wood, Deputy Attorney General. Representatives Wagner & Smith made comments. Representative Smith requested and was granted privilege of the floor for Battle Robinson, House Attorney. Representative Wagner made comments.

The roll call on **HB 241 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Fallon, Roy, Viola & Williams - 4.

Therefore, having received a constitutional majority, **HB 241 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth moved to suspend the rules which interfere with lifting **HB 367 w/HA 1** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Buckworth brought **HB 367 w/HA 1**, jointly sponsored by Senator Vaughn & Representatives Outten, Stone, Wagner, Ennis, Hall-Long & Caulk & Senators Still & Simpson, before the House for consideration.

**HB 367 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE GENERAL POWERS OF THE GOVERNMENT OF KENT COUNTY.**

Representative Hudson made comments regarding **HA 2 to HB 367**.

Representatives Buckworth, Thornburg, Wagner, Stone, Buckworth & Ennis made comments.

The roll call on **HB 367 w/HA 1** was taken and revealed:

YES: 36.

NO: Representative Thornburg - 1.

ABSENT: Representatives Fallon, Roy, Viola & Williams - 4.

Therefore, having received a constitutional majority, **HB 367 w/HA 1** was sent to the Senate for concurrence.

Representative Smith made an announcement.

Representative Smith deferred to Representative Hudson.

Representative Hudson requested that **HB 342** be stricken.

Representative Hudson moved to suspend the rules which interfere with introduction of and action on **HB 402**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Hudson introduced and brought **HB 402**, jointly sponsored by Representatives Buckworth, Carey, Ewing, Lavelle, Stone, Thornburg, Wagner & Ennis & Senators Peterson, Amick & Simpson, before the House for consideration.

**HB 402 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 21 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE QUALIFICATIONS OF ATTORNEY GENERAL. (2/3 bill)**

Representatives Hudson & Gilligan made comments.

The roll call on **HB 402** was taken and revealed:

YES: 37.

ABSENT: Representatives Fallon, Roy, Viola & Williams - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 402** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Lee.

Representative Lee brought **HS 1 for HB 243**, jointly sponsored by Senator Vaughn & cosponsored by Representative Wagner, before the House for consideration.

**HB 243 - AN ACT TO AMEND CHAPTER 23 OF TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS AND JUNK DEALERS. (2/3 bill) (F/I)**

Representative Lee introduced **HA 1 to HS 1 for HB 243**. Representative Lee requested that **HA 1** be stricken. Representative Lee introduced and brought **HA 2 to HS 1 for HB 243** before the House for consideration. Representative Lee made comments. **HA 2** was adopted by voice vote. Representative Lee moved to place **HS 1 for HB 243 w/HA 2** on the Speaker's Table. The motion was seconded by Representative Smith and adopted by voice vote.

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

Representative Smith deferred to Representative Maier.

Representative Maier brought **HB 381**, jointly sponsored by Representative Spence & Representative Lee & Senator Bunting, before the House for consideration.

**HB 381 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO DEFINITION OF EMPLOYEES FOR PURPOSES OF WORKERS COMPENSATION.**



Representative Maier introduced and brought **HA 1 to HB 381** before the House for consideration. Representative Maier made comments. **HA 1** was adopted by voice vote. Representative Maier made comments. Representative Booth announced that he will not be voting on **HB 381 w/HA 1** because of a conflict of interest.

The roll call on **HB 381 w/HA 1** was taken and revealed:

YES: 36.

NOT VOTING: Representative Booth - 1.

ABSENT: Representatives Fallon, Roy, Viola & Williams - 4.

Therefore, having received a constitutional majority, **HB 381 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HJR 20**, jointly sponsored by Senator Sokola, before the House for consideration.

**HJR 20 - EXTENDING THE REPORTING DATE FOR THE TASK FORCE TO REVIEW BEST PRACTICES OF EDUCATIONAL ASSESSMENTS.**

Representative Wagner made comments.

The roll call on **HJR 20** was taken and revealed:

YES: 35.

ABSENT: Representatives DiPinto, Fallon, Roy, Valihura, Viola & Williams - 6.

Therefore, having received a constitutional majority, **HJR 20** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Booth.

Representative Booth requested that **HB 183** be stricken.

Representative VanSant requested that action on **HB 256** be Deferred to a Day Certain, Thursday, April, 13, 2006.

The Majority Leader moved to recess to the call of the Chair at 5:45 p.m.

The House reconvened at 6:10 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **HB 6 w/HA1 & SA 1** and is returning same to the House.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HB 6 w/HA 1 & SA 1**, jointly sponsored by Senator Adams & Representative Spence & Representative Smith & Representative Lee & Representative Gilligan & Representative VanSant & Senator McDowell & Senator DeLuca & Senator Still & Senator Sorenson, before the House for concurrence on **SA 1**.

**HB 6 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE CONCERNING THE OVERSIGHT OF PUBLIC UTILITIES THAT DISTRIBUTED AND SUPPLY ELECTRICITY TO RETAIL ELECTRIC CUSTOMERS IN THE STATE.**

Representatives Valihura, Smith, Oberle & Booth made comments. Representative Valihura requested and was granted privilege of the floor for Gary Cohen representing Delmarva Power. Representative Booth made a comment. Representative Outten announced that he will not be voting on **HB 6 w/HA 1 & SA 1** because of a conflict of interest. Representative Valihura made comments.

The roll call on **HB 6 w/HA 1 & SA 1** was taken and revealed:

YES: 31.

NO: Representatives Johnson, Keeley & Plant - 3.

NOT VOTING: Representatives Outten & Schwartzkopf - 2.

ABSENT: Representatives Caulk, Fallon, Roy, Viola & Williams - 5.

Therefore, having received a constitutional majority, **HB 6 w/HA 1 & SA 1** was sent to the Governor.

The Majority Leader moved to recess to the call of the Chair at 6:20 p.m.

Mr. Speaker Spence called the House to order at 2:22 p.m. on April 11, 2006.

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

APPROPRIATIONS: **SB 280** – 4F; **SB 281** – 4F.

The Majority Leader moved to adjourn at 2:23 p.m., thereby ending the current legislative day. The House reconvened at 2:24 p.m.

## **22nd LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session April 11, 2006**

The Chief Clerk called the roll:

Members Present: 41.

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

Mr. Speaker Spence 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 399** - DIPINTO & SENATOR MARSHALL - HOUSE ADMINISTRATION - An Act to Amend Certain Provisions of Chapter 7 of the City of Wilmington Home Rule Charter Relating to Appeals Procedures by the Commissioner of Licenses and Inspections. (2/3 bill)

**HB 401** - HOCKER & REPRESENTATIVE ULBRICH & SENATOR BUNTING; REPRESENTATIVES SPENCE, ATKINS, MAIER, THORNBURG, VALIHURA, CAULK - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to General Regulatory Provisions.

**HA 3 to HB 369** - SPENCE - Placed with the Bill.

**SS 1 for SJR 3** - DELUCA & REPRESENTATIVE VALIHURA; SENATORS BLEVINS, SOKOLA, STILL, ADAMS, COOK, MCBRIDE, MARSHALL, VENABLES, HENRY, MCDOWELL, BUNTING, VAUGHN, SORENSON, CLOUTIER, COPELAND, SIMPSON, CONNOR; REPRESENTATIVES ATKINS, BOOTH, BUCKWORTH, CAREY, CATHCART, CAULK, DIPINTO, ENNIS, EWING, FALLON, GILLIGAN, HALL-LONG, HOCKER, HUDSON, KEELEY, LEE, LOFINK, LONGHURST, MIRO, OBERLE, OUTTEN, SCHOOLEY, SMITH, SPENCE, STONE, ULBRICH, VIOLA, WAGNER - ENERGY COMMITTEE - Directing the Office of Management and Budget and the Controller General to Hire an Independent Consultant to Study the Effects of Utility Re-regulation in Delaware. (F/N)

**HA 1 to SB 79** - VALIHURA - Placed with the Bill.

**HA 1 to SB 261** - LEE - Placed with the Bill.

Representative Smith deferred to Representative Hall-Long. Representative Hall-Long introduced guests. Representatives Hall-Long & DiPinto made comments. Representative McWilliams requested and was granted personal privilege of the floor to make comments and to introduce a guest. Representative Hall-Long requested and was granted privilege of the floor for the Cab Calloway School of the Arts Jazz Ensemble who played several musical selections. Representative Hocker requested that he be marked present and made comments. The teachers and musicians announced their names and grades for the record. Representatives Ennis, Marshall, Ulbrich, Longhurst, Schooley & Lofink requested that they be marked present. Representative Smith deferred to Representative Maier. Representative Maier made comments. Representative Maier requested and was granted privilege of the floor for Karen DeRasmo, Executive Director, Prevent Child Abuse Delaware. Mr. Speaker Spence appointed Representative Buckworth as Acting Speaker. Representatives Lavelle & Schwartzkopf requested that they be marked present. Representative Smith deferred to Representative Stone.

Representative Stone made comments and introduced guests. Representative Stone requested and was granted privilege of the floor for His Excellency Ghaith bin Hamel Al Ghaith, Member of the National Consultative Council, Abu Dhabi, United Arab Emirates and Rashid Al Nuaimi, Deputy Secretary General. Mr. Ghaith Al Ghaith addressed the House. Representative Smith requested and was granted personal privilege of the floor to make comments. Mr. Acting Speaker introduced a guest.

Representative Miro requested that he be marked present.

Representative Smith deferred to Representative Spence.

Representative Spence made an announcement.

Representative Williams requested that he be marked present.

Representative Spence introduced **HB 404**, jointly sponsored by Senator McBride & Representative Valihura & Senator Cloutier & Representatives Smith, Atkins, Carey, Ewing, Fallon, Hocker, Lofink, Oberle, Outten & Stone & cosponsored by Representatives Gilligan, Lee & Wagner & Senators Adams, DeLuca & Smith.

**HB 404** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Mr. Acting Speaker assigned **HB 404** to the Judiciary Committee.

Representative Valihura made an announcement. Representative Maier introduced a guest and made an announcement. Representative Smith deferred to Representative Ewing. Representative Ewing introduced a guest. Representative Smith deferred to Representative Booth. Representative Booth made comments.

The Majority Leader moved to recess for caucus at 2:57 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 5:24 p.m.

Representative Smith deferred to Representative Booth.

Representative Booth brought **SB 260**, jointly sponsored by Senator Simpson, before the House for consideration.

**SB 260** - AN ACT TO AMEND CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES", RELATING TO THE CITY MANAGER AND THE POLICE FORCE. (2/3 bill)

Representative Booth made comments.

The roll call on **SB 260** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 260** was returned to the Senate.

Representatives Cathcart, Hudson, Mulrooney, Williams & Oberle requested that they be marked present during the roll call.

Representative Smith deferred to Representative Booth.

Representative Booth brought **HB 380**, jointly sponsored by Senator Adams, before the House for consideration.

**HB 380** - AN ACT TO AMEND CHAPTER 276, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF GEORGETOWN, TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS, TO PROVIDE FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS, AND TO PROVIDE FOR CERTAIN MATTERS RELATING TO COLLECTION AND LEVY OF SPECIAL AD VALOREM TAXES, SPECIAL TAXES, AND AD VALOREM TAXES IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS. (2/3 bill)

Representatives Booth & Valihura made comments.

The roll call on **HB 380** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 380** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Atkins.

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

Representative Smith deferred to Representative Schwartzkopf.

Representative Schwartzkopf brought **HB 356**, jointly sponsored by Senator Bunting & cosponsored by Representative Atkins & Ewing, before the House for consideration.

**HB 356** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TERRORISTIC THREATENING. (2/3 bill)

Representative Schwartzkopf brought **HA 1 to HB 356** before the House for consideration.

Representative Schwartzkopf made comments. **HA 1** was adopted by voice vote. Representative Schwartzkopf made comments. Representative Lavelle requested and was granted privilege of the floor for Steven P. Wood, Deputy Attorney General. Representatives Lavelle & Valihura made comments.

The roll call on **HB 356 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 356 w/HA 1** was sent to the Senate for concurrence.

Representative Hall-Long requested and was granted personal privilege of the floor to make an announcement. Representative Schwartzkopf made a comment.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with lifting **HB 400** from the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Roy brought **HB 400**, jointly sponsored by Senator Venables & Representatives Carey, Lofink, Oberle, Ennis & Keeley & Senators Blevins, Cook, DeLuca, Connor & Simpson & cosponsored by Senators Amick & McDowell, before the House for consideration.

**HB 400** - AN ACT TO AMEND THE FISCAL YEAR 2006 BOND AND CAPITAL IMPROVEMENTS ACT; AMENDING TITLE 29 OF THE DELAWARE CODE RELATING TO BOND PREMIUM; AND AMENDING THE LAWS OF DELAWARE.

Representative Roy introduced and brought **HA 1 to HB 400** before the House for consideration.

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

Representatives Gilligan, Roy, Maier, Cathcart, Roy & Ennis made comments.

The roll call on **HB 400 w/HA 1** was taken and revealed:

YES: 40.

NO: Representative Caulk - 1.

Therefore, having received a constitutional majority, **HB 400 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Lee.

Representative Lee moved to suspend the rules which interfere with lifting **HS 1 for HB 243 w/HA 2** from the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Lee brought **HS 1 for HB 243 w/HA 2**, jointly sponsored by Senator Vaughn & cosponsored by Representative Wagner, before the House for consideration.

**HB 243** - AN ACT TO AMEND CHAPTER 23 OF TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS AND JUNK DEALERS. (2/3 bill) (F/I)

Representative Lee introduced and brought **HA 3 to HS 1 for HB 243** before the House for consideration. Representative Lee made a comment. **HA 3** was adopted by voice vote. Representative Lee introduced and brought **HA 4 to HS 1 for HB 243** before the House for consideration. Representative Lee made comments. **HA 4** was adopted by voice vote. Representative Lee made comments.

The roll call on **HS 1 for HB 243 w/HA 2, 3 & 4** 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 243 w/HA 2, 3 & 4** was sent to the Senate for concurrence.

Representative Lee made comments.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto brought **HJR 21**, jointly sponsored by Senator Cook, before the House for consideration.

**HJR 21 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 2006.**

Representative DiPinto made comments.

The roll call on **HJR 21** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

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

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought **SB 280**, jointly sponsored by Senator Henry & Senators Connor & Cloutier & Representative Keeley & Senators McDowell, Blevins, Sokola, Marshall, Venables, Still & Sorenson & Representatives Spence, Smith, Lee & Hudson & cosponsored by Representatives Valihura, Ennis, Hall-Long & Stone, before the House for consideration.

**SB 280 - AN ACT PROVIDING A SUPPLEMENTAL GENERAL FUND APPROPRIATION FOR THE DELAWARE ENERGY ASSISTANCE PROGRAM. (F/N)**

Representatives Ulbrich & Valihura made comments.

The roll call on **SB 280** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **SB 280** was returned to the Senate.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought **HB 362**, jointly sponsored by Representative Atkins & Representative Schwartzkopf & Senator Vaughn & Representatives Spence, Lee, Outten & Wagner, before the House for consideration.

**HB 362 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.**

Representatives Ewing, Booth & DiPinto made comments. Representative DiPinto requested and was granted privilege of the floor for Steven P. Wood, Deputy Attorney General. Representatives DiPinto, Ewing, Schwartzkopf, Williams, Valihura, Schwartzkopf, Williams, Stone, DiPinto & Ewing made comments.

The roll call on **HB 362** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **HB 362** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Lofink.

Representatives Lofink, DiPinto & Marshall made announcements.

The Majority Leader moved to recess to the call of the Chair at 6:47 p.m.

Mr. Acting Speaker Buckworth called the House to order at 2:09 p.m. on April 12, 2006.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 34 & SCR 35** and requests the concurrence of the House; **HB 304 w/HA 1 & HCR 57** and is returning same to the House. The Senate wishes to inform the House that it has passed **SCR 32** and requests the concurrence of the House; **HB 331, HCR 54 & HJR 25** and is returning same to the House.

#### MEMORANDUM

TO: Speaker Terry R. Spence  
FROM: Rep. Richard C. Cathcart  
DATE: April 11, 2006  
SUBJECT: Absence from session

Please be advised that I will be absent from session on Thursday, April 13, 2006 due to personal business.

Delaware General Assembly  
WITHDRAWAL OF SPONSORSHIP REQUEST

I, John C. Atkins, do hereby request that my name be removed as cosponsor of **SB 194**.

Date: April 11, 2006

Signed: John C. Atkins

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.

**23rd LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session  
April 12, 2006**

The Chief Clerk called the roll:

Members Present: 34.

Members Absent: Representatives Cathcart, Caulk, Gilligan, Lofink, Oberle, Roy & Williams – 7.

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

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

The following prefiled legislation was introduced:

**HB 355** - VALIHURA & REPRESENTATIVE STONE & REPRESENTATIVE HALL-LONG & SENATOR BLEVINS; REPRESENTATIVES SPENCE, CAREY, CATHCART, DIPINTO, EWING, HOCKER, HUDSON, MAIER, MIRO, ULBRICH, LONGHURST, SCHOOLEY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to the Division of Services for Aging and Adults with Physical Disabilities.

**HB 357** - VALIHURA & SENATOR MARSHALL & SENATOR VAUGHN & SENATOR AMICK; REPRESENTATIVES CAREY, FALLON, HUDSON, LAVELLE; SENATOR SOKOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Financial Assistance for Higher Education.

**HB 403** - SPENCE & REPRESENTATIVE JOHNSON & REPRESENTATIVE PLANT & REPRESENTATIVE WILLIAMS - APPROPRIATIONS - An Act to Amend the Fiscal Year 2006 Budget Act Relating to the Summer Youth Work Program.

**HB 405** - HOCKER & SENATOR BUNTING; REPRESENTATIVES ATKINS, BOOTH, CAREY, CATHCART, DIPINTO, EWING, FALLON, HUDSON - HOUSE ADMINISTRATION - An Act to Amend Chapter 202, Volume 73, Entitled "An Act to Reincorporate the Town of Ocean View" Relating to the Limitation on the Power to Raise Revenue. (2/3 bill)

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #64

DATE: April 12, 2006

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                         | Date      | Type | Description                                                                |
|-----------|---------------------------------|-----------|------|----------------------------------------------------------------------------|
| H143-1473 | Atkins                          | 2/25/2006 | T    | Arthur & Helen Truitt - 50th Wedding Anniversary                           |
| H143-1474 | Caulk                           | 3/31/2006 | T    | Marvin Stayton/Retirement/Legislative Print Shop/33 Years                  |
| H143-1475 | Outten                          | 3/18/2006 | M    | Ira F. Huffman                                                             |
| H143-1476 | Buckworth                       | 3/16/2006 | M    | Charles M. Stump                                                           |
|           | cosponsors: All Representatives |           |      |                                                                            |
| H143-1477 | Hall-Long                       | 3/21/2006 | T    | Ashlee Greenwell - Miss Delaware USA                                       |
| H143-1478 | Thornburg                       | 3/31/2006 | T    | Donald Poore, Jr./Retirement/DelDOT/26 Years                               |
| H143-1479 | Stone                           | 3/20/2006 | M    | George McPhee                                                              |
| H143-1480 | Keeley                          | 3/2/2006  | M    | Joseph A. Iorii, Jr.                                                       |
| H143-1481 | Gilligan                        | 2/26/2006 | T    | St. John the Beloved Boys Basketball Team – CYO Division Title             |
| H143-1482 | DiPinto                         | 3/23/2006 | T    | Loretta Walsh - Induction - Hall of Fame of Delaware Women                 |
| H143-1483 | Buckworth                       | 3/27/2006 | T    | Rebecca Surguy - Retirement - Division of Accounting - 26 Years            |
| H143-1484 | Lavelle                         | 3/23/2006 | T    | Betsy Rawls/Induction /Hall of Fame/DE Women                               |
| H143-1485 | Fallon                          | 3/23/2006 | T    | Felicia Dorman/Induction/Hall of Fame/DE Women                             |
| H143-1486 | Schwartzkopf                    | 3/23/2006 | T    | M. Jane Brady/Induction/Hall of Fame/DE Women                              |
| H143-1487 | Hall-Long                       | 3/23/2006 | T    | Thomas Duffy, Sr. - Jefferson Award Recipient                              |
| H143-1488 | Schooley                        | 3/27/2006 | T    | Honorable Kevin Vonck - University Student - Elected - Newark City Council |
| H143-1489 | Wagner                          | 3/26/2006 | M    | Vasuki Hiraesave                                                           |
|           | cosponsors: All Representatives |           |      |                                                                            |
| H143-1490 | Thornburg                       | 3/27/2006 | M    | Walter Guzniczak                                                           |
| H143-1491 | Gilligan                        | 3/10/2006 | M    | William Boeckelmann                                                        |
| H143-1492 | Carey                           | 4//2006   | T    | Hugh O'Brian Youth Leadership/50th Anniversary                             |
| H143-1493 | Booth                           | 4/1/2006  | T    | Barbara Starr - Nursing Instructor of the Year                             |
|           | cosponsor: Rep. Hall-Long       |           |      |                                                                            |



|           |           |           |   |                                                      |
|-----------|-----------|-----------|---|------------------------------------------------------|
| H143-1494 | Hall-Long | 4/1/2006  | T | Katherine Elliott - Student Nurse of the Year        |
| H143-1495 | Booth     | 3/31/2006 | T | Elaine Bisbee/Retirement/Lewes City Manager/35 Years |
| H143-1496 | Atkins    | 4/22/2006 | T | Larry & Mary Ellen Grinolds/50th Wedding Anniversary |

#### HOUSE TRIBUTE ANNOUNCEMENT #65

DATE: April 12, 2006

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                                | Date      | Type | Description                                                         |
|-----------|----------------------------------------|-----------|------|---------------------------------------------------------------------|
| H143-1497 | Smith                                  | 4/6/2006  | T    | St. David's Episcopal Day School - 50th Anniversary                 |
| H143-1498 | Hocker                                 | 5/21/2006 | T    | Thomas Reichert - Eagle Scout                                       |
| H143-1499 | Thornburg                              | 4/20/2006 | T    | Newcomers Club of Dover - 35th Anniversary                          |
| H143-1500 | Roy                                    | 3/29/2006 | M    | Mansfield Sprague                                                   |
|           | cosponsors: Reps. Hudson, Miro & Stone |           |      |                                                                     |
| H143-1501 | Schwartzkopf                           | 2/25/2006 | T    | Clinton Bunting/World Lifesaving Championships                      |
| H143-1502 | Hall-Long                              | 4/11/2006 | T    | Eric & Julie Hopkins/Governor's Conservation Award                  |
| H143-1503 | Schwartzkopf                           | 2/25/2006 | T    | Dan Matta/World Lifesaving Championships                            |
| H143-1504 | Schwartzkopf                           | 2/25/2006 | T    | A. J. Hemphill/World Lifesaving Championships                       |
| H143-1505 | Schwartzkopf                           | 2/25/2006 | T    | Brandon Smith/World Lifesaving Championships                        |
| H143-1506 | Schwartzkopf                           | 2/25/2006 | T    | Dave Dillehay/World Lifesaving Championships                        |
| H143-1507 | Johnson                                | 4/29/2006 | T    | Minquadale Ladies Auxiliary - 55th Anniversary                      |
| H143-1508 | Carey                                  | 4/8/2006  | T    | Elmer Ennis/Ellendale Volunteer Fire Company/60 Years               |
| H143-1509 | Johnson                                | 4/1/2006  | T    | Holloway Terrace Volunteer Fire Company –                           |
|           | cosponsor: Rep. Mulrooney              |           |      |                                                                     |
| H143-1510 | Wagner                                 | 3/30/2006 | T    | Daniel Perkins/Challenge Program Outstanding Contributions          |
| H143-1511 | Williams                               | 3/25/2006 | M    | Rachel Jackson                                                      |
| H143-1512 | Ennis                                  | 3/31/2006 | T    | Evelyn Bailey/Retirement/Smyrna Post Office/34 Years                |
| H143-1513 | Miro                                   | 4/4/2006  | T    | Adrienne Arsht - Contributions - Hispanic Community                 |
| H143-1514 | Stone                                  | 3/30/2006 | M    | Lettie Yadacus                                                      |
| H143-1515 | Buckworth                              | 3/29/2006 | M    | Hazel Knight                                                        |
| H143-1516 | Cathcart                               | 4/11/2006 | T    | Robert Dillard/Chief of Police/University of Richmond               |
| H143-1517 | Hudson                                 | 4/14/2006 | T    | Walter & Margaret Spencer - 50th Wedding Anniversary                |
| H143-1518 | Outten                                 | 4/3/2006  | T    | Harold Aptt/Fireman of the Year/Houston Volunteer Fire Company      |
| H143-1519 | Outten                                 | 4/3/2006  | T    | Richard Yost - Fireman of the Year – Houston Volunteer Fire Company |
| H143-1520 | Lavelle                                | 4/5/2006  | T    | Marianne Nagengast/First Place/Legislative Essay Contest            |

#### HOUSE TRIBUTE ANNOUNCEMENT #66

DATE: April 12, 2006

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                                          | Date       | Type | Description                                                          |
|-----------|--------------------------------------------------|------------|------|----------------------------------------------------------------------|
| H143-1521 | Thornburg                                        | 4/5/2006   | T    | Britney Lewis - Third Place - Legislative Essay Contest              |
| H143-1522 | DiPinto                                          | 3/26/2006  | M    | Dr. Stephen Bartoshesky                                              |
| H143-1523 | DiPinto                                          | 4/6/2006   | T    | Glen Daniels/Ray of Light Award/Sojourner's Place                    |
| H143-1524 | Cathcart                                         | 4/6/2006   | T    | Clarice Kwasnieski - Window of Opportunity Award - Sojourner's Place |
| H143-1525 | Smith                                            | 5/12/2006  | T    | Steven Leonard Jenkins - Eagle Scout                                 |
| H143-1526 | McWilliams                                       | 4/22/2006  | T    | Brandywine Hundred Fire Company Ladies' Auxiliary - 75th Anniversary |
| H143-1527 | Outten                                           | 4/8/2006   | T    | Walter Moore/50 Years/Felton Community Fire Co.                      |
| H143-1528 | Maier                                            | 4/14/2006  | T    | John & Diane Iffland - 50th Wedding Anniversary                      |
| H143-1529 | Maier                                            | 4/8/2006   | T    | John Tirrell - Contributions - Midway Little League                  |
| H143-1530 | DiPinto                                          | 3/18/2006  | M    | Robert Bartley                                                       |
| H143-1531 | Buckworth                                        | 12/18/2005 | T    | Kevin Denman - All-State Boys Soccer – First Team                    |
| H143-1532 | Buckworth                                        | 12/18/2005 | T    | Nate Shaw - All-State Boys Soccer - First Team                       |
| H143-1533 | Buckworth                                        | 12/18/2005 | T    | Jesse Brooks - All-State Boys Soccer - First Team                    |
| H143-1534 | Schooley                                         | 4/4/2006   | M    | Dorothy Wall                                                         |
| H143-1535 | Stone                                            | 4/2/2006   | M    | Pauline Schwartz                                                     |
| H143-1536 | Stone                                            | 4/2/2006   | M    | Charles Lincoln Fountain                                             |
| H143-1537 | Ennis                                            | 4/2006     | M    | Susan Rae Erb                                                        |
| H143-1538 | Schwartzkopf                                     | 2/25/2006  | T    | Christopher Antonio - Trainer - Rehoboth Lifeguards                  |
| H143-1539 | Smith                                            | 4/6/2006   | T    | Council of Civic Organizations of                                    |
|           | cosponsors: Reps. Lavelle, McWilliams & Valihura |            |      |                                                                      |
|           |                                                  |            |      | Brandywine Hundred - 50+ Anniversary                                 |



|           |                                 |           |   |                                                       |
|-----------|---------------------------------|-----------|---|-------------------------------------------------------|
| H143-1540 | Spence                          | 2/1/2006  | T | Carolann Wicks - Installation - Secretary –<br>DelDOT |
|           | cosponsors: All Representatives |           |   |                                                       |
| H143-1541 | VanSant                         | 4/6/2006  | T | Virgil & Clara Carmean - 60th Wedding Anniversary     |
| H143-1542 | Schwartzkopf                    | 4/7/2006  | T | Robert & Viola Cahill - 50th Wedding Anniversary      |
| H143-1543 | VanSant                         | 4/14/2006 | T | Charles & Anna Ober - 50th Wedding Anniversary        |
| H143-1544 | Johnson                         | 4/14/2006 | T | Joseph & Rita Mareno - 50th Wedding Anniversary       |
| H143-1545 | Johnson                         | 3/27/2006 | T | Bob & Helen Whitlow - 50th Wedding Anniversary        |
| H143-1546 | Schwartzkopf                    | 5/25/2006 | T | Kenneth & Cathy Brady - 60th Wedding Anniversary      |
| H143-1547 | Hocker                          | 4/8/2006  | T | Ludwig & Sara Kubicki - 50th Wedding Anniversary      |

T- Tribute

M - Memoriam

Representative Smith brought the following prefiled **Consent Calendar #25** before the House for consideration.

**HR 59** – WAGNER – Commending Reverend Zenko N. Okimura Shiha on the First Anniversary of the Aikido Delaware Aikikai Dojo.

**HCR 58** – WAGNER ON BEHALF OF ALL REPRESENTATIVES & SENATOR SOKOLA ON BEHALF OF ALL SENATORS – Commending the Students Selected as Secretary of Education Scholars of 2006.

**HCR 59** – SPENCE & SENATOR MCBRIDE – Proclaiming the Week of April 23 through April 29, 2006 as Administrative Professionals Week.

**SCR 32** – BLEVINS ON BEHALF OF ALL SENATORS & REPRESENTATIVE MAIER ON BEHALF OF ALL REPRESENTATIVES – Recognizing May 2006 as Mental Health Awareness Month in Delaware.

**SCR 33** – BLEVINS ON BEHALF OF ALL SENATORS & REPRESENTATIVE MAIER ON BEHALF OF ALL REPRESENTATIVES – Proclaiming April 5, 2006, “Early Child Care and Education Professionals Appreciation Day”.

**SCR 34** – CONNOR ON BEHALF OF ALL SENATORS & REPRESENTATIVE SPENCE ON BEHALF OF ALL REPRESENTATIVES – Proclaiming the Week of April 23 through April 29, 2006, as Administrative Professionals Week.

**SCR 35** – ADAMS & REPRESENTATIVE SPENCE & SENATORS MCDOWELL, DELUCA, STILL & SORENSON ON BEHALF OF ALL SENATORS & REPRESENTATIVES SMITH, LEE, GILLIGAN & VANSANT ON BEHALF OF ALL REPRESENTATIVES – Providing that a Ceremonial Session of the Senate and the House of Representatives be Convened in the City of Lewes in Commemoration of the 375th Anniversary of the 1631 Dutch Settlement at Swaanendael, the Event which Laid the Foundation for Delaware Statehood.

**Consent Calendar #25** was adopted by voice vote and **HR 59** was declared passed, **HCR 58** & **HCR 59** were sent to the Senate for concurrence and **SCR 32**, **SCR 33**, **SCR 34** & **SCR 35** were returned to the Senate.

Representative Smith deferred to Representative Booth.

Representative Booth made an announcement.

Representative Smith deferred to Representative Schooley. Representative Schooley requested and was granted personal privilege of the floor to introduce visiting students from Bosnia who announced their names for the record. Mr. Acting Speaker made comments. Representative Smith deferred to Representative Keeley. Representative Keeley requested and was granted personal privilege of the floor to introduce students from the American Foreign Services who are here on an exchange mission. Representative Keeley announced each student’s first name, native country and school being attended in the United States. Each student announced his/her name for the record. Representative Keeley made comments.

Representatives Wagner, Thornburg, Valihura, Lee, Schwartzkopf, Viola & Ennis requested that they be marked present.

The Majority Leader moved to recess for committee meetings to the call of the Chair at 2:25 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:25 P.M.: Representatives Caulk, Lavelle, McWilliams, Mulrooney, Spence & Stone.

Mr. Acting Speaker Booth called the House to order at 2:08 p.m. on April 13, 2006.

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

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

## 24th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session April 13, 2006

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Cathcart, Fallon & Ulbrich – 3.

A prayer was offered by Representative Wayne A. Smith, Seventh Representative District.

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

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

The following prefiled legislation was introduced:

**HB 406** - CATHCART & SENATOR AMICK; REPRESENTATIVES ATKINS, HALL-LONG, HOCKER, HUDSON, KEELEY, LOFINK, LONGHURST, OBERLE, STONE, VALIHURA, WAGNER; SENATORS STILL, SORENSON, CLOUTIER, CONNOR - ENERGY COMMITTEE - An Act to Amend Title 26 of the Delaware Code Relating to Public Utilities.

**HB 407** - LOFINK & REPRESENTATIVE SPENCE & REPRESENTATIVES OBERLE, KEELEY, OUTTEN, STONE, THORNBURG & SENATOR BUNTING - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Line of Duty Death Benefits.

**SB 251 w/SA 1** - SOKOLA & REPRESENTATIVE MARSHALL; SENATOR SORENSON & REPRESENTATIVE MAIER, SENATORS AMICK, BLEVINS, CLOUTIER, COOK, CONNOR, DELUCA, HENRY, MCBRIDE, PETERSON, VENABLES, MARSHALL, MCDOWELL; REPRESENTATIVES BUCKWORTH, CAREY, CATHCART, CAULK, DIPINTO, ENNIS, EWING, FALLON, GILLIGAN, HALL-LONG, JOHNSON, KEELEY, LEE, LOFINK, LONGHURST, MCWILLIAMS, MIRO, MULROONEY, OBERLE, PLANT, ROY, SCHWARTZKOPF, SCHOOLEY, SPENCE, STONE, ULBRICH, VALIHURA, VANSANT, VIOLA, WAGNER, WILLIAMS - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Full-day Kindergarten.

**SB 296** - SIMPSON & SENATOR COOK & REPRESENTATIVE CAREY & REPRESENTATIVE SCHWARTZKOPF; SENATORS ADAMS, BLEVINS, BUNTING, CLOUTIER, CONNOR, HENRY, PETERSON, SOKOLA, SORENSON, VAUGHN, VENABLES; REPRESENTATIVES BUCKWORTH, CAULK, ENNIS, EWING, FALLON, JOHNSON, KEELEY, LOFINK, LONGHURST, MIRO, MULROONEY, OBERLE, SCHOOLEY, SMITH, SPENCE, ULBRICH - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Dedicate the Angola Neck Nature Preserve in Sussex County to Til Purnell.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 296** & **SB 251 w/SA 1** and requests the concurrence of the House.

#### MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: The Honorable Stephanie A. Ulbrich  
State Representative  
DATE: April 13, 2006  
RE: Absence from Session

Please excuse me from session on April 13, 2006, due to illness.

Representative Smith deferred to Representative Marshall. Representative Marshall introduced guests and made comments. Representative Smith deferred to Representative Hall-Long. Representative Hall-Long introduced guests and made comments. Representative Hall-Long requested and was granted privilege of the floor for a dance ensemble from the Southern Delaware School for the Arts who performed for the House. Representative Atkins made comments and introduced guests. Mr. Acting Speaker introduced guests. Representative Hudson requested that she be marked present. Representative Hudson requested and was granted personal privilege of the floor to make comments. Representative Spence made comments. Representative Hall-Long introduced guests. Each dancer announced her name for the record.

Representative Smith deferred to Representative Roy.

Representative Roy requested and was granted personal privilege of the floor to introduce a guest. Representative Roy made an announcement. Mr. Acting Speaker & Representative Smith made comments. Representative Johnson requested that he be marked present and made comments. Representative Plant requested that she be marked present. Representatives Hudson & Atkins made comments. Representative Ennis requested and was granted personal privilege of the floor to make comments. Representatives Roy & Spence made comments. Representative Ewing requested and was granted personal privilege of the floor to make comments. Representative Gilligan made comments.

Representatives Mulrooney & Keeley requested that they be marked present.

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

APPROPRIATIONS: **SB 79 w/SA 2** - 1F,4M.

CORRECTIONS: **HB 385** - 4M.

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **SS 1/SB 2** - 11M.

EDUCATION: **HB 372** - 7M; **HB 349** - 8M; **SB 263** - 7M,1U.

HEALTH & HUMAN DEVELOPMENT: **HB 325** - 6M; **HB 391** - 6M; **HB 324** - 6M; **SB 259 w/SA 1** - 7M.

HOUSE ADMINISTRATION: **HB 393** - 3M.

JUDICIARY: **HB 392** - 1F,5M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 368** - 10M.

PUBLIC SAFETY: **HB 7** - 5M.

Representatives Schooley, Miro, Wagner, Lofink, DiPinto & Williams requested that they be marked present.

Mr. Acting Speaker assigned **HB 7**, **HB 349** & **HB 372** to the Appropriations Committee.

The Majority Leader moved to recess for caucus at 2:43 p.m.

The House reconvened at 4:58 p.m. with Representative Ewing as Acting Speaker.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 385**, jointly sponsored by Senator Sokola & Representatives Atkins, Buckworth, Ewing, Fallon & Miro, before the House for consideration.

**HB 385** - AN ACT TO AMEND TITLE 11 OF DELAWARE CODE RELATING TO RANDOM DRUG TESTING FOR DEPARTMENT OF EDUCATION EMPLOYEES ON PERMANENT ASSIGNMENT AT DEPARTMENT OF CORRECTION FACILITIES.

Representative Wagner made comments.

The roll call on **HB 385** was taken and revealed:

YES: 36.

ABSENT: Representatives Cathcart, Fallon, Roy, Spence & Ulbrich - 5.

Therefore, having received a constitutional majority, **HB 385** was sent to the Senate for concurrence.

Representatives Longhurst, Stone, Maier, Oberle & Lavelle requested that they be marked present during the roll call.

Representative Smith deferred to Representative Viola.

Mr. Acting Speaker Ewing appointed Representative Buckworth as Acting Speaker.

Representative Viola brought **SB 259 w/SA 1**, jointly sponsored by Senator Peterson & Senators Adams, Blevins, Cook, DeLuca, Henry, McBride, Sokola, Cloutier, Copeland & Sorenson & Representatives Hudson, Maier, Spence, Valihura, Ennis, Johnson, Marshall, McWilliams, Mulrooney, & Schwartzkopf, before the House for consideration.

**SB 259** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT.

Representative Viola made comments. Representative Viola requested and was granted privilege of the floor for Kathleen and Dennis Chidester whose son was a fatal victim of salvia divinorum.

The roll call on **SB 259 w/SA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Cathcart, Fallon, Roy, Ulbrich - 4.

Therefore, having received a constitutional majority, **SB 259 w/SA 1** was returned to the Senate.

Mr. Speaker Spence resumed the Chair. Mr. Speaker Spence introduced a guest. Mr. Speaker Spence reassigned **HB 317** to the Appropriations Committee.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto deferred to Representative Valihura.

Representative Valihura brought **SB 281**, sponsored by Senator DeLuca & Senator Cook & Representatives Roy & DiPinto & Senators McDowell, Adams, Still, Sorenson, Henry & Venables & Representatives Spence, Smith, Lee & Hudson, before the House for consideration.

**SB 281** - AN ACT TO MAKE A SUPPLEMENTAL GENERAL FUND APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL OF EIGHT MILLION DOLLARS FOR THE ENERGY EFFICIENCY PROGRAM. (F/N)

Representatives Valihura, DiPinto & Booth made comments.

The roll call on **SB 281** was taken and revealed:

YES: 33.

NO: Representatives Booth, Caulk, Hocker & Lavelle - 4.

ABSENT: Representatives Cathcart, Fallon, Roy & Ulbrich - 4.

Therefore, having received a constitutional majority, **SB 281** was returned to the Senate.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on **HJR 26**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Oberle introduced and brought **HJR 26**, jointly sponsored by Representative Smith & Senator DeLuca & Senator Still & Representatives Lee, Booth, Buckworth, Carey, Hocker, Hudson, Lavelle, Lofink, Maier, Miro, Outten, Roy, Stone, Thornburg, Valihura, Wagner & Gilligan & Senators McDowell & Sorenson & cosponsored by Representative Spence, before the House for consideration.

**HJR 26** - DIRECTING THE DELAWARE ENERGY OFFICE AND THE DELAWARE ECONOMIC DEVELOPMENT OFFICE TO PROMOTE COMPETITION IN RESIDENTIAL ELECTRICITY MARKETS IN DELAWARE.

Representative Oberle made comments.

The roll call on **HJR 26** was taken and revealed:

YES: 37.

ABSENT: Representatives Cathcart, Fallon, Roy & Ulbrich - 4.

Therefore, having received a constitutional majority, **HJR 26** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HB 374**, jointly sponsored by Representative VanSant & Senator Vaughn & Senator Bonini, before the House for consideration.

**HB 374** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE THEFT.

Representative Valihura made comments.

The roll call on **HB 374** was taken and revealed:

YES: 37.

ABSENT: Representatives Cathcart, Fallon, Roy & Ulbrich - 4.

Therefore, having received a constitutional majority, **HB 374** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Hudson. Representative Hudson made an announcement.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **SB 107 w/SA 1**, sponsored by Senator DeLuca & Representative Oberle, before the House for consideration.

**SB 107** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO THE PARTIES CHARGED WITH VIOLATIONS OF THE LIQUOR CONTROL ACT. (2/3 bill)

Representative Valihura requested and was granted privilege of the floor for Daniel Kline, supervising agent, Division of Alcoholic Beverage Control and Tobacco Enforcement. Representatives Valihura & Marshall made comments.

The roll call on **SB 107 w/SA 1** was taken and revealed:

YES: 36.

ABSENT: Representatives Cathcart, Caulk, Fallon, Roy, Ulbrich - 5.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 107 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HCR 58 w/SA 1**, jointly sponsored by on behalf of All Representatives & Senator Sokola on behalf of All Senators, before the House for concurrence on **SA 1**.

**HCR 58** - COMMENDING THE STUDENTS SELECTED AS SECRETARY OF EDUCATION SCHOLARS OF 2006.

**HCR 58 w/SA 1** was adopted by voice vote.

Mr. Speaker Spence appointed Representative Buckworth as Acting Speaker.

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

REVENUE & FINANCE: **HB 306** - 2F,4M; **HB 397** - 2F,4M; **HB 398** - 2F,4M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 294** and requests the concurrence of the House; **HCR 58 w/SA 1**, **HB 336** & **HB 379** and is returning same to the House.

Representatives Wagner & DiPinto made comments.

Representative Smith deferred to Representative Lavelle.

Representative Lavelle brought **HB 393**, jointly sponsored by Senator Blevins & Representatives Maier & Valihura & Senators Henry, Peterson, Sokola, Cloutier, Connor, Copeland & Simpson, before the House for consideration.

**HB 393** - AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 2 OF THE CONSTITUTION OF THE STATE OF DELAWARE OF 1897, AS AMENDED, RELATING TO VOTER QUALIFICATIONS. (2/3 bill)

Representative Lavelle made comments.

The roll call on **HB 393** was taken and revealed:

YES: 33.

NO: Representative Ewing - 1.

ABSENT: Representatives Cathcart, Caulk, Fallon, Plant, Roy, Ulbrich & Williams - 7.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 393** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Spence.

Representative Spence moved to suspend the rules which interfere with action on **SB 296**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Spence brought **SB 296**, jointly sponsored by Senator Simpson & Senator Cook & Representative Carey & Representative Schwartzkopf & Senators Adams, Blevins, Bunting, Cloutier, Connor, Henry, Peterson, Sokola, Sorenson, Vaughn & Venables & Representatives Buckworth, Caulk, Ennis, Ewing, Fallon, Johnson, Keeley, Lofink, Longhurst, Miro, Mulrooney, Oberle, Schooley, Smith & Ulbrich, before the House for consideration.

**SB 296** - AN ACT TO DEDICATE THE ANGOLA NECK NATURE PRESERVE IN SUSSEX COUNTY TO TIL PURNELL.

Representative Spence deferred to Representative Carey.

Representatives Carey & Smith made comments.

Representative Carey moved to place **SB 296** on the Speaker's Table. The motion was seconded by Representative Spence and adopted by voice vote.

Representative Smith deferred to Representative Spence.

Representatives Spence & Williams made comments regarding **HB 403**.

Representative Smith deferred to Representative Gilligan.

Mr. Speaker Spence resumed the Chair.

Representative Gilligan introduced and brought **HR 60**, jointly sponsored by Representative Hudson & Representative VanSant & Representative Roy & Representative Smith, before the House for consideration.

**HR 60** - SUPPORTING THE CREATION OF THE DELAWARE REDEVELOPMENT AUTHORITY TO ADDRESS THE CLOSURE OF THE MAJOR ROBERT KIRKWOOD UNITED STATES ARMY RESERVE CENTER.

Representative Gilligan made comments.

**HR 60** was adopted by voice vote.

Mr. Speaker Spence made announcements.

The Majority Leader moved to recess to the call of the Chair at 6:00 p.m.

Mr. Acting Speaker Booth called the House to order at 2:06 p.m. on May 2, 2006.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 274** and requests the concurrence of the House; **HB 400 w/HA 1** & **HCR 59** and is returning same to the House.

Representative Smith introduced and brought **HCR 60**, sponsored by Representative Spence on behalf of All Representatives & Senator Adams on behalf of All Senators, before the House for consideration.

**HCR 60** - COMMENDING THE RECIPIENTS AND NOMINEES OF THE 2006 DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE.

WHEREAS, over 16,000 State of Delaware employees provide critical services to the people of Delaware; and

WHEREAS, each year the Governor honors State employees who have delivered a superlative level of public service; and

WHEREAS, each day people working for the State of Delaware perform tasks that protect our environment, safeguard public health and safety, and execute other vital and necessary functions that keep our citizens well-served by their State government; and

WHEREAS, the level of dedication demonstrated by those nominated for the 2006 Delaware Award for Excellence and Commitment in State Service exceeds the already high standards of their colleagues; and

WHEREAS, the nominees for recognition for this achievement in 2006 included:

Debbie Carey, Michelle Duffy, Sharen Green, Belvie Herbert-Perry, Amy Jensen, Elizabeth Jonkiert, Christina Keeler, Daniel Kline, Andy Kloepfer, Barbara W. Lippincott, Troy McDaniel, John Mueller, Helen Pepper, Timothy J. Porter, Virginia Y. Phillips, Michael J. Stangl, Debbie Sullivan, and Robert Bruce Williamson; and

WHEREAS, Sherrie Ayers, Sharon Cunningham, Diane Walls, Erin Bartley, Dawn E. Pickett, Armando Rivera and Eddie Tunstall were selected as recipients of the 2006 Delaware Award for Excellence and Commitment in State Service because of their unflinching dedication to performing their jobs in the service of the people of Delaware.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 143rd General Assembly of the State of Delaware, the Senate concurring therein, that we hereby honor the nominees and recipients of the 2006 Delaware Award for Excellence and Commitment in State service and offer them our gratitude for a job well done.

BE IT FURTHER RESOLVED that suitably prepared copies of this Resolution be presented to the award winners and nominees during the annual luncheon on Wednesday, May 3, 2006.

Representative Smith requested and was granted personal privilege of the floor to make comments. Representative Smith deferred to Representative DiPinto. Representatives DiPinto & Gilligan made comments.

**HCR 60** was adopted by voice vote and was sent to the Senate for concurrence.

Mr. Acting Speaker made comments.

Representative Gilligan requested and was granted personal privilege of the floor to introduce a guest and to make comments.

Mr. Speaker Spence resumed the Chair.

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.



**25th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session  
May 2, 2006**

The Chief Clerk called the roll:

Members Present: 41.

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

Mr. Speaker Spence invited Christian P. Conaty to join him in leading those present in a pledge of allegiance to the American Flag.

The following out of session prefiled legislation was introduced:

April 26, 2006

**HB 408** - WILLIAMS & SENATOR HENRY; REPRESENTATIVES HALL-LONG, KEELEY, LOFINK, MULROONEY, OBERLE - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to Merit System of Personnel Administration.

**HB 409** - MIRO & REPRESENTATIVE VALIHURA & SENATOR BLEVINS; REPRESENTATIVE MAIER; SENATOR AMICK - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Sale of Spray Paint Products.

**HA 13 to HB 359** - VALIHURA - Placed with the Bill.

**HA 14 to HB 359** - OBERLE; REPRESENTATIVES LAVELLE, KEELEY, MARSHALL, SCHWARTZKOPF - Placed with the Bill.

**HA 1 to HB 404** - SPENCE - Placed with the Bill.

**SB 274** - SORENSON & SENATOR BLEVINS & SENATOR SOKOLA & SENATOR CONNOR & REPRESENTATIVE HUDSON & REPRESENTATIVE LAVELLE; SENATORS CLOUTIER, HENRY; REPRESENTATIVES HALL-LONG, KEELEY, MCWILLIAMS, MULROONEY, SCHOOLEY, STONE, THORNBURG, VALIHURA, VIOLA, WAGNER & SENATORS PETERSON, MCDOWELL - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 25 of the Delaware Code Relating to the Residential Landlord-Tenant Code.

**SB 294** - ADAMS & REPRESENTATIVE CAREY - HOUSE ADMINISTRATION - An Act to Amend an Act Entitled "An Act to Re-incorporate the Town of Ellendale," to Grant the Town Council of the Town of Ellendale the Authority to Impose Impact Fees for New Development or Construction, First Time Occupancy of New Construction, and Upon Annexed Property and to Enter into Annexation Agreements with the Owners of Territories Proposed for Annexation. (2/3 bill)

**HA 1 to SB 41** - SMITH - Placed with the Bill.

**HA 1 to SB 241** - STONE - Placed with the Bill.

Representative Ewing introduced the Woodbridge Middle School Band. They performed several musical numbers and the band members announced their names for the record.

Representative Maier requested that she be marked present.

Representative DiPinto requested and was granted privilege of the floor to present House Tributes to Christian P. Conaty, 2006 Delaware Valley Teacher All-Star Essay Contest Winner and Sheila O'Callahan, fourth grade teacher, St. Ann Catholic School. Mr. Speaker Spence made comments. Representative Gilligan made comments. Members of the class announced their names for the record. Representatives Keeley & Atkins made comments. Representative Plant requested that she be marked present.

Mr. Speaker Spence granted privilege of the floor to Susan C. Shea, representing Concerns of Police Survivors (COPS). Mr. Speaker Spence made comments.

Mr. Speaker Spence assigned **SB 296** to the Natural Resources & Environmental Management Committee & **HB 306** to the Appropriations Committee.

Representative Smith deferred to Representative Miro.

Representative Miro requested and was granted personal privilege of the floor to introduce a guest. Representative Miro requested and was granted privilege of the floor for James Miro, representing Jobs for Delaware Graduates.

Representative Schooley requested and was granted personal privilege of the floor to introduce guests.

Representative Atkins requested and was granted privilege of the floor for Cindy Phillips representing the Oak Orchard/Riverdale American Legion Post 28 Auxiliary. Representatives Atkins and Schwartzkopf presented a House Tribute to the Oak Orchard/Riverdale American Legion Post 28 Auxiliary. Representative Schwartzkopf made comments.

Representative McWilliams requested that she be marked present.

The Majority Leader moved to recess for caucus at 3:00 p.m.

The House reconvened at 5:11 p.m. with Representative Maier as Acting Speaker.

The Reading Clerk read the following communications into the record:

April 19, 2006

LEGISLATIVE ADVISORY #17



Governor Ruth Ann Minner signed the following legislation on the date indicated: 4/6/06 – **HJR 22 aab HA 1**; 4/12/06 – **HJR 25**; 3/21/06 – **SB 81 aab SA 1 & HA 1**; 4/4/06 – **SB 119 aab SA 2, SB 144 aab SA 1, SB 233, HB 282, HB 245 & HB 326**; 4/6/06 – **HB 6 aab HA 1 & SA 1 & HB 5 aab HA 1**; 4/11/06 – **HB 313 aab HA 1, HB 339, HB 343 aab HA 1 & HB 353**; 4/12/06 – **SB 260 & HB 331**; 4/13/06 – **SB 280 & HB 304 aab HA 1**; 4/17/06 – **HB 336, HB 379 & HB 400 aab HA 1**.

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

Representative Smith deferred to Representative Hudson.

Representative Hudson requested that she be marked present.

Representative Hudson brought **HB 391**, jointly sponsored by Senator Blevins & Senator Sorenson, before the House for consideration.

**HB 391 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE DOMESTIC VIOLENCE COORDINATING COUNCIL.**

Representative Hudson made comments.

Representative Cathcart requested that he be marked present.

Representative Hudson introduced and brought **HA 1 to HB 391** before the House for consideration. Representative Hudson made a comment. **HA 1** was adopted by voice vote.

The roll call on **HB 391 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Fallon & Williams - 2.

Therefore, having received a constitutional majority, **HB 391 w/HA 1** was sent to the Senate for concurrence.

Representatives Mulrooney, Thornburg, Wagner, Lavelle, Oberle & Lofink requested that they be marked present during the roll call.

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **HB 392**, jointly sponsored by Representative Hall-Long & Senator Blevins & Senator Sorenson, before the House for consideration.

**HB 392 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO VIOLATION OF PRIVACY. (2/3 bill)**

Representatives Hudson, Marshall, Smith & Keeley made comments. Representative Hudson requested and was granted privilege of the floor for Paul Wallace, Deputy Attorney General.

Representatives Schwartzkopf, DiPinto & Hudson made comments.

The roll call on **HB 392** was taken and revealed:

YES: 34.

NO: Representatives Marshall & Williams - 2.

NOT VOTING: Representatives Ennis & Keeley - 2.

ABSENT: Representatives Fallon, Roy & Spence - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 392** was sent to the Senate for concurrence.

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

Madame Acting Speaker appointed Representative Booth as Acting Speaker.

Representatives Smith & DiPinto requested and were granted personal privilege of the floor to introduce guests.

The House observed a moment of silence in memory of Marjorie M. Wagner at the request of Mr. Acting Speaker.

Representative Smith deferred to Representative Maier.

Representative Maier brought **HB 383**, jointly sponsored by Senator Blevins & Representatives Booth, Ewing, McWilliams & Stone & Senators Henry, Peterson, Sorenson & Connor, before the House for consideration.

**HB 383 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF STATE SERVICE CENTERS.**

Representative Maier made comments.

The roll call on **HB 383** was taken and revealed:

YES: 40.

ABSENT: Representative Fallon - 1.

Therefore, having received a constitutional majority, **HB 383** was sent to the Senate for concurrence.

Representatives Smith, Marshall & Lofink made announcements.

Representative Smith deferred to Representative Maier.

Representative Maier brought **HB 325**, jointly sponsored by Senator Blevins & Senators Henry & Sorenson, before the House for consideration.

**HB 325 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PROMOTING PUBLIC HEALTH IN THIS STATE. (3/5 bill) (F/I)**

Representative Maier made comments.

The roll call on **HB 325** was taken and revealed:

YES: 40.

ABSENT: Representative Fallon - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 325** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier brought **HB 324**, jointly sponsored by Senator Blevins & Representatives Hall-Long & Hudson, before the House for consideration.

**HB 324** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE PATIENTS' TRUST FUND.

Representative Maier made comments.

The roll call on **HB 324** was taken and revealed:

YES: 39.

ABSENT: Representatives Fallon & Oberle - 2.

Therefore, having received a constitutional majority, **HB 324** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Spence.

Representative Spence requested that **HB 403** be stricken.

Representative Valihura & Mr. Acting Speaker made comments.

The Majority Leader moved to recess to the call of the Chair at 5:51 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Member was marked present by the Chief Clerk after the House recessed at 5:51 P.M.: Representative Fallon.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:14 p.m. on May 3, 2006.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 265**, **SB 262 w/SA 1** & **SB 276 w/SA 1** and requests the concurrence of the House; **HB 380 w/SA 1** & **HCR 60** and is returning same to the House.

May 3, 2006

#### LEGISLATIVE ADVISORY #18

Governor Ruth Ann Minner signed the following legislation on the date indicated: 5/2/06 – **SB 107 aab SA1**, **SB 259 aab SA 1** & **SB 281**.

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.

### 26th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session May 3, 2006

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Lavelle – 1.

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

Mr. Speaker Spence invited Abrein Brooks and Nashir Evans to join him in leading those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

**HB 410** - LAVELLE & REPRESENTATIVE HUDSON & REPRESENTATIVE ENNIS & REPRESENTATIVE HALL-LONG & SENATOR BLEVINS & SENATOR SOKOLA - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 15 of the Delaware Code Dealing with Municipal Elections. (2/3 bill)

**HB 411** - LAVELLE & SENATOR BLEVINS; REPRESENTATIVES HUDSON, ENNIS, KEELEY; SENATOR SIMPSON - HOUSE ADMINISTRATION - An Act to Amend Title 29, Delaware Code Relating to Financial Disclosure Reports.

**HB 412** - ULBRICH & REPRESENTATIVE MAIER & SENATOR BLEVINS - JUDICIARY - An Act to Amend Title 10, Chapter 43 of the Delaware Code Relating to Courts and Judicial Procedures.

**HA 1 to HB 280** - BOOTH - Placed with the Bill.

**HA 1 to HB 320** - VALIHURA - Placed with the Bill.

**HA 1 to HB 386** - SPENCE - Placed with the Bill.

**SB 262 w/SA 1** - BLEVINS & SENATOR SORENSON & REPRESENTATIVE HUDSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to the Fatal Incident Review Team.

**SB 265** - VAUGHN & REPRESENTATIVE VALIHURA - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Execution on Judgments in the Justice of the Peace Court.

**SB 276 w/SA 1** - BLEVINS & REPRESENTATIVE VANSANT; SENATOR CONNOR - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Health Information.

Representative Smith requested and was granted personal privilege of the floor to introduce guests. Representative Smith requested and was granted privilege of the floor for Juanita G. Wilson, Principal,

William Henry Middle School and Nathan Simms, sixth grade student and Lauren Palmer, a fifth grade student. Representative Smith & Mr. Speaker Spence made comments.

Representative Atkins introduced guests.

Representatives Stone, Plant & Gilligan requested that they be marked present.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #67

DATE: May 3, 2006

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>Date</u> | <u>Type</u> | <u>Description</u>                                                  |
|---------------|--------------------------------------------------------------------------------------------|-------------|-------------|---------------------------------------------------------------------|
| H143-1548     | Carey                                                                                      | 4/22/2006   | T           | Memorial Fire Company Ladies Auxiliary – 50th Anniversary           |
| H143-1549     | Williams                                                                                   | 3/31/2006   | M           | Shideh Alana Aiken                                                  |
| H143-1550     | Johnson                                                                                    | 4/29/2006   | T           | Ralph Fox/55 Years Service/Minquadale Fire Company                  |
| H143-1551     | Johnson                                                                                    | 4/29/2006   | T           | Earl Williams/55 Years Service/Minquadale Fire Co.                  |
| H143-1552     | Mulrooney                                                                                  | 4/29/2006   | T           | Barry Bowden/Life Member/Minquadale Fire Company                    |
| H143-1553     | Mulrooney<br>cosponsor: Rep. Johnson                                                       | 4/29/2006   | T           | Joseph Day, III - Life Member - Minquadale Fire Company             |
| H143-1554     | Johnson                                                                                    | 4/29/2006   | T           | Sandra Bowden - Life Member/Minquadale Fire Co.                     |
| H143-1555     | Ennis                                                                                      | 4/13/2006   | T           | A. Temple Carter/Retirement/DelDOT/25+ Years                        |
| H143-1556     | Gilligan                                                                                   | 4/20/2006   | T           | Absalom Jones Senior Center - 30th Anniversary                      |
| H143-1557     | Johnson                                                                                    | 4/29/2006   | T           | Paul Taylor, Sr./50 Years Service/Minquadale Fire Co.               |
| H143-1558     | Johnson                                                                                    | 4/29/2006   | T           | Charles Rhodes/50 Years Service/Minquadale Fire Co.                 |
| H143-1559     | Johnson                                                                                    | 4/29/2006   | T           | Walt Eastridge/50 Years Service/Minquadale Fire Co.                 |
| H143-1560     | Johnson                                                                                    | 4/29/2006   | T           | Clarence Wilson/55 Years Service/Minquadale Fire Co.                |
| H143-1561     | Johnson                                                                                    | 4/29/2006   | T           | Ralph Carello/55 Years Service/Minquadale Fire Co.                  |
| H143-1562     | Lavelle                                                                                    | 5/13/2006   | T           | Andrew Driscoll - Eagle Scout                                       |
| H143-1563     | Lavelle                                                                                    | 5/13/2006   | T           | Matthew Driscoll - Eagle Scout                                      |
| H143-1564     | Outten                                                                                     | 3/13/2006   | T           | Lake Forest High School Cheerleaders/State Champions                |
| H143-1565     | Ulbrich                                                                                    | 4/5/2006    | M           | Dale Alex Botluk                                                    |
| H143-1566     | DiPinto                                                                                    | 4/11/2006   | T           | Ciro Poppiti, III - Outstanding Young Wilmingtonian Award - Jaycees |
| H143-1567     | Viola                                                                                      | 4/12/2006   | T           | Sarah Hickman - Youth of the Year - Newark Boys & Girls Clubs       |
| H143-1568     | Atkins<br>cosponsors: All Representatives                                                  | 4/15/2006   | T           | K. C. & Janice Keeler - Chairs - Boys & Girls Clubs Annual Campaign |
| H143-1569     | Carey &<br>Schwartzkopf<br>cosponsors: Reps. Atkins, Booth,<br>Ewing, Fallon, Hocker & Lee | 4/24/2006   | T           | Honorable Eugene Bookhammer – Community Involvement                 |

HOUSE TRIBUTE ANNOUNCEMENT #68

DATE: May 3, 2006

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>Date</u> | <u>Type</u> | <u>Description</u>                                                        |
|---------------|----------------|-------------|-------------|---------------------------------------------------------------------------|
| H143-1570     | Ennis          | 4/30/2006   | T           | Dianne Mitchell/Retirement/Home for Chronically Ill                       |
| H143-1571     | Atkins         | 4/14/2006   | T           | Santino Riccio/Excellence/Athletics & Sportsmanship                       |
| H143-1572     | Atkins         | 4/14/2006   | T           | Joseph Bleymaier/Excellence/Athletics & Sportsmanship                     |
| H143-1573     | Atkins         | 4/14/2006   | T           | Michael Weber/Excellence/Athletics & Sportsmanship                        |
| H143-1574     | Atkins         | 4/14/2006   | T           | Mondoe Davis/Excellence/Athletics & Sportsmanship                         |
| H143-1575     | Mulrooney      | 4/7/2006    | M           | Joseph Francis Toner                                                      |
| H143-1576     | Ewing          | 5/1/2006    | T           | Greenwood Memorial VFW Post - VFW Loyalty Day                             |
| H143-1577     | Hudson         | 4/22/2006   | T           | Girls Scouts of Chesapeake Bay - Earth Day                                |
| H143-1578     | Johnson        | 4/29/2006   | T           | Tyrone Mathis/Fireman of the Year/Minquadale Fire Co.                     |
| H143-1579     | Johnson        | 4/29/2006   | T           | David Roberts, Jr. - Junior Fireman of the Year - Minquadale Fire Company |
| H143-1580     | Johnson        | 4/29/2006   | T           | Matthew Hardy/President's Award/Minquadale Fire Co.                       |
| H143-1581     | Johnson        | 4/29/2006   | T           | Irene Gordon - 50 Years of Service – Minquadale Ladies Auxiliary          |
| H143-1582     | Johnson        | 4/29/2006   | T           | Florence Drummond - 55 Years of Service – Minquadale Ladies Auxiliary     |
| H143-1583     | Johnson        | 4/29/2006   | T           | Irene Hojnicky - 55 Years of Service – Minquadale Ladies Auxiliary        |

|           |                                 |           |   |                                                                        |
|-----------|---------------------------------|-----------|---|------------------------------------------------------------------------|
| H143-1584 | Mulrooney                       | 4/8/2006  | M | Erle Frederick Dobson                                                  |
| H143-1585 | Keeley                          | 4/12/2006 | T | Laval Church - Youth of the Year - Jackson Street Boys & Girls Club    |
| H143-1586 | Plant                           | 4/12/2006 | T | Anthony Williams - Youth of the Year - Fram Boys & Girls Club          |
|           | cosponsor: Rep. Keeley          |           |   |                                                                        |
| H143-1587 | Wagner                          | 4/22/2006 | T | Kristi Maslar & Justin Galloway - Marriage                             |
| H143-1588 | Wagner                          | 4/14/2006 | M | Marjorie Baumgardner Wagner                                            |
|           | cosponsors: All Representatives |           |   |                                                                        |
| H143-1589 | Ewing                           | 4/15/2006 | M | Mary Ann Parker Vincent                                                |
| H143-1590 | Ennis                           | 4/12/2006 | T | Tamika Heath - Youth of the Year - Smyrna-Clayton Boys & Girls Club    |
| H143-1591 | Wagner                          | 4/12/2006 | T | Anthione Miles - Youth of the Year - Wesley College Boys & Girls Club  |
| H143-1592 | Outten                          | 4/15/2006 | M | Reverend William H. Miller                                             |
| H143-1593 | Stone                           | 4/12/2006 | T | Allessio Monsanto - Youth of the Year – Simon Circle Boys & Girls Club |
| H143-1594 | Carey                           | 4/14/2006 | M | Stephany A. Foster                                                     |

#### HOUSE TRIBUTE ANNOUNCEMENT #69

DATE: May 3, 2006

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>Date</u> | <u>Type</u> | <u>Description</u>                                             |
|---------------|---------------------------------|-------------|-------------|----------------------------------------------------------------|
| H143-1595     | DiPinto                         | 4/15/2006   | T           | Richard & JoAnne Bartkowski - 50th Wedding Anniversary         |
| H143-1596     | Buckworth                       | 4/27/2006   | T           | Fannie Dill/Retirement/Department of Correction/31 Years       |
| H143-1597     | Johnson                         | 4/21/2006   | T           | Richard McDonaugh, Sr. - 75th Birthday                         |
| H143-1598     | Ulbrich                         | 4/13/2006   | M           | Joan Rossi Yannes                                              |
| H143-1599     | Atkins                          | 5/13/2006   | T           | Donald & Mary Lou Orendorf/50th Wedding Anniversary            |
| H143-1600     | Hudson                          | 3/23/2006   | T           | Bradford Holstein - Betty Scharff Memorial Award               |
| H143-1601     | Wagner                          | 4/18/2006   | M           | Verna Greatorex Patterson                                      |
|               | cosponsors: All Representatives |             |             |                                                                |
| H143-1602     | Buckworth                       | 4/14/2006   | T           | Charles & Margaret Groce - 50th Wedding Anniversary            |
| H143-1603     | DiPinto                         | 3/23/2006   | T           | John & Elizabeth Daller - 60th Wedding Anniversary             |
| H143-1604     | DiPinto                         | 4/8/2006    | T           | Martin & Estelle Glick - 50th Wedding Anniversary              |
| H143-1605     | Stone                           | 4/27/2006   | T           | Frank Fantini - Distinguished Citizen - Boy Scouts             |
| H143-1606     | Miro                            | 4/27/2006   | T           | Michael Thomas Ryan - Eagle Scout                              |
| H143-1607     | Lavelle                         | 5/1/2006    | T           | Michael Fierro - Service to Fairfax Civic Association          |
| H143-1608     | Wagner                          | 4/29/2006   | T           | Melissa Donaway & Steven Quick – Marriage                      |
| H143-1609     | Maier                           | 4/26/2006   | T           | Ancient Order of Hibernians - Community Service                |
| H143-1610     | Valihura                        | 5/4/2006    | T           | Direct Support Professionals - First Conference                |
| H143-1611     | Ennis                           | 4/22/2006   | M           | Henry F. Bush                                                  |
| H143-1612     | Carey                           | 4/29/2006   | T           | Carlos Marin-Landa - Hispanic Student Athletics Award          |
| H143-1613     | Booth                           | 4/29/2006   | T           | Anna Ornelas - Hispanic Student Arts Award                     |
|               | cosponsors: Reps. Keeley & Miro |             |             |                                                                |
| H143-1614     | Fallon                          | 4/29/2006   | T           | Christina Stevenson - Hispanic Student Community Service Award |
|               | cosponsors: Reps. Keeley & Miro |             |             |                                                                |
| H143-1615     | Fallon                          | 4/29/2006   | T           | John Blakeney - Hispanic Student Science & Technology Award    |
|               | cosponsors: Reps. Keeley & Miro |             |             |                                                                |
| H143-1616     | Booth                           | 4/29/2006   | T           | Begona Blasco - Hispanic Student Academic Award                |
|               | cosponsors: Reps. Keeley & Miro |             |             |                                                                |

#### HOUSE TRIBUTE ANNOUNCEMENT #70

DATE: May 3, 2006

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>Date</u> | <u>Type</u> | <u>Description</u>                                        |
|---------------|---------------------------------|-------------|-------------|-----------------------------------------------------------|
| H143-1617     | Buckworth                       | 4/29/2006   | T           | Alexis Rodriguez - Hispanic Student Arts Award            |
|               | cosponsors: Reps. Keeley & Miro |             |             |                                                           |
| H143-1618     | Thornburg                       | 4/29/2006   | T           | Sarah Andrade - Hispanic Student Athletics Award          |
|               | cosponsors: Reps. Keeley & Miro |             |             |                                                           |
| H143-1619     | Caulk                           | 4/29/2006   | T           | Chelsea Flores - Hispanic Student Community Service Award |
|               | cosponsors: Reps. Keeley & Miro |             |             |                                                           |
| H143-1620     | Stone                           | 4/29/2006   | T           | Carmen Guzman - Hispanic Student Science                  |

|           |                                 |                                                        |
|-----------|---------------------------------|--------------------------------------------------------|
|           | cosponsors: Reps. Keeley & Miro | & Technology Award                                     |
| H143-1621 | Wagner 4/29/2006 T              | Ericka Veliz - Hispanic Student                        |
|           | cosponsors: Reps. Keeley & Miro | Academic Award                                         |
| H143-1622 | Hudson 4/29/2006 T              | Eduardo Diaz - Hispanic Student                        |
|           | cosponsors: Reps. Keeley & Miro | Athletics Award                                        |
| H143-1623 | Lofink 4/29/2006 T              | Emma Ortiz - Hispanic Student Vocal Arts               |
|           | cosponsors: Reps. Keeley & Miro | Award                                                  |
| H143-1624 | Marshall 4/29/2006 T            | Esteban Pilonieta - Hispanic Student                   |
|           | cosponsors: Reps. Keeley & Miro | Illustration & Journalism Arts Award                   |
| H143-1625 | VanSant 4/29/2006 T             | Alberto Martinez - Hispanic Student                    |
|           | cosponsors: Reps. Keeley & Miro | Performance Arts Award                                 |
| H143-1626 | VanSant 4/29/2006 T             | Darling Sanchez - Hispanic Student Academic            |
|           | cosponsors: Reps. Keeley & Miro | Award                                                  |
| H143-1627 | VanSant 4/29/2006 T             | Otto Sanchez - Hispanic Student Science &              |
|           | cosponsors: Reps. Keeley & Miro | Technology Award                                       |
| H143-1628 | Lofink 4/29/2006 T              | Benjamin Lewis - Hispanic Student                      |
|           | cosponsors: Reps. Keeley & Miro | Community Service Award                                |
| H143-1629 | Ulbrich 4/29/2006 T             | Marco Bedolla-Pantola - Hispanic Student of            |
|           | cosponsors: Reps. Keeley & Miro | the Year                                               |
| H143-1630 | Fallon 4/29/2006 T              | April Stevenson - Hispanic Student of the              |
|           | cosponsors: Reps. Keeley & Miro | Year                                                   |
| H143-1631 | Thornburg 4/29/2006 T           | Cherry Onquil & Heath Melvin - Marriage                |
| H143-1632 | Buckworth 3/30/2006 T           | Dickie Howell/Head Coach of the Year/Wrestling         |
| H143-1633 | Outten 3/30/2006 T              | Dustin Jones - John J. Meys Scholarship – Wrestling    |
| H143-1634 | Buckworth 3/30/2006 T           | Matt Cathell/DE State University Scholarship/Wrestling |

T- Tribute

M - Memoriam

Representative DiPinto requested that he be marked present.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:32

p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:32 P.M.: Representatives Carey, Cathcart, Ennis, Keeley, Lavelle, Miro, Mulrooney, Roy, Wagner & Williams.

Mr. Acting Speaker Ewing called the House to order at 2:45 p.m. on May 4, 2006.

Representatives Ennis, Williams, Viola & Longhurst requested that they be marked present for the current Legislative Day.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 256** and requests the concurrence of the House **HB 311 w/HA 1, 2 & 3** and is returning same to the House.

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

EDUCATION: **HB 274** - 8M; **HB 401** - 8M.

HEALTH & HUMAN DEVELOPMENT: **HB 355** - 6M.

HOUSE ADMINISTRATION: **HB 399** - 4M; **SB 294** - 4M.

JUDICIARY: **HB 404** - 1F,5M.

REVENUE & FINANCE: **HB 382** - 3F,4M.

Mr. Acting Speaker assigned **HB 404** to the Appropriations Committee.

The Majority Leader moved to adjourn at 2:50 p.m., thereby ending the current legislative day. The House reconvened at 2:51 p.m.

## 27th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session May 4, 2006

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Joseph W. Booth, Thirty-Seventh Representative District.

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

The following prefiled legislation was introduced:

**HB 413** - SCHOOLEY & REPRESENTATIVE ULBRICH & REPRESENTATIVE MAIER & SENATOR SOKOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Power of the Department of Education to Perform Financial Audits.

**HB 414** - VALIHURA & SENATOR VAUGHN; REPRESENTATIVE MARSHALL; SENATOR AMICK - JUDICIARY - An Act to Amend Chapter 18, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Liability Companies and the Registration and Regulation of Foreign Limited Liability Companies.



**HB 415** - VALIHURA & SENATOR VAUGHN; REPRESENTATIVE MARSHALL; SENATOR AMICK - JUDICIARY - An Act to Amend Chapter 17, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Partnerships and the Registration and Regulation of Foreign Limited Partnerships. (3/5 bill)

**HA 3 to HB 256** - VANSANT - Placed with the Bill.

**HA 1 to HB 345** - WAGNER - Placed with the Bill.

**HA 1 to HB 368** - HUDSON - Placed with the Bill.

**HA 1 to HB 394** - CATHCART - Placed with the Bill.

**HJR 27** - SMITH & SENATOR DELUCA - HOUSE ADMINISTRATION - Urging the Delaware Congressional Delegation to Support Legislation Calling for Federal Approval of Extension of the Lewis and Clark National Historic Trail.

**SB 256** - SOKOLA & REPRESENTATIVE STONE; SENATORS BLEVINS, BONINI, CLOUTIER, COPELAND, SORENSON, STILL, CONNOR, COOK, MCDOWELL; REPRESENTATIVES DIPINTO, HALL-LONG, HOCKER, HUDSON, KEELEY, LAVELLE, MAIER, MIRO, VIOLA - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code to Create a Fraud Busters Program to Discourage Insurance Fraud in the State of Delaware.

**HA 2 to SB 90** - BOOTH - Placed with the Bill.

**HA 1 to SB 186** - CATHCART - Placed with the Bill.

Mr. Acting Speaker appointed Representative Buckworth as Acting Speaker.

Mr. Acting Speaker made an announcement.

Representatives Wagner, Atkins, Hocker, Miro, McWilliams, Lofink & Maier requested that they be marked present.

Representative Smith deferred to Representative Thornburg.

Representative Thornburg requested and was granted privilege of the floor for Dr. Dale Derrickson, Education Associate, Career and Technical Curriculum, Department of Education and Briana Hargett, President, Future Farmers of America; Caprichia Jeffers, President, Business Professionals of America; Koltyn Risser, President, DECA, an Association of Marketing Students; Tanner Allen, President, Technology Student Association; Elisandra Diaz, President, Family Career and Community Leaders of America; Lisette Gonzalez, President, Skills USA and Richard Carter, National Advisor of the Year, Skills USA.

Representative Thornburg introduced and brought **HCR 61**, jointly sponsored by Representative Spence, Representative Smith & Representative Lee & Representative Gilligan & Representative VanSant on behalf of All Representatives & Senator Adams & Senator McDowell & Senator DeLuca & Senator Still & Senator Sorenson on behalf of All Senators, before the House for consideration.

**HCR 61** - EXTENDING SINCERE THANKS TO THE CAREER AND TECHNICAL STUDENT ORGANIZATIONS OF DELAWARE FOR THE PRESENTATION OF THE BEAUTIFUL GERANIUMS AND EXTENDING BEST WISHES FOR MUCH SUCCESS TO EACH OF THESE EXEMPLARY STUDENTS.

Representatives Thornburg & Wagner & Mr. Acting Speaker made comments.

**HCR 61** was adopted by voice vote and was sent to the Senate for concurrence.

The Majority Leader moved to recess for caucus at 3:11 p.m.

The House reconvened at 4:17 p.m. with Representative Ewing as Acting Speaker.

Representatives Fallon & Mulrooney requested that they be marked present.

Mr. Acting Speaker appointed Representative Buckworth as Acting Speaker.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto introduced and brought **HR 63**, jointly sponsored by Representative Marshall on behalf of All Representatives, before the House for consideration.

**HR 63** - COMMENDING THE NEW JERSEY ITALIAN AND ITALIAN AMERICAN HERITAGE COMMISSION AND ITS FOUNDING CHAIRMAN, CAV. N. LARRY PARAGANO, FOR PROVIDING ITALIAN HERITAGE EDUCATIONAL AND CULTURAL ENDEAVORS.

**HR 63** was adopted by voice vote.

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

Representative DiPinto introduced and brought **HR 64**, jointly sponsored by Representative Marshall on behalf of All Representatives, before the House for consideration.

**HR 64** - COMMENDING CAV. JOSEPH COCCIA, JR., THE COCCIA FOUNDATION, AND THE JOSEPH AND ELDA COCCIA INSTITUTE FOR THE ITALIAN EXPERIENCE IN AMERICA AT MONTCLAIR STATE UNIVERSITY.

**HR 64** was adopted by voice vote.

Representative Smith deferred to Representative Carey.

Representative Carey brought **SB 294**, jointly sponsored by Senator Adams, before the House for consideration.

**SB 294** - AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF ELLENDALE," TO GRANT THE TOWN COUNCIL OF THE TOWN OF ELLENDALE



THE AUTHORITY TO IMPOSE IMPACT FEES FOR NEW DEVELOPMENT OR CONSTRUCTION, FIRST TIME OCCUPANCY OF NEW CONSTRUCTION, AND UPON ANNEXED PROPERTY AND TO ENTER INTO ANNEXATION AGREEMENTS WITH THE OWNERS OF TERRITORIES PROPOSED FOR ANNEXATION. (2/3 bill)

Representative Carey made comments.

The roll call on **SB 294** was taken and revealed:

YES: 39.

ABSENT: Representatives Lee & Ulbrich - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 294** was returned to the Senate.

Representatives Cathcart, Hudson, Keeley, Lavelle, Schwartzkopf, Spence, Stone & Oberle requested that they be marked present during the roll call.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto brought **HB 399**, jointly sponsored by Senator Marshall, before the House for consideration.

**HB 399** - AN ACT TO AMEND CERTAIN PROVISIONS OF CHAPTER 7 OF THE CITY OF WILMINGTON HOME RULE CHARTER RELATING TO APPEALS PROCEDURES BY THE COMMISSIONER OF LICENSES AND INSPECTIONS. (2/3 bill)

Representative DiPinto made comments.

The roll call on **HB 399** was taken and revealed:

YES: 40.

ABSENT: Representative Lee - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 399** was sent to the Senate for concurrence.

Representative Ulbrich requested that she be marked present during the roll call.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto brought **SB 246 w/SA 1**, jointly sponsored by Senator Henry, before the House for consideration.

**SB 246** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE STATE ARTS COUNCIL.

Representative DiPinto made comments.

The roll call on **SB 246 w/SA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Lee, Lofink & Oberle - 3.

Therefore, having received a constitutional majority, **SB 246 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto brought **SB 79 w/SA 2**, sponsored by Senator McDowell & Senators Marshall, Henry, Venables & Representative Schwartzkopf & cosponsored by Senator Bonini, before the House for consideration.

**SB 79** - AN ACT TO AMEND SECTION 904 OF TITLE 4 OF THE DELAWARE CODE RELATING TO OFFENSES BY PERSONS UNDER THE AGE OF 21. (F/N)

Representative Valihura brought **HA 1 to SB 79** before the House for consideration. Representative Valihura made a comment. Representative DiPinto introduced and brought **HA 1 to HA 1 to SB 79** before the House for consideration. Representative DiPinto made comments. **HA 1 to HA 1** was adopted by voice vote. **HA 1 w/HA 1 to HA 1** was adopted by voice vote. Representatives DiPinto, Valihura, Maier & DiPinto made comments.

The roll call on **SB 79 w/SA 2 & HA 1 & HA 1 to HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Lee - 1.

Therefore, having received a constitutional majority, **SB 79 w/SA 2 & HA 1 & HA 1 to HA 1** was returned to the Senate for concurrence on **HA 1 & HA1 to HA 1**.

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **HB 368**, jointly sponsored by Senator Blevins & Senator Sorenson, before the House for consideration.

**HB 368** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING LICENSES.

Representative Hudson brought **HA 1 to HB 368** before the House for consideration. Representative Hudson made comments. **HA 1** was adopted by voice vote. Mr. Speaker Spence resumed the Chair. Representatives Hudson, Marshall & Schwartzkopf made comments. Representative Hudson requested and was granted privilege of the floor for David Small, Deputy Secretary, Department of Natural Resources and Environmental Control. Representatives Schwartzkopf, Hudson, Hocker, Johnson, Stone, Hudson, Mulrooney, Ennis & Hudson made comments.

The roll call on **HB 368 w/HA 1** was taken and revealed:

YES: 21.

NO: Representatives Atkins, Booth, Caulk, Ennis, Ewing, Gilligan, Johnson, Outten, Plant, Schwartzkopf, Thornburg, VanSant, Viola & Williams - 14.

NOT VOTING: Representatives Fallon, Hocker, Oberle & Stone - 4.

ABSENT: Representatives Lavelle & Lee - 2.

Therefore, having received a constitutional majority, **HB 368 w/HA 1** was sent to the Senate for concurrence.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HCR 61 & HJR 20** and is returning same to the House; **SCR 36** and requests the concurrence of the House.

Delaware General Assembly

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Pamela Thornburg, do hereby request that my name be removed as cosponsor of **HB 376**.

Date: May 4, 2006

Signed: Pamela J. Thornburg

Delaware General Assembly

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Pamela Thornburg, do hereby request that my name be removed as cosponsor of **HB 387**.

Date: May 4, 2006

Signed: Pamela J. Thornburg

Mr. Speaker Spence reassigned **HB 390** to the Policy Analysis & Government Accountability Committee & **HB 357** to the Judiciary Committee.

Representative Smith deferred to Representative Booth.

Representative Booth brought **HB 380 w/SA 1**, jointly sponsored by Senator Adams, before the House for concurrence on **SA 1**.

**HB 380** - AN ACT TO AMEND CHAPTER 276, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF GEORGETOWN, TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS, TO PROVIDE FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS, AND TO PROVIDE FOR CERTAIN MATTERS RELATING TO COLLECTION AND LEVY OF SPECIAL AD VALOREM TAXES, SPECIAL TAXES, AND AD VALOREM TAXES IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS. (2/3 bill)

Representative Booth made comments.

The roll call on **HB 380 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Lee - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 380 w/SA 1** was sent to the Governor.

Representative Smith made an announcement.

The Majority Leader moved to recess to the call of the Chair at 5:16 p.m.

Mr. Speaker Spence called the House to order at 2:15 p.m. on May 10, 2006.

The Majority Whip moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

**28th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session**

**May 10, 2006**

The Chief Clerk called the roll:

Mr. Speaker Spence introduced a guest. Representatives Booth & Atkins made comments.

Members Present: 40.

Member Absent: Representative Williams- 1.

The House observed a moment of silence in memory of Corporal Cory Palmer at the request of Representative Fallon and in memory of Beatrice Simonds at the request of Representative Atkins.

A prayer was offered by Representative Bethany A. Hall-Long, Eighth Representative District.

Mr. Speaker Spence 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 416** - GILLIGAN & REPRESENTATIVE HUDSON & REPRESENTATIVE ROY & SENATOR SOKOLA & SENATOR BLEVINS - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act Permitting the State of Delaware to Convey a Portion of Unimproved Emily P. Bissell Hospital Property to New Castle County for Flood Mitigation and a Retention Basin. (3/4 bill)

**HB 417** - EWING & REPRESENTATIVE SCHWARTZKOPF & SENATOR VAUGHN; REPRESENTATIVES SPENCE, SMITH, LEE, BUCKWORTH, VANSANT, ENNIS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**HB 418** - BUCKWORTH; REPRESENTATIVES SPENCE, SMITH, LEE, CAREY, CATHCART, EWING, MAIER, OUTTEN, STONE, HALL-LONG, MARSHALL, PLANT, SCHOOLEY, SCHWARTZKOPF; SENATORS ADAMS, DELUCA, COOK, HENRY, VAUGHN, VENABLES, SORENSON, CONNOR, SIMPSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Professions and Occupations.

**HB 420** - VALIHURA & SENATOR SOKOLA & SENATOR CLOUTIER - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to State Symbols and Adopting the Pug as the State Dog.

**HB 421** - SPENCE & REPRESENTATIVE LEE & REPRESENTATIVE CATHCART & SENATOR CLOUTIER & SENATOR PETERSON & SENATOR COPELAND & SENATOR HENRY & SENATOR MCBRIDE & SENATOR CONNOR - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Motor Fuel Taxation.

**HB 422** - HUDSON & REPRESENTATIVE VALIHURA & SENATOR SOKOLA & SENATOR SORENSON; REPRESENTATIVES SMITH, DIPINTO, LAVELLE, MAIER, STONE, ULBRICH; SENATORS STILL, BONINI, COPELAND - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Charter Schools.

**HA 2 to HB 320** - WAGNER - Placed with the Bill.

**HA 1 to HB 357** - VALIHURA - Placed with the Bill.

**SB 264 w/SA 1 & 2** - SIMPSON & REPRESENTATIVE ULBRICH; SENATORS BUNTING, CLOUTIER, COPELAND, HENRY, SOKOLA, STILL; REPRESENTATIVES BUCKWORTH, EWING, HOCKER, HUDSON, MAIER, BOOTH - EDUCATION - An Act to Amend Title 11 of the Delaware Code Relating to Indicia of Higher Education. (2/3 bill)

**HA 1 to SS 1 for SB 53** - OBERLE - Placed with the Bill.

Representative Atkins requested and was granted privilege of the floor for himself and Representative Ennis to present a House Tribute to Representative Clifford G. Lee on the occasion of his being inducted into the Delaware Volunteer Fireman's Association Firefighters' Hall of Fame. Representative Lee made comments. Mr. Speaker Spence made comments and introduced a guest.

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

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **SB 296** - 6M,1U.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 264 w/SA 1 & 2** and requests the concurrence of the House; **HB 50 w/HA 1 & SA 1** & **HB 51 w/HA 1 & SA 2** and is returning same to the House.

May 10, 2006

The Honorable Terry R. Spence

Speaker of the House

House of Representatives

Legislative Hall

Dover, Delaware 19901

Dear Speaker Spence:

I will be unable to attend legislative session on Wednesday, May 10, 2006 due to personal reasons. Thank you for your assistance in this matter.

Sincerely,

Dennis P. Williams

State Representative

1st District

Mr. Speaker Spence & Representative Maier introduced guests. Representative Hall-Long requested and was granted privilege of the floor for herself and Representative Maier to present a House Tribute to the Delaware Stroke Initiative Program in recognition of Nurses' Week. The Honorable Vance A. Funk, III, Mayor, City of Newark, and a stroke victim, and Lisa M. Schwind R.N., Esquire, President, Northern Delaware Chapter of the International Association of Forensic Nurses addressed the House.

Representatives Johnson & Marshall requested that they be marked present.

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

The House reconvened at 5:12 p.m.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SCR 37** and requests the concurrence of the House.

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

JUDICIARY: **HB 357** - 5M; **SB 265** - 5M.

ENERGY COMMITTEE: **SS 1/SJR 3** - 1F,6M.

Representatives Buckworth, DiPinto, Wagner, Stone, Valihura, Roy, Cathcart & Mulrooney requested that they be marked present.

Representative Lee deferred to Representative Wagner.

Representative Wagner brought **SB 263**, jointly sponsored by Senator Sokola, before the House for consideration.

**SB 263** - AN ACT TO AMEND CHAPTER 13, VOLUME 74, LAWS OF DELAWARE, AS AMENDED, BY ELIMINATING THE SUNSET PROVISION RELATING TO THE PROFESSIONAL STANDARDS BOARD.

Representative Wagner made comments.

The roll call on **SB 263** was taken and revealed:

YES: 38.

NO: Representative Booth - 1.

ABSENT: Representatives Smith & Williams - 2.

Therefore, having received a constitutional majority, **SB 263** was returned to the Senate.

Representatives Gilligan, Hudson, Lavelle, McWilliams, Miro, Ulbrich, Viola & Plant requested that they be marked present during the roll call.

Mr. Speaker Spence introduced a guest.

Representative Lee deferred to Representative Atkins.

Representative Atkins made an announcement regarding **HB 387**.

Representative Lee deferred to Representative Valihura.

Representative Valihura brought **SB 254**, jointly sponsored by Senator Vaughn & Senators Venables & Bonini & Representative Keeley, before the House for consideration.

**SB 254** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO WRONGFUL DEATH.

Representative Valihura made comments.

The roll call on **SB 254** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **SB 254** was returned to the Senate.

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

Representative Lee deferred to Representative Valihura.

Representative Valihura brought **HB 320**, sponsored by Representative Wagner & Senator Blevins & Senator Peterson & Representatives Buckworth, Maier, Ulbrich & Hall-Long, before the House for consideration.

**HB 320** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT.

Representative Valihura brought **HA 1** to **HB 320** before the House for consideration. **HA 1** was adopted by voice vote. Representative Valihura made comments. Representative Wagner brought **HA 2** to **HB 320** before the House for consideration. Representative Wagner made a comment. **HA 2** was adopted by voice vote.

The roll call on **HB 320 w/HA 1 & 2** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 320 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Cathcart.

Representative Cathcart brought **HB 373**, jointly sponsored by Representative Ewing & Senator McBride & Representatives Booth, Buckworth, Carey, DiPinto, Fallon, Hudson, Oberle, Valihura, Wagner, Ennis, Hall-Long, Keeley, Longhurst, Mulrooney, Plant, Viola & Williams & Senators Still, Sorenson, Amick, Cloutier, Connor & Simpson & cosponsored by Representative Spence, before the House for consideration.

**HB 373** - AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO VETERANS' DAY, PUBLIC SCHOOL STUDENTS, AND THE EMPLOYEES OF PUBLIC SCHOOL DISTRICTS AND CHARTER SCHOOLS.

Representative Cathcart made comments.

The roll call on **HB 373** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 373** was sent to the Senate for concurrence.

Representative Roy requested and was granted personal privilege of the floor to make an announcement. Representative Hudson made comments.

Representative Lee deferred to Representative Ennis.

Representative Ennis brought **HB 382**, jointly sponsored by Senator Cook & Representatives Ewing, Hall-Long, Lee, Spence & VanSant & Senator Vaughn & cosponsored by Representative Outten, before the House for consideration.

**HB 382** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL AND BUSINESS LICENSES AND TAXES.

Representatives Ennis & Lavelle made comments.

The roll call on **HB 382** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 382** was sent to the Senate for concurrence.

Representative Lee introduced and brought **SCR 37**, jointly sponsored by Senator Venables, before the House for consideration.

**SCR 37** - OBSERVING THE 400TH ANNIVERSARY OF CAPTAIN JOHN SMITH'S VISIT TO DELAWARE DURING HIS EXPLORATION OF THE NANTICOKE RIVER AND URGING THE U.S. CONGRESS TO ESTABLISH THE CAPTAIN JOHN SMITH CHESAPEAKE NATIONAL HISTORIC WATER TRAIL.

Representative Lee introduced and brought **HCR 64**, sponsored by Representative Ennis & Representative Outten & Senator Vaughn, before the House for consideration.

**HCR 64** - PROCLAIMING THE MONTH OF MAY 2006 AS "MOTORCYCLE AWARENESS MONTH" AND REQUESTING THE GOVERNOR TO ISSUE A PROCLAMATION DECLARING SAME.

Representative Lee brought the following prefiled **Consent Calendar #26** before the House for consideration.

**HR 61** – WAGNER & REPRESENTATIVE LAVELLE; REPRESENTATIVES BOOTH, BUCKWORTH, CATHCART, MAIER, ULBRICH, MCWILLIAMS, SCHOOLEY – Creating a Task Force to Promote Coordination Between Special Education Students, Their Parents, Teachers, District Administrators and the Department of Education.

**HR 62** – BOOTH & REPRESENTATIVE SCHWARTZKOPF – Creating a Task Force to Study and Recommend Legislative Changes Concerning Conduct of School District Referendums.

**HCR 62** – WAGNER & REPRESENTATIVE STONE & SENATOR STILL; REPRESENTATIVES SPENCE, BUCKWORTH, CAREY, CATHCART, EWING, MAIER, THORNBURG, ULBRICH, ENNIS, CAULK – Recognizing June 11, 2006 as Race Unity Day in the City of Dover.

**HCR 63** – JOHNSON & REPRESENTATIVE PLANT & SENATOR HENRY & SENATOR MCDOWELL; REPRESENTATIVES BUCKWORTH, CAREY, CATHCART, CAULK, ENNIS, EWING, HALL-LONG, KEELEY, LONGHURST, MARSHALL, MCWILLIAMS, VANSANT, VIOLA, WILLIAMS – A Concurrent Resolution Endorsing the National Health Insurance Act.

**HCR 64** – ENNIS & SENATOR VAUGHN; REPRESENTATIVE OUTTEN - Proclaiming the Month of May 2006 as "Motorcycle Awareness Month" and Requesting the Governor to Issue a Proclamation Declaring Same

**SCR 36** – CLOUTIER; SENATORS CONNOR, COPELAND, HENRY, SORENSON; REPRESENTATIVES BUCKWORTH, DIPINTO, HUDSON, SMITH, SPENCE, ULBRICH – Declaring May 2006 as Melanoma and Skin Cancer Detection and Prevention Month in Delaware.

Representative Lee requested that **SCR 37** & **HCR 64** be added to **Consent Calendar #26**.

Representative Lee requested that **HR 61**, **HR 62** & **HCR 63** be removed from **Consent Calendar #26**.

**Consent Calendar #26** was adopted by voice vote and **HCR 62** & **HCR 64** were sent to the Senate for concurrence and **SCR 36** & **SCR 37** were returned to the Senate.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #71

DATE: May 10, 2006

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                  | Date       | Type | Description                                                      |
|-----------|--------------------------|------------|------|------------------------------------------------------------------|
| H143-1635 | DiPinto                  | 5/2/2006   | T    | Christian Conaty/Teacher All-Star Essay Contest Winner           |
| H143-1636 | DiPinto                  | 5/2/2006   | T    | Sheila O'Callaghan - Teacher All-Star Winner                     |
| H143-1637 | Hudson                   | 4/26/2006  | M    | Josephine Minuti                                                 |
| H143-1638 | Wagner                   | 5/6/2006   | T    | Terianne Gough & Michael Utley - Marriage                        |
| H143-1639 | Carey                    | 4/8/2006   | M    | Jerry Guyer                                                      |
| H143-1640 | Stone                    | 4/12/2006  | T    | Michael Grudnowski - Youth of the Year – Boys & Girls Club       |
| H143-1641 | McWilliams               | 5/20/2006  | T    | Elizabeth Thomas - Retirement - Christina                        |
|           | cosponsor: Rep. Schooley |            |      | School District                                                  |
| H143-1642 | Ennis                    | 4/2/2006   | T    | Extreme Explosion Cheerleading - National Championship           |
| H143-1643 | Johnson                  | 10/15/2006 | T    | Peoples Baptist Church Full Gospel Ministries - 76th Anniversary |
| H143-1644 | Buckworth                | 5/3/2006   | T    | Sherrie Ayers - Excellence in State Service Award                |
| H143-1645 | Longhurst                | 5/3/2006   | T    | Sharon Cunningham - Excellence in State Service Award            |
| H143-1646 | Outten                   | 5/3/2006   | T    | Diane Walls - Excellence in State Service Award                  |
| H143-1647 | Schwartzkopf             | 5/3/2006   | T    | Erin Bartley - Excellence in State Service Award                 |
| H143-1648 | Ennis                    | 5/3/2006   | T    | Dawn Pickett - Excellence in State Service Award                 |



|           |                                                               |           |   |                                                                                     |
|-----------|---------------------------------------------------------------|-----------|---|-------------------------------------------------------------------------------------|
| H143-1649 | Caulk                                                         | 5/3/2006  | T | Eddie Tunstall - Excellence in State Service Award                                  |
| H143-1650 | Wagner                                                        | 5/3/2006  | T | Armando Rivera - Excellence in State Service Award                                  |
| H143-1651 | Atkins                                                        | 5/2/2006  | T | Oak Orchard/Riverdale American Legion Post<br>28 Auxiliary - Dedication to Veterans |
| H143-1652 | Carey                                                         | 5/6/2006  | T | Edward McGinness - Retirement - State<br>Police - 30+ Years                         |
|           | cosponsors: Reps. Ennis, Ewing,<br>Le, Schwartzkopf & VanSant |           |   |                                                                                     |
| H143-1653 | Johnson                                                       | 5/6/2006  | T | Franklin & Frances Benson/50th Wedding Anniversary                                  |
| H143-1654 | Atkins                                                        | 5/5/2006  | T | John Bare, Sr./President/Volunteer Firemen's Association                            |
| H143-1655 | Atkins                                                        | 5/29/2006 | T | Dennis Cordrey - Millsboro Little League<br>Volunteer of the Year                   |
| H143-1656 | Williams                                                      | 5/16/2006 | T | Retha Fisher - Retirement - Westminster<br>Presbyterian Church                      |
|           | cosponsor: Rep. Schooley                                      |           |   |                                                                                     |

T- Tribute

M - Memoriam

Representative Lee moved to place **HR 61** on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote. Representative Lee moved to place **HR 62** on the Speaker's Table. The motion was seconded by Representative Valihura and adopted by voice vote. Representative Lee moved to place **HCR 63** on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Lee brought **HB 50 w/HA 1 & SA 1**, sponsored by Representative Wagner & Senator Blevins, before the House for concurrence on **SA 1**.

**HB 50 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACY.**

Representative Lee made comments.

The roll call on **HB 50 w/HA 1 & SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Smith & Williams - 2.

Therefore, having received a constitutional majority, **HB 50 w/HA 1 & SA 1** was sent to the Governor.

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

The House reconvened at 5:56 p.m.

The Majority Whip moved to recess at 5:57 p.m.

The House reconvened at 6:05 p.m.

Representative Valihura made an announcement. Representatives Hudson & Valihura made comments. Mr. Speaker Spence made an announcement.

The Majority Whip moved to recess at 6:15 p.m.

The House reconvened at 6:35 p.m.

Representative Smith requested and was granted personal privilege of the floor to make comments. Mr. Speaker Spence made comments.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on **HB 433**. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Oberle introduced and brought **HB 433**, jointly sponsored by Representative Spence & Representative Gilligan & Representatives Smith, Lee, Atkins, Booth, Buckworth, Carey, Cathcart, DiPinto, Ewing, Fallon, Hocker, Hudson, Lavelle, Lofink, Maier, Miro, Outten, Roy, Stone, Thornburg, Ulbrich, Valihura, Wagner, VanSant, Ennis, Hall-Long, Johnson, Keeley, Marshall, Longhurst, McWilliams, Mulrooney, Plant, Schooley, Schwartzkopf, Viola & Williams, before the House for consideration.

**HB 433 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TERMINATION OF SERVICES.**

Representatives Oberle, Gilligan, Smith, Maier, Miro & Oberle made comments.

The roll call on **HB 433** was taken and revealed:

YES: 37.

ABSENT: Representatives Booth, Caulk, Wagner & Williams - 4.

Therefore, having received a constitutional majority, **HB 433** was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 6:58 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:15 p.m. on May 11, 2006.

Representative Lofink moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

**29th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session  
May 11, 2006**



The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Vincent A. Lofink, Twenty-Seventh Representative District.

Mr. 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 1** - SPENCE & REPRESENTATIVE JOHNSON & REPRESENTATIVE KEELEY & REPRESENTATIVE PLANT & REPRESENTATIVE WILLIAMS & SENATOR MCDOWELL & SENATOR HENRY & SENATOR MCBRIDE; REPRESENTATIVES BOOTH, BUCKWORTH, CATHCART, DIPINTO, EWING, FALLON, LOFINK, MIRO, OBERLE, OUTTEN, STONE, VALIHURA, WAGNER, GILLIGAN, VANSANT, ENNIS, SCHWARTZKOPF, CAULK - APPROPRIATIONS - An Act to Amend Title 19 of the Delaware Code Relating to Summer Youth Employment Program.

**HB 423** - OUTTEN & SENATOR SIMPSON; REPRESENTATIVES SMITH, BOOTH, EWING, HOCKER, HUDSON, CAULK - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Protection Concerning Fish and Game.

**HB 424** - VALIHURA & SENATOR VAUGHN; REPRESENTATIVE MARSHALL; SENATOR AMICK - JUDICIARY - An Act to Amend Chapter 15, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operations and Dissolution of Domestic Partnerships and the Registration and Regulation of Foreign Limited Liability Partnerships. (3/5 bill)

**HB 425** - SPENCE & SENATOR BLEVINS; REPRESENTATIVES CAREY, FALLON, HOCKER, LAVELLE, LOFINK, VALIHURA, ENNIS, LONGHURST, SCHOOLEY, VIOLA; SENATORS MCBRIDE, CLOUTIER, CONNOR, MCDOWELL - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to Agriculture.

**HB 426** - HOCKER & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Bethany Beach, Chapter 295, Volume 65, Laws of Delaware as Amended to Allow the Town to Recover Its Costs and Reasonable Attorneys Fees if it is the Prevailing Party in Any Action to Enforce Compliance with a Town Ordinance or to Correct or Abate a Nuisance; to Amend Section 15 of Chapter 295, Volume 65, Laws of Delaware, as Amended to Alter the Term of Office for Alderman and Assistant Alderman from One (1) Year to Two (2) Years, to Permit the Appointment of More than One (1) Assistant Alderman and to Permit Reasonable Fines to be Set by Town Ordinance; and to Authorize the Town to Adopt, by Reference, Any State Motor Vehicle Statute or Corresponding Penalty, Including Future Amendments Thereto. (2/3 bill)

**HB 427** - LAVELLE & SENATOR BLEVINS; REPRESENTATIVES SPENCE, MAIER, VALIHURA, KEELEY; SENATORS SOKOLA, CLOUTIER, CONNOR, COPELAND - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to Conduct of Officers and Employees.

**HB 428** - EWING & SENATOR ADAMS & SENATOR HENRY - PUBLIC SAFETY - An Act to Amend Section 275, Title 21 of the Delaware Code Relating to Penalties for the Unlawful Use of a Driver's License.

**HB 429** - SPENCE & SENATOR MCBRIDE; REPRESENTATIVES BUCKWORTH, CAREY, DIPINTO, EWING, HOCKER, LAVELLE, LOFINK, ULBRICH, VALIHURA; SENATORS SORENSON, AMICK, SIMPSON - BUSINESS/CORPORATIONS/ COMMERCE - An Act to Amend Title 4, Delaware Code Relating to Alcoholic Liquors, Commissioner Authority, Enforcement and Funding.

**HB 430** - KEELEY & REPRESENTATIVE STONE & REPRESENTATIVE ENNIS & SENATOR DELUCA - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Titles 5, 6 and 11 of the Delaware Code Relating to the Regulation of Debt-management Services.

**HB 431** - SPENCE & SENATOR MCBRIDE; REPRESENTATIVES BUCKWORTH, CAREY, CATHCART, DIPINTO, EWING, HOCKER, MAIER, MIRO, THORNBURG, ULBRICH, ENNIS - JUDICIARY - An Act to Amend Title 4, Delaware Code Relating to Underage Drinking, Identification and Penalties. (2/3 bill)

**HB 432** - EWING & SENATOR HENRY - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Penalties for the Unlawful Use of a Driver's License.

**HB 434** - EWING & SENATOR ADAMS - HOUSE ADMINISTRATION - An Act to Amend Chapter 237, Volume 51, Entitled "An Act to Reincorporate the Town of Bridgeville" Relating to the Election of the Commissioners of Bridgeville Upon the Establishment of Election Districts by Ordinance. (2/3 bill)

**HB 435** - STONE & REPRESENTATIVE VALIHURA & SENATOR VAUGHN; REPRESENTATIVES BUCKWORTH, HUDSON, MARSHALL; SENATOR AMICK - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 6 of the Delaware Code Relating to Commerce and Trade.

**HA 1 to HB 126** - HUDSON - Placed with the Bill.

**HA 4 to HB 256** - SPENCE - Placed with the Bill.

**HR 65 - CATHCART & REPRESENTATIVE LAVELLE & REPRESENTATIVE WAGNER & REPRESENTATIVE ENNIS; REPRESENTATIVES SPENCE, LEE, ATKINS, BOOTH, BUCKWORTH, CAREY, HOCKER, OBERLE, OUTTEN, THORNBURG, VANSANT, JOHNSON, CAULK - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - Censuring and Reprimanding Nathan Hayward, III, Former Secretary of the Department of Transportation, for Conduct Deemed Not in the Best Interest of the People of the State of Delaware.**

**HA 1 to SB 296 - HOCKER - Placed with the Bill.**

Representative Longhurst requested that she be marked present.

Representative Fallon introduced and brought **HR 66** before the House for consideration.

**HR 66 - DESIGNATING THE SECOND THURSDAY IN MAY AS A DAY OF RECOGNITION OF DELAWARE'S WATER AND WASTEWATER OPERATORS.**

WHEREAS, water is a key component to the sustaining of life; and

WHEREAS, water quality in the State of Delaware must be maintained for the public health of our citizens and the health of our natural environment; and

WHEREAS, Water and Wastewater Operators of the State of Delaware are charged with protecting clean drinking water and protecting our natural waters; and

WHEREAS, all major industries in the State of Delaware are dependent upon these operators to ensure a high standard of water quality; and

WHEREAS, these operators must abide by federal, state, county and local regulations by furthering their knowledge of the planning, design, construction and operation for the maintenance and management of specific systems for water supply and distribution, collection and treatment of domestic and industrial wastewaters, and solid waste collection, disposal, recycling and planned usage; and

WHEREAS, operators are expected to continue their education in order to better inform the public about the current systems and the importance of clean drinking water to the general health of our population.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 143rd General Assembly of the State of Delaware that the second Thursday of May be set aside in recognition of the State of Delaware's Water and Wastewater Operators.

**HR 66** was adopted by voice vote.

Representative Fallon requested and was granted privilege of the floor for Jerry Williams, Department Chairman, Environmental Training Center, Delaware Technical and Community College. Representatives Fallon and Booth presented a House Tribute to Mr. Williams and House Commendations to Steven J. Baker, Water Operator of the Year, Jeff Deats, Wastewater Operator of the Year, James G. Harrington, F. James Burton, Jr. & Gene Melvin, Environment Lifetime Achievement Award recipients. Mr. Acting Speaker & Representative Fallon made comments.

Representative Smith deferred to Representative Keeley. Representative Keeley made an announcement. Representatives Hall-Long, Ennis & Smith requested that they be marked present.

Representative Smith deferred to Representative Roy.

Mr. Acting Speaker assigned **HB 357 & SS 1/SJR 3** to the Appropriations Committee.

Representative Roy introduced **HB 437**, jointly sponsored by Representatives Cathcart & Miro.

**HB 437 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO LICENSE AND TAXES.**

Mr. Acting Speaker assigned **HB 437** to the Business/Corporations/Commerce Committee.

Mr. Acting Speaker presented a House Tribute to Carolann Wicks, Secretary, Department of Transportation on the occasion of her installation as Secretary. Representatives Smith, Hall-Long & Ewing made comments.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 307 & SB 308** and requests the concurrence of the House.

Thank you.

It would take several volumes to express in words the deep and heartfelt gratitude that we feel for the love and support you have shown our family during this difficult time.

For your prayers, flowers, contributions, cards, letters, loving words and expressions, we thank you. For years to come, we will continue to reflect on the warmth and tenderness you have extended to our family. We hope you will join with us in taking comfort that our mother and father are together now in eternity, free and at peace.

We are so blessed to carry on her powerful legacy and warmly welcome your continued support as we work to advance the work of our parents for the benefit of coming generations.

Again, it is with the same sincerity in which you offered us your condolences that we express to you our eternal appreciation.

With love,

Yolanda, Martin, Dexter & Bernice

The King Family

Representative Lee brought the following prefiled **Consent Calendar #27** before the House for consideration.

**HR 67** – VALIHURA & REPRESENTATIVE MARSHALL – Congratulating the Delaware Judiciary on Being Ranked Number 1 in the Nation for the Fifth Year in a Row.

**HR 68** – WAGNER & REPRESENTATIVE STONE ON BEHALF OF ALL REPRESENTATIVES – Proclaiming May 11, 2006 as Military Spouse Appreciation Day.

**HR 69** – DIPINTO & REPRESENTATIVE VALIHURA & REPRESENTATIVE MARSHALL ON BEHALF OF ALL REPRESENTATIVES – Commending Justice Joseph T. Walsh for his Receipt of the Community Legal Aid Society's First Founders Award in Honor of His Distinguished Lifetime of Service in the Delaware Judiciary.

**HCR 65** – SPENCE & REPRESENTATIVE HUDSON & REPRESENTATIVE MIRO & REPRESENTATIVE ROY & REPRESENTATIVE KEELEY & SENATOR MCBRIDE & SENATOR SORENSON – Supporting a United States and Taiwan Free Trade Agreement.

**HCR 66** – SPENCE & SENATOR CLOUTIER; REPRESENTATIVES ATKINS, BOOTH, BUCKWORTH, CAREY, CATHCART, DIPINTO, EWING, FALLON, HOCKER, HUDSON, LAVELLE, LOFINK, MAIER, MIRO, OUTTEN, ROY, STONE, THORNBURG, ULBRICH, VALIHURA, WAGNER, ENNIS, KEELEY; SENATORS ADAMS, MCDOWELL, BUNTING, MARSHALL, MCBRIDE, PETERSON, SORENSON, CONNOR, COPELAND – Establishing a Blue Ribbon Task Force to Investigate and Make Recommendations Thereto as to the Feasibility of Developing a C2H6O Ethanol Plant and Delivery System within the State of Delaware.

Representative Lee requested that **HR 67** be removed from **Consent Calendar #27**.

**Consent Calendar #27** was adopted by voice vote and **HR 68** & **HR 69** were declared passed and **HCR 65** & **HCR 66** were sent to the Senate for concurrence.

Representative Lee moved to place **HR 67** on the Speaker's Table. The motion was seconded by Representative Roy and adopted by voice vote.

Representative Lee deferred to Representative Maier. Representatives Maier, Atkins, McWilliams & Stone requested that they be marked present.

Representative Maier requested and was granted privilege of the floor for Senator David P. Sokola who addressed the House regarding "Legislators' Bike to Work Day". Representatives Roy, Lofink & Maier made comments. Representative Ulbrich requested that she be marked present. Representative Lee made an announcement. Representative Plant requested that she be marked present.

The Majority Whip moved to recess for caucus at 2:53 p.m.

The House reconvened at 5:58 p.m. with Representative Booth as Acting Speaker.

Representative Viola requested that he be marked present.

Representative Smith deferred to Representative Wagner. Representative Wagner introduced a guest and made comments. Representative Cathcart requested that he be marked present. Representative Cathcart requested and was granted personal privilege of the floor to introduce guests. Representative Hocker requested and was granted personal privilege of the floor to introduce guests. Representatives Spence & Mulrooney requested that they be marked present.

Representative Valihura introduced **HB 444**, jointly sponsored by Representative Hudson & Representative Lavelle & Representative Miro & Representative Stone.

**HB 444** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION.

Mr. Acting Speaker assigned **HB 444** to the Education Committee.

Representative Smith deferred to Representative Carey.

Mr. Speaker Spence resumed the Chair.

Representative Carey moved to suspend the rules which interfere with introduction of and action on **SJR 4**. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Carey introduced and brought **SJR 4**, jointly sponsored by Senator Simpson & Senator Cook & Representative Schwartzkopf & Senators Adams, Blevins, Bunting, Cloutier, Connor, Henry, Peterson, Sokola, Sorenson, Vaughn & Venables & Representatives Buckworth, Caulk, Ennis, Ewing, Fallon, Johnson, Keeley, Lofink, Longhurst, Miro, Mulrooney, Oberle, Schooley, Smith, Spence & Ulbrich, before the House for consideration.

**SJR 4** - DEDICATING THE ANGOLA NECK NATURE PRESERVE IN SUSSEX COUNTY TO TIL PURNELL.

Representatives Carey & Schwartzkopf made comments.

The roll call on **SJR 4** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Lee - 2.

Therefore, having received a constitutional majority, **SJR 4** was returned to the Senate.

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

Representative Smith deferred to Representative Booth.

Representative Booth brought **SB 90**, jointly sponsored by Senator McBride & Senators Venables, Simpson, Bunting & Connor & Representatives Hocker & McWilliams & Senator Still & cosponsored by Representative Lavelle, before the House for consideration.

**SB 90 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE PENALTIES FOR VIOLATING CHAPTER 60.**

Representative Booth brought **HA 1 to SB 90** before the House for consideration.

Representative Booth requested that **HA 1** be stricken. Representative Booth brought **HA 2 to SB 90** before the House for consideration. Representatives Booth & Lavelle made comments. **HA 2** was adopted by voice vote.

The roll call on **SB 90 w/HA 2** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Ennis & Lee - 3.

Therefore, having received a constitutional majority, **SB 90 w/HA 2** was returned to the Senate for concurrence on **HA 2**.

Representative Marshall made an announcement.

Representative Smith deferred to Representative Miro.

Representative Miro moved to lift **HB 149 w/HA 1** from the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Miro brought **HB 149 w/HA 1**, jointly sponsored by Representative Stone & Senator Sorenson & Senator Henry, before the House for consideration.

**HB 149 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO THE SALE OF ALCOHOL TO CERTAIN PERSONS AND THE CONSUMPTION OF ALCOHOL BY BARTENDERS AND SERVERS WHILE ON DUTY.**

Representatives Miro, Gilligan, Schwartzkopf, Marshall, DiPinto & Miro made comments.

Representative Miro moved to place **HB 149 w/HA 1** on the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart moved to suspend the rules which interfere with introduction of and action on **HS 1 for HR 65**. The motion was properly seconded and adopted by voice vote.

Representative Cathcart introduced and brought **HS 1 for HR 65**, jointly sponsored by Representative Lavelle & Representative Wagner & Representative Ennis & Representatives Spence, Lee, Atkins, Booth, Buckworth, Carey, Hocker, Oberle, Outten, Thornburg, VanSant & Caulk, before the House for consideration.

**HR 65 - CENSURING AND REPRIMANDING NATHAN HAYWARD, III, FORMER SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, FOR CONDUCT DEEMED NOT IN THE BEST INTEREST OF THE PEOPLE OF THE STATE OF DELAWARE.**

WHEREAS, Nathan Hayward, III, as Secretary of Transportation, in January, 2006 entered the State of Delaware into a series of contracts which obligates the State to purchase certain properties, sell certain property and undertake other costly matters relative to development of the Wilmington Riverfront; and

WHEREAS, the contracts obligate the State to expend a net amount of approximately \$76.3 million over four years; and

WHEREAS, the General Assembly passed a supplemental appropriations bill, House Bill No. 338, on January 26, 2006; and

WHEREAS, the Governor signed House Bill No. 338 into law on February 1, 2006; and

WHEREAS, House Bill No. 338 repealed authority previously granted the Secretary of the Department of Transportation to enter into such contracts; and

WHEREAS, Secretary Hayward was well aware of the General Assembly's intent as stated in House Bill No. 338 and had been instructed by the Governor and various legislators not to commit the State to such contractual obligations; and

WHEREAS, Secretary Hayward was also aware of the extreme budget limitations that were already facing the State and Transportation Trust Fund; and

WHEREAS, Secretary Hayward, in entering into the subject contracts, did so with the assistance of outside counsel employed without complying with § 2507, Title 29 of the Delaware Code and such contracts were not approved by the Department of Justice prior to their execution.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 143rd General Assembly of the State of Delaware that former Secretary of Transportation Nathan Hayward, III is hereby censured and reprimanded for his blatant disregard of the General Assembly, his disregard of explicit instructions from the Governor on whose behalf he was to act as a member of the Executive Branch, and his intentional conduct which is deemed not to be in the best interest of the people of the State of Delaware.

Representative Cathcart made comments. Representative Cathcart deferred to Representative Lavelle. Representatives Lavelle, Gilligan, Cathcart, Oberle, Schwartzkopf, Williams, Gilligan & Cathcart made comments.

**HS 1 for HR 65** was adopted by voice vote.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto introduced **HB 440**, jointly sponsored by Representative Hudson & Representative Johnson & Representative Plant & Senator Henry.

**HB 440 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE II OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO GAMBLING. (2/3 bill)**

Mr. Speaker Spence assigned **HB 440** to the Gaming & Parimutuels Committee.

Representative Smith deferred to Representative Stone.

Representative Stone introduced **HB 445**, jointly sponsored by Representative Valihura & Senator Vaughn & Representative Marshall & Senator Amick.

**HB 445 - AN ACT TO AMEND CHAPTER 38, TITLE 12 OF THE DELAWARE CODE RELATING TO STATUTORY TRUSTS. (3/5 bill)**

Mr. Speaker Spence assigned **HB 445** to the Economic Development/Banking & Insurance Committee.

Representative Smith deferred to Representative Miro.

Representative Miro introduced **HA 1 to HB 409**. **HA 1** was placed with **HB 409**.

Representative Booth moved to suspend the rules which interfere with lifting **HR 62** from the Speaker's Table. The motion was seconded by Representative Ewing and adopted by voice vote.

**HR 62 – CREATING A TASK FORCE TO STUDY AND RECOMMEND LEGISLATIVE CHANGES CONCERNING CONDUCT OF SCHOOL DISTRICT REFERENDUMS.**

Representative Smith introduced and brought **HA 1 to HR 62**, sponsored by Representative Spence, before the House for consideration. Representative Smith made comments. **HA 1** was adopted by voice vote. Representative Booth made comments.

**HR 62 w/HA 1** was adopted by voice vote.

Representative Smith moved to suspend the rules which interfere with introduction of and action on **SB 307**. The motion was seconded by Representative Buckworth and adopted by voice vote.

Mr. Speaker Spence reassigned **HB 407** to the Appropriations Committee.

Representative Smith introduced and brought **SB 307**, sponsored by Senator McDowell & Representative Gilligan & Senators Adams, Blevins, Bunting, Cook, DeLuca, Henry, Marshall, McBride, Peterson, Sokola, Vaughn & Venables & Representative VanSant & cosponsored by Representatives Johnson, Keeley, Lofink, Longhurst, Maier, Marshall, Miro, Oberle, Schooley & Ulbrich, before the House for consideration.

**SB 307 - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION OF TWENTY MILLION DOLLARS TO THE OFFICE OF MANAGEMENT AND BUDGET TO FUND A RECOVERY LOAN TO THE CHRISTINA SCHOOL DISTRICT. (F/N)**

Representative Smith made comments. Representative Smith introduced **HA 1 to SB 307**.

Representative Smith requested that **HA 1** be stricken. Representative Smith deferred to Representative Hudson. Representative Hudson introduced and brought **HA 2 to SB 307**, jointly sponsored by Representative Lavelle & Representative Maier & Representative Miro & Representative Roy & Representative Stone & Representative Valihura, before the House for consideration. Representatives Hudson, Smith, Gilligan, Hudson, Schooley, Lavelle, Valihura & Hudson made comments. **HA 2** was defeated by voice vote. Representative Smith introduced and brought **HA 3 to SB 307**, jointly sponsored by Representative Spence, before the House for consideration. Representatives Smith, Schooley, Lavelle, Miro, Smith, Schwartzkopf, Williams & Miro made comments. Representative Valihura rose on a point of order. Mr. Speaker concurred. **HA 3** was adopted by voice vote. Representatives Miro, Schwartzkopf, Ulbrich, Valihura, Smith, Cathcart, Lavelle, Gilligan, Marshall, Johnson, Valihura, Buckworth, Stone & DiPinto made comments.

The roll call on **SB 307 w/HA 3** was taken and revealed:

YES: 31.

NO: Representatives Booth, Hocker, Lavelle & Valihura - 4.

NOT VOTING: Representative Schwartzkopf - 1.

ABSENT: Representatives Caulk, Ennis, Lee, Roy & Wagner - 5.

Therefore, having received a constitutional majority, **SB 307 w/HA 3** was returned to the Senate for concurrence on **HA 3**.

Representative Smith moved to suspend the rules which interfere with introduction of and action on **SB 308**. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Smith introduced and brought **SB 308**, sponsored by Senator McDowell & Representative Gilligan & Senators Adams, Blevins, Bunting, Cook, DeLuca, Henry, Marshall, McBride, Peterson, Sokola, Vaughn & Venables & Representative VanSant, before the House for consideration.

**SB 308 - AN ACT AMENDING TITLE 14 OF THE DELAWARE CODE RELATING TO THE FINANCIAL ACCOUNTABILITY OF PUBLIC SCHOOL DISTRICTS AND CHARTER SCHOOLS.**

Representative Smith introduced **HA 1 to SB 308**. Representative Smith requested that **HA 1** be stricken. Representative Smith introduced **HA 2 to SB 308** before the House for consideration. Representative Smith requested that **HA 2** be stricken.

The Majority Leader moved to recess at 7:49 p.m.



The House reconvened at 8:06 p.m.

Mr. Speaker Spence reassigned **HB 422** to the Revenue & Finance Committee.

Mr. Speaker Spence made an announcement.

Representative Smith introduced and brought **HA 3 to SB 308** before the House for consideration.

Representatives Smith & Stone made comments. **HA 3** was adopted by voice vote. Representatives Smith, Oberle, Valihura & Smith made comments.

The roll call on **SB 308 w/HA 3** was taken and revealed:

YES: 34.

NO: Representatives Lavelle & Valihura - 2.

ABSENT: Representatives Caulk, Ennis, Hocker, Lee & Wagner - 5.

Therefore, having received a constitutional majority, **SB 308 w/HA 3** was returned to the Senate for concurrence on **HA 3**.

Representative Smith deferred to Representative Maier. Representative Maier requested and was granted personal privilege of the floor to introduce a guest. Mr. Speaker Spence made an announcement.

The Majority Leader moved to recess to the call of the Chair at 8:21 p.m.

Mr. Speaker Spence called the House to order at 2:11 p.m. on May 30, 2006.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SJR 4, SB 297, SB 305 & SB 302** and requests the concurrence of the House; **HB 399, HB 381 w/HA 1 & SA 1, HCR 62 & HCR 64** and is returning same to the House.

Representative Valihura made an announcement.

The Majority Leader moved to adjourn at 2:14 p.m., thereby ending the current legislative day. The House reconvened at 2:15 p.m.

### **30th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session May 30, 2006**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Plant -1.

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

Mr. Speaker Spence 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:

May 23, 2006

**HB 51 w/HA 1 & SA 2 - WAGNER & SENATOR BLEVINS; REPRESENTATIVE WILLIAMS - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Practice of Pharmacy.**

**HS 2 for HB 84 - WILLIAMS; REPRESENTATIVES BUCKWORTH, ENNIS, HALL-LONG, JOHNSON, KEELEY, MARSHALL, PLANT, SPENCE & SENATOR HENRY - JUDICIARY - An Act to Amend Chapter 90 of Title 11 of the Delaware Code Pertaining to Compensation for Innocent Victims of Crime.**

**HB 436 - OUTTEN & SENATOR BUNTING; REPRESENTATIVES SPENCE, LEE, ATKINS, CAREY, EWING, HOCKER, HUDSON, THORNBURG, CAULK; SENATORS VENABLES, SIMPSON - HOUSE ADMINISTRATION - An Act to Amend Title 1 of the Delaware Code Relating to State Language.**

**HB 438 - HUDSON & SENATOR BLEVINS - ECONOMIC DEVELOPMENT/ BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code to Create an Arbitration Procedure for Disputes Between Insurance Carriers and Health Care Providers.**

**HB 439 - MULROONEY & SENATOR MCBRIDE; REPRESENTATIVES CAREY, CATHCART, DIPINTO, ENNIS, EWING, JOHNSON, KEELEY, LOFINK, LONGHURST, MAIER, MIRO, VALIHURA; SENATORS CLOUTIER, CONNOR, DELUCA, SOKOLA - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Prostitution. (2/3 bill)**

**HB 441 - BUCKWORTH & REPRESENTATIVE VALIHURA & SENATOR BLEVINS; REPRESENTATIVE MARSHALL; SENATOR AMICK - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Custody Proceedings.**

**HB 442 - BUCKWORTH & REPRESENTATIVE VALIHURA & SENATOR BLEVINS; REPRESENTATIVE MARSHALL; SENATOR AMICK - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to the Termination of Parental Rights.**

**HB 443 - WILLIAMS; REPRESENTATIVES LONGHURST, MIRO, PLANT, VALIHURA; SENATORS BLEVINS, HENRY, CONNOR, MCDOWELL - PUBLIC SAFETY - An Act to Amend Title 11 of the Delaware Code Relating to the Delaware Police Training Program.**

**HB 446 - STONE & REPRESENTATIVE WAGNER & SENATOR BLEVINS; REPRESENTATIVES BUCKWORTH, DIPINTO, HALL-LONG, HOCKER, MAIER, OBERLE,**



SPENCE; SENATORS DELUCA, SOKOLA, SORENSON - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Supplemental Health Insurance Coverage for Children of Insureds.

**HA 2 to HB 274** - VALIHURA - Placed with the Bill.

**HA 1 to HR 61** - SPENCE - Placed with the Bill.

**SB 297** - MCDOWELL & REPRESENTATIVE MAIER & SENATOR MCBRIDE & SENATOR STILL & SENATOR HENRY & REPRESENTATIVE DIPINTO; SENATORS MARSHALL, SOKOLA, PETERSON, COOK, VENABLES, COPELAND, CLOUTIER, CONNOR, BONINI, SIMPSON; REPRESENTATIVES WILLIAMS, PLANT, MCWILLIAMS, VANSANT, LONGHURST, MULROONEY, SCHOOLEY, VIOLA, ENNIS, VALIHURA, SPENCE, ROY, OBERLE - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Health and Safety and the Prescription Drug Payment Assistance Program (F/N).

**SB 305** - DELUCA & REPRESENTATIVE LEE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 87, Title 29 of the Delaware Code Relating to the Division of Professional Regulation and the Regulation of Boxing.

The House observed a moment of silence in memory of Nelson P. Camper, former House staff member, at the request of Mr. Speaker Spence.

Representative Buckworth made an announcement. Representative Roy requested that he be marked present. Representatives Roy & Buckworth made comments. Representative Gilligan requested that he be marked present. Representatives Gilligan & Marshall requested and were granted personal privilege of the floor to make comments. Representative Wagner requested that she be marked present. Representative Wagner requested and was granted personal privilege of the floor to make comments. Representatives Hocker, Keeley, Williams & Longhurst requested that they be marked present. Representatives Williams & Buckworth made comments. Representative Ulbrich requested that she be marked present. Representative Ulbrich requested and was granted personal privilege of the floor to make comments. Representative Fallon made comments. Representative Smith requested and was granted personal privilege of the floor to make comments. Representative Marshall requested and was granted personal privilege of the floor to introduce guests. Representative Schwartzkopf requested that he be marked present.

Representative Ewing requested that **HB 428** be stricken.

Representative Hall-Long requested and was granted personal privilege of the floor to make comments and to introduce a guest.

The Majority Leader moved to recess for caucus at 2:29 p.m.

The House reconvened at 4:50 p.m. with Representative Booth as Acting Speaker.

Representative Smith made an announcement.

Representative Smith deferred to Representative Ewing.

Representative Ewing requested that **HA 2 to HB 97** be stricken.

Representative Valihura brought **HB 274**, jointly sponsored by Representative Ulbrich & Senator Cloutier & Senator Copeland & Representatives Smith, Lavelle & Hudson, before the House for consideration.

**HB 274** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE RULES AND REGULATIONS OF THE DEPARTMENT OF EDUCATION GOVERNING SCHOOL DISTRICT FINANCIAL REPORTING REQUIREMENTS.

Representative Valihura brought **HA 1 to HB 274** before the House for consideration. Representative Valihura made a comment. **HA 1** was adopted by voice vote. Representative Valihura brought **HA 2 to HB 274** before the House for consideration. Representative Valihura made a comment. **HA 2** was adopted by voice vote. Representatives Valihura & Schooley made comments.

The roll call on **HB 274 w/HA 1 & 2** was taken and revealed:

YES: 39.

ABSENT: Representatives DiPinto & Plant - 2.

Therefore, having received a constitutional majority, **HB 274 w/HA 1 & 2** was sent to the Senate for concurrence.

Representatives Cathcart, Hudson, McWilliams, Miro, Mulrooney, Oberle, Lofink, Lavelle & Atkins requested that they be marked present during the roll call.

Representative Smith deferred to Representative Maier.

Representative Maier brought **SB 157 w/SA 1**, jointly sponsored by Senator Blevins & Representative Hudson & Senators Cloutier, Connor & Sorenson & Representatives Gilligan, Hall-Long, Keeley, Miro, Oberle, Schooley, Spence & Wagner, before the House for consideration.

**SB 157** - AN ACT TO AMEND TITLE 31, CHAPTER 3 OF THE DELAWARE CODE RELATING TO CHILD WELFARE. (F/N)

Representative Maier made comments.

The roll call on **SB 157 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives DiPinto & Plant - 2.

Therefore, having received a constitutional majority, **SB 157 w/SA 1** was returned to the Senate.

Representative Smith brought **HB 381 w/HA 1 & SA 1**, sponsored by Representative Maier & Representative Spence & Representative Lee & Senator Bunting, before the House for concurrence on **SA 1**.

Mr. Acting Speaker Booth announced that he will not be voting on **HB 381 w/HA 1 & SA 1** because of a possible conflict of interest.

**HB 381** - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO DEFINITION OF EMPLOYEES FOR PURPOSES OF WORKERS COMPENSATION.

Representative Smith made comments.

The roll call on **HB 381 w/HA 1 & SA 1** was taken and revealed:

YES: 38.

NOT VOTING: Representative Booth - 1.

ABSENT: Representatives DiPinto & Plant - 2.

Therefore, having received a constitutional majority, **HB 381 w/HA 1 & SA 1** was sent to the Governor.

Representative Smith made an announcement.

Representative Smith brought **HB 371 w/HA 1 & SA 2 & 4**, sponsored by Representative Oberle & Representative Spence & Representative Atkins & Representative Cathcart & Representative Lofink & Senator Bunting & Representatives Lee, Atkins, Booth, Buckworth, Carey, Ewing, Hocker, Lavelle, Miro, Thornburg, Gilligan, Ennis, Johnson, Keeley, Longhurst, Schooley, Viola & Williams & cosponsored by Senators Blevins & Amick & cosponsored by Representatives Fallon, DiPinto, Outten, Schwartzkopf & Ulbrich & All Senators, before the House for concurrence on **SA 2 & SA 4**.

**HB 371** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (2/3 bill)

Representatives Smith & Ewing made comments.

The roll call on **HB 371 w/HA 1 & SA 2 & 4** was taken and revealed:

YES: 38.

ABSENT: Representatives DiPinto, Plant & Williams - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 371 w/HA 1 & SA 2 & 4** was sent to the Governor.

Representative Smith deferred to Representative Marshall.

Representative Marshall requested and was granted personal privilege of the floor to make an announcement.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 371 w/HA 1 & SA 2 & 4** and is returning same to the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative V. George Carey, do hereby request that my name be removed as cosponsor of **SB 304**.

Date: May 30, 2006                      Signed: V. George Carey

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Johnson, do hereby request that my name be removed as cosponsor of **HS 1 for HR 65**.

Date: May 11, 2006                      Signed: James Johnson

#### MEMORANDUM

TO:                Bernard Brady, Secretary  
Delaware State Senate

FROM:           Karen Weldin Stewart on behalf of The Honorable Harris B. McDowell, III

DATE:            May 12, 2006

RE:               **House Bill NO. 425**

AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO AGRICULTURE

Senator McDowell has requested to be added as a cosponsor on the above-referenced bill. Thank you.

May 12, 2005

#### LEGISLATIVE ADVISORY #19

Governor Ruth Ann Minner signed the following legislation on the date indicated: 5/10/06 – **HJR 20, SB 246 aab SA 1 & SB 294**; 5/15/06 – **HB 50 aab HA 1 & SA 1**; 5/10/06 – **HB 311 aab HA 1, 2 & 3 & HB 380 aab SA 1**; 5/11/06 – **SB 307 aab HA 3 & SB 308 aab HA 3**; 5/15/06 – **SB 79 aab SA 2 & HA 1 aab HA 1 to HA 1, SB 254, SB 263 & HB 399**.

Representative Smith deferred to Representative Lavelle.

Representative Lavelle introduced **HB 450** jointly sponsored by Representative Valihura & Senator Peterson & Senator Copeland & Representatives Spence, Buckworth, Ewing, Hocker, Hudson, Maier, Miro, Ulbrich & Wagner & Senators Blevins, Bunting, Sorenson, Cloutier, Connor & Simpson & cosponsored by Representatives Lee, Carey, Cathcart, Lofink, Outten & Stone & cosponsored by Senator Sokola.

**HB 450** - AN ACT TO AMEND TITLE 10, CHAPTER 81 OF THE DELAWARE CODE BY ENLARGING THE STATUTE OF LIMITATIONS FOR SUITS FOR DAMAGES DUE TO PERSONAL INJURIES THAT WERE CAUSED BY SEXUAL ABUSE OF A CHILD BY AN ADULT.

Mr. Acting Speaker assigned **HB 450** to the Judiciary Committee.

The Majority Leader moved to recess to the call of the Chair at 5:22 p.m.

Mr. Acting Speaker Booth called the House to order at 2:15 p.m. on May 31, 2006.

Representative Lee deferred to Representative Ewing.

Representative Ewing introduced **HB 455**, jointly sponsored by Senator Venables.

**HB 455** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO ENVIRONMENTAL CONTROL AND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES. (3/5 bill)

Mr. Acting Speaker assigned **HB 455** to the Natural Resources & Environmental Management Committee.

Representative Lee deferred to Representative Wagner.

Representative Wagner introduced **HS 1 for HB 389**, jointly sponsored by Representative Stone & Representative Williams & Senator McDowell & Senator Henry & Senator Still & Representatives Spence, Smith, Lee, Atkins, Booth, Buckworth, Carey, Cathcart, DiPinto, Ewing, Fallon, Hocker, Lofink, Maier, Miro, Outten, Roy, Thornburg, Ulbrich, Gilligan, Ennis, Longhurst, McWilliams, Schooley, Viola & Caulk & Senators Amick, Bonini, Copeland & Simpson.

**HB 389** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE STUDENT EXCELLENCE EQUALS DEGREE ACT.

Mr. Acting Speaker assigned **HS 1 for HB 389** to the Education Committee.

Representative Lee deferred to Representative Schwartzkopf.

Representative Schwartzkopf introduced **HB 458**, jointly sponsored by Senator Bunting.

**HB 458** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF STATE POLICE.

Mr. Acting Speaker assigned **HB 458** to the Public Safety Committee.

Representative Lee deferred to Representative Schwartzkopf.

Representative Schwartzkopf introduced **HB 459**, jointly sponsored by Senator Bunting.

**HB 459** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF LAW ENFORCEMENT OFFICER.

Mr. Acting Speaker assigned **HB 459** to the Public Safety Committee.

Representative Ewing made an announcement.

The Majority Whip moved to adjourn at 2:22 p.m., thereby ending the current legislative day. The House reconvened at 2:23 p.m.

### **31st LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session May 31, 2006**

The Chief Clerk called the roll:

Members Present: 35.

Members Absent: Representatives Cathcart, Caulk, Gilligan, Lavelle, Plant & Smith – 6.

Representative Valihura requested that he be marked present.

A prayer was offered by Representative John C. Atkins, Forty-First Representative District.

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

The following prefiled legislation was introduced:

**HB 419** - OBERLE & REPRESENTATIVE MIRO & SENATOR MARSHALL & SENATOR VENABLES - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Unemployment Compensation. (3/5 bill)

**HB 447** - OBERLE & SENATOR MCBRIDE; REPRESENTATIVE ATKINS - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Commission on Adult Entertainment Establishments.

**HB 448** - VALIHURA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Health Record Privacy Act.

**HB 449** - VALIHURA & SENATOR VAUGHN; REPRESENTATIVES BUCKWORTH, HUDSON, STONE, WAGNER - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Guardianship of a Child.

**HJR 28** - SCHOOLEY & REPRESENTATIVE HALL-LONG & SENATOR SOKOLA - EDUCATION - Commending the Task Force on Class Size and Unit Count Allocation in Education and Extending the Date by Which the Task Force is to Issue Its Final Report.

**SB 302** - MCDOWELL & SENATOR HENRY - HOUSE ADMINISTRATION - An Act to Amend Title 14 of the Delaware Code Relating to the Delaware State University Board of Trustees.

Representative Wagner requested that she be marked present.

Representative Fallon introduced guests.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #72

DATE: May 31, 2006

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                                   | Date      | Type | Description                                             |
|-----------|-------------------------------------------|-----------|------|---------------------------------------------------------|
| H143-1657 | Atkins                                    | 5/5/2006  | T    | David Pepper - Induction - Fireman's Hall of Fame       |
| H143-1658 | Outten                                    | 5/6/2006  | T    | Donna Harrington/Contributions/Harrington High Alumni   |
| H143-1659 | Outten                                    | 5/6/2006  | T    | Donald Derrickson - Service - Harrington High Alumni    |
| H143-1660 | Outten                                    | 5/6/2006  | T    | Anna Lee Derrickson/Support/Harrington High Alumni      |
| H143-1661 | Wagner                                    | 5/5/2006  | T    | Reverend Anthony Trout - Church Dedication -            |
| H143-1662 | Lee                                       | 5/5/2006  | T    | Stuart Hensley - Paramedic of the Year                  |
| H143-1663 | cosponsor: Rep. Schwartzkopf<br>Lee       | 5/5/2006  | T    | Mark Sheridan - Valor Award Recipient                   |
| H143-1664 | cosponsor: Rep. Schwartzkopf<br>Lee       | 5/5/2006  | T    | Jason Boyce - Valor Award Recipient                     |
| H143-1665 | cosponsor: Rep. Schwartzkopf<br>Lee       | 5/5/2006  | T    | Todd Smith - Valor Award Recipient                      |
| H143-1666 | cosponsor: Rep. Schwartzkopf<br>Atkins    | 5/5/2006  | T    | Glenn Marshall - Valor Award Recipient                  |
| H143-1667 | Schwartzkopf                              | 5/5/2006  | T    | Dustin Hamilton - Valor Award Recipient                 |
| H143-1668 | Buckworth                                 | 5/3/2006  | M    | Kenneth Leroy Stockslager                               |
| H143-1669 | Ewing                                     | 5/6/2006  | T    | Hilda Donnelly - 80th Birthday                          |
| H143-1670 | Atkins                                    | 5/21/2006 | T    | Ricker Stanton Adkins - Eagle Scout                     |
| H143-1671 | Ewing                                     | 5/20/2006 | T    | Viola Barnes - 75th Birthday                            |
| H143-1672 | Fallon                                    | 5/6/2006  | M    | Corporal Cory Palmer                                    |
| H143-1673 | cosponsors: All Representatives<br>Spence | 5/11/2006 | T    | Harry Simeone - Funding - Airlift Spinal Cord Injury    |
| H143-1674 | Keeley                                    | 5/11/2006 | T    | Frauline Trotter - 76th Birthday                        |
| H143-1675 | Roy                                       | 5/10/2006 | T    | John Budd - Coast to Coast Cure Cancer Bike Ride        |
| H143-1676 | Roy                                       | 5/10/2006 | T    | Ray Villec - Coast to Coast Cure Cancer Bike Ride       |
| H143-1677 | Roy                                       | 5/10/2006 | T    | Tim O'Neill - Coast to Coast Cure Cancer Bike Ride      |
| H143-1678 | Roy                                       | 5/10/2006 | T    | Robert Sorantino - Coast to Coast Cure Cancer Bike Ride |
| H143-1679 | Roy                                       | 5/10/2006 | T    | Larry Peart - Coast to Coast Cure Cancer Bike Ride      |

HOUSE TRIBUTE ANNOUNCEMENT #73

DATE: May 31, 2006

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                                    | Date      | Type | Description                                                    |
|-----------|--------------------------------------------|-----------|------|----------------------------------------------------------------|
| H143-1680 | DiPinto                                    | 5/11/2006 | T    | Robert Buccini - Entrepreneur of the Year                      |
| H143-1681 | Thornburg                                  | 4/28/2006 | T    | Marjorie McKinney - Retirement - Smyrna Post Office - 20 Years |
| H143-1682 | cosponsor: Rep. Ennis<br>Hall-Long         | 5/10/2006 | T    | Delaware Nurses Association - Nurses Week                      |
| H143-1683 | Atkins                                     | 5/10/2006 | T    | Honorable Clifford Lee/Induction/Firefighter's Hall of Fame    |
| H143-1684 | Thornburg                                  | 7/28/2005 | T    | Kim Bates - Doctorate - Capella University                     |
| H143-1685 | cosponsor: Rep. Ennis<br>Schooley          | 5/12/2006 | T    | Jean Williams - Retirement - Newark Senior Center              |
| H143-1686 | cosponsor: Rep. Ulbrich<br>Longhurst       | 5/9/2006  | T    | Stephanie Powell - Masters Degree - Wilmington College         |
| H143-1687 | DiPinto                                    | 5/13/2006 | T    | William Hannigan - 90th Birthday                               |
| H143-1688 | Schooley                                   | 5/17/2006 | T    | Christine Beukema - All Star Award - Nursing                   |
| H143-1689 | cosponsors: Reps. Miro & Spence<br>Ewing   | 5/17/2006 | T    | Deidre Weston - All Star Award - Nursing                       |
| H143-1690 | cosponsors: Reps. Fallon & Miro<br>Johnson | 5/17/2006 | T    | Danielle Rickard - All Star Award - Nursing                    |
| H143-1691 | cosponsors: Reps. DiPinto Miro<br>Carey    | 5/17/2006 | T    | Dawn Staublein - All Star Award - Nursing                      |
| H143-1692 | cosponsor: Rep. Miro<br>Marshall           | 5/17/2006 | T    | Renaye Walker - All Star Award - Nursing                       |
| H143-1693 | cosponsor: Rep. Miro<br>Booth              | 5/17/2006 | T    | Belinda Maull - All Star Award - Nursing                       |

|           |        |           |   |                                                                                |
|-----------|--------|-----------|---|--------------------------------------------------------------------------------|
| H143-1694 | Fallon | 5/17/2006 | T | Dave Judy - All Star Award - Nursing<br>cosponsor: Rep. Miro                   |
| H143-1695 | Spence | 5/17/2006 | T | Eileen Gleasner - All Star Award - Nursing<br>cosponsors: Reps. DiPinto & Miro |
| H143-1696 | Roy    | 5/17/2006 | T | Elizabeth Hunter - All Star Award - Nursing<br>cosponsors: Reps. Hudson & Miro |
| H143-1697 | Fallon | 5/17/2006 | T | Sandy Wheatley - All Star Award - Nursing<br>cosponsor: Rep. Miro              |

#### HOUSE TRIBUTE ANNOUNCEMENT #74

DATE: May 31, 2006

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      | Date      | Type | Description                                                                               |
|-----------|--------------|-----------|------|-------------------------------------------------------------------------------------------|
| H143-1698 | Fallon       | 5/17/2006 | T    | Tawnya Dennis - All Star Award - Nursing<br>cosponsor: Rep. Miro                          |
| H143-1699 | Gilligan     | 5/17/2006 | T    | Frank Fox - All Star Award - Nursing<br>cosponsors: Reps. Miro & Valihura                 |
| H143-1700 | Ewing        | 5/17/2006 | T    | Vickie Lee Givens - All Star Award - Nursing<br>cosponsors: Reps. Fallon & Miro           |
| H143-1701 | Smith        | 5/17/2006 | T    | Sandra Hetrick - All Star Award - Nursing<br>cosponsors: Reps. McWilliams & Miro          |
| H143-1702 | Hudson       | 5/15/2006 | T    | Gloria Fine - Driving Force Award - Fund for Women                                        |
| H143-1703 | Wagner       | 5/11/2006 | T    | Dr. Reba Hollingsworth - Human & Civil Rights Award                                       |
| H143-1704 | Smith        | 5/11/2006 | T    | Shirley Brockenborough - Human & Civil Rights Award                                       |
| H143-1705 | Ulbrich      | 5/12/2006 | T    | Newark Senior Center - 40th Anniversary<br>cosponsors: All Representatives                |
| H143-1706 | Schooley     | 5/15/2006 | T    | Tara Jo Manal - Excellence Teaching Physical Therapy                                      |
| H143-1707 | Booth        | 5/24/2006 | T    | Margaret Peck – Retirement – Cape<br>Schwartzkopf                                         |
| H143-1708 | Miro         | 5/17/2006 | T    | Robert Lawson - All Star Award - Nursing<br>cosponsor: Rep. Hudson                        |
| H143-1709 | Maier        | 5/17/2006 | T    | June Valentine - All Star Award - Nursing<br>cosponsor: Rep. Hudson                       |
| H143-1710 | Schooley     | 5/16/2006 | T    | Deborah Torbert - Retirement - Newark Day<br>Nursery<br>cosponsors: Reps. Maier & Ulbrich |
| H143-1711 | Booth        | 5/19/2006 | T    | Harry Schellenger - Memorial Dedication                                                   |
| H143-1712 | Carey        | 4/21/2006 | T    | Robert & Gloria Miller - 50th Wedding<br>Anniversary                                      |
| H143-1713 | Booth        | 5/16/2006 | T    | Anona Council #11 - 100th Anniversary                                                     |
| H143-1714 | Hocker       | 6/4/2006  | T    | Joshua Ritter - Eagle Scout                                                               |
| H143-1715 | Mulrooney    | 5/21/2006 | T    | Patrick Keller - Eagle Scout                                                              |
| H143-1716 | Mulrooney    | 5/21/2006 | T    | Allen Luckey, Jr. - Eagle Scout                                                           |
| H143-1717 | Mulrooney    | 5/21/2006 | T    | Stephen Hadley - Eagle Scout                                                              |
| H143-1718 | Gilligan     | 2/17/2006 | T    | Mike & Nancy DiVirgilio - 60th Wedding Anniversary                                        |
| H143-1719 | Schwartzkopf | 5/23/2006 | T    | Charles & Helen Simpson - 70th Wedding Anniversary                                        |

#### HOUSE TRIBUTE ANNOUNCEMENT #75

DATE: May 31, 2006

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      | Date      | Type | Description                                                                 |
|-----------|--------------|-----------|------|-----------------------------------------------------------------------------|
| H143-1720 | Johnson      | 5/6/2006  | T    | Franklin & Frances Benson/50th Wedding Anniversary                          |
| H143-1721 | Gilligan     | 4/16/2006 | T    | Jim & Betty Houck - 50th Wedding Anniversary                                |
| H143-1722 | Schwartzkopf | 5/19/2006 | T    | Joseph & Corinne Franzoni - 50th Wedding Anniversary                        |
| H143-1723 | Oberle       | 6/5/2006  | T    | Keenan Brown - Graduation - Sterck School                                   |
| H143-1724 | Oberle       | 6/5/2006  | T    | Kasie Dennin - Graduation - Sterck School                                   |
| H143-1725 | Oberle       | 6/5/2006  | T    | Michelle James - Graduation - Sterck School                                 |
| H143-1726 | Oberle       | 6/5/2006  | T    | Ronald Schafferman - Graduation - Sterck School                             |
| H143-1727 | Oberle       | 6/5/2006  | T    | Daniel Williams - Graduation - Sterck School                                |
| H143-1728 | Oberle       | 6/5/2006  | T    | Lindsay Witz - Graduation - Sterck School                                   |
| H143-1729 | Hudson       | 5/8/2006  | M    | Ann Klosiewicz                                                              |
| H143-1730 | Outten       | 5/13/2006 | M    | Iva Grace Lyons                                                             |
| H143-1731 | Wagner       | 5/20/2006 | T    | Heather Hall & CC Wagner, III - Marriage<br>cosponsors: All Representatives |

|           |                                 |           |   |                                                 |
|-----------|---------------------------------|-----------|---|-------------------------------------------------|
| H143-1732 | Spence                          | 5/16/2006 | T | Lt. Pete Bohn - Police Chief's Foundation       |
|           | cosponsors: All Representatives |           |   | Honoree                                         |
| H143-1733 | Spence                          | 5/16/2006 | T | PFC George Cale - Police Chief's Foundation     |
|           | cosponsors: All Representatives |           |   | Honoree                                         |
| H143-1734 | Spence                          | 5/16/2006 | T | Cpl. Thomas Devore - Police Chief's             |
|           | cosponsors: All Representatives |           |   | Foundation Honoree                              |
| H143-1735 | Spence                          | 5/16/2006 | T | Cpl. Eric Hamm - Police Chief's Foundation      |
|           | cosponsors: All Representatives |           |   | Honoree                                         |
| H143-1736 | Spence                          | 5/16/2006 | T | PFC Donald Lonski - Police Chief's Foundation   |
|           | cosponsors: All Representatives |           |   | Honoree                                         |
| H143-1737 | Spence                          | 5/16/2006 | T | PFC Michael Murphy - Police Chief's             |
|           | cosponsors: All Representatives |           |   | Foundation Honoree                              |
| H143-1738 | Spence                          | 5/16/2006 | T | Officer Danny Silva - Police Chief's Foundation |
|           | cosponsors: All Representatives |           |   | Honoree                                         |
| H143-1739 | Spence                          | 5/16/2006 | T | PFC Jeffrey Steinberg - Police Chief's          |
|           | cosponsors: All Representatives |           |   | Foundation Honoree                              |
| H143-1740 | Spence                          | 5/16/2006 | T | Cpl. William White - Police Chief's Foundation  |
|           | cosponsors: All Representatives |           |   | Honoree                                         |

#### HOUSE TRIBUTE ANNOUNCEMENT #76

DATE: May 31, 2006

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                         | Date      | Type | Description                                            |
|-----------|---------------------------------|-----------|------|--------------------------------------------------------|
| H143-1741 | Spence                          | 5/16/2006 | T    | Cpl. Benjamin Whitlock - Police Chief's                |
|           | cosponsors: All Representatives |           |      | Foundation Honoree                                     |
| H143-1742 | Spence                          | 5/16/2006 | T    | Cpl. Michell Foraker - Police Chief's                  |
|           | cosponsors: All Representatives |           |      | Foundation Honoree                                     |
| H143-1743 | Spence                          | 5/16/2006 | T    | PFC Elwood Gilger - Police Chief's Foundation          |
|           | cosponsors: All Representatives |           |      | Honoree                                                |
| H143-1744 | Spence                          | 5/16/2006 | T    | Officer Brian Tibbits - Police Chief's                 |
|           | cosponsors: All Representatives |           |      | Foundation Honoree                                     |
| H143-1745 | DiPinto                         | 5/18/2006 | T    | Community Legal Aid Society, Inc./60th Anniversary     |
| H143-1746 | Williams                        | 5/21/2006 | T    | Norman Griffiths - Monsignor Taggart Award             |
|           | cosponsor: Rep. DiPinto         |           |      | Recipient                                              |
| H143-1747 | Hudson                          | 5/21/2006 | T    | Paul Parets - 30 Years of Music Directing              |
| H143-1748 | Wagner                          | 5/16/2006 | T    | Sandra Mifflin - Retirement - State Service - 34 Years |
| H143-1749 | Fallon                          | 5/13/2006 | M    | Marine Lance Cpl. Richard James                        |
|           | cosponsors: All Representatives |           |      |                                                        |
| H143-1750 | Stone                           | 4/7/2006  | M    | Ralph Sudler Emerson                                   |
| H143-1751 | Stone                           | 5/3/2006  | M    | Gisela Elizabeth MacLeish                              |
|           | cosponsor: Rep. Thornburg       |           |      |                                                        |
| H143-1752 | Lofink                          | 6/2/2006  | T    | Joshua Sarnecky - Leadership Award - Christ            |
|           |                                 |           |      | the Teacher Catholic School                            |
| H143-1753 | Stone                           | 3/25/2006 | T    | Dover Police Department - Re-accreditation             |
| H143-1754 | Buckworth                       | 5/16/2006 | M    | Clyde McKee                                            |
| H143-1755 | Ennis                           | 5/13/2006 | M    | Thomas Kelley                                          |
| H143-1756 | Ennis                           | 5/11/2006 | T    | Anna Mae Rebar                                         |
| H143-1757 | Hocker                          | 5/20/2006 | T    | Town of Millville - 100th Anniversary                  |
| H143-1758 | Spence                          | 5/27/2006 | T    | Rebecca Byrd - Juris Doctorate                         |
| H143-1759 | DiPinto                         | 5/18/2006 | T    | Martha Manning/Retirement/Charter Schools Network      |
| H143-1760 | Spence                          | 5/20/2006 | T    | Matthew Warren - Juris Doctor                          |
| H143-1761 | Ennis                           | 5/21/2006 | T    | David & Susan Humphrey - 25th Wedding Anniversary      |
| H143-1762 | Outten                          | 5/23/2006 | T    | Barbara Jacobs - Retirement - Lake Forest Schools      |
| H143-1763 | Outten                          | 5/23/2006 | T    | William Garey - Retirement - Lake Forest Schools       |

#### HOUSE TRIBUTE ANNOUNCEMENT #77

DATE: May 31, 2006

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 | Date      | Type | Description                                       |
|-----------|---------|-----------|------|---------------------------------------------------|
| H143-1764 | Outten  | 5/23/2006 | T    | Faye Kershner - Retirement - Lake Forest Schools  |
| H143-1765 | Outten  | 5/23/2006 | T    | Diana Hughes - Retirement - Lake Forest Schools   |
| H143-1766 | Outten  | 5/23/2006 | T    | Carole Hammond - Retirement - Lake Forest Schools |
| H143-1767 | Outten  | 5/23/2006 | T    | Viva Poore - Retirement - Lake Forest Schools     |
| H143-1768 | Outten  | 5/23/2006 | T    | Betty Shulties - Retirement - Lake Forest Schools |



|           |                                 |           |   |                                                                              |
|-----------|---------------------------------|-----------|---|------------------------------------------------------------------------------|
| H143-1769 | Outten                          | 5/23/2006 | T | Barbara Collins - Retirement - Lake Forest Schools                           |
| H143-1770 | Outten                          | 5/23/2006 | T | Karen Davis - Retirement - Lake Forest Schools                               |
| H143-1771 | Outten                          | 5/23/2006 | T | Jacalyn Book - Retirement - Lake Forest Schools                              |
| H143-1772 | Outten                          | 5/23/2006 | T | Sandra Parker - Retirement - Lake Forest Schools                             |
| H143-1773 | Outten                          | 5/23/2006 | T | George Harris, Jr. - Retirement - Lake Forest Schools                        |
| H143-1774 | Carey                           | 5/23/2006 | T | Dennis Hopkins - Retirement - Lake Forest Schools                            |
|           | cosponsor: Rep. Outten          |           |   |                                                                              |
| H143-1775 | Schooley                        | 5/23/2006 | T | Edward Wheatley - Retirement - Lake Forest Schools                           |
|           | cosponsor: Rep. Outten          |           |   |                                                                              |
| H143-1776 | Spence                          | 5/20/2006 | T | Honorable Tina Fallon - Retirement - House of Representatives                |
|           | cosponsors: All Representatives |           |   |                                                                              |
| H143-1777 | Schwartzkopf                    | 5/24/2006 | T | Carol Barford/Driver of the Year/Cape Henlopen High                          |
| H143-1778 | Atkins                          | 5/24/2006 | T | Carolyn Clark - Driver of the Year - Beacon Middle School                    |
|           | cosponsor: Rep. Schwartzkopf    |           |   |                                                                              |
| H143-1779 | Carey                           | 5/24/2006 | T | Granville Hazzard, Jr. - Driver of the Year -- Mariner Middle School         |
|           | cosponsor: Rep. Schwartzkopf    |           |   |                                                                              |
| H143-1780 | Schwartzkopf                    | 5/24/2006 | T | Thomas McMahon - Driver of the Year - Rehoboth Elementary                    |
| H143-1781 | Hocker                          | 5/24/2006 | T | Naomi Johnson - Driver of the Year - Richard Shields Elementary              |
|           | cosponsor: Rep. Schwartzkopf    |           |   |                                                                              |
| H143-1782 | Carey                           | 5/24/2006 | T | Maurice Daniels - Driver of the Year - Milton Elementary                     |
|           | cosponsor: Rep. Schwartzkopf    |           |   |                                                                              |
| H143-1783 | Carey                           | 5/24/2006 | T | Shaughnessy Dangerfield - Driver of the Year -- H. O. Brittingham Elementary |
|           | cosponsor: Rep. Schwartzkopf    |           |   |                                                                              |

T- Tribute

M - Memoriam

Representative Lee deferred to Representative Hudson. Representative Hudson introduced a guest.

Representative Outten requested and was granted privilege of the floor for Jennifer Crouse, State 4-H Teen Council Secretary, Lake Forest High School and Joey Daly, State 4-H Teen Council Member, Newark High School.

Representative Keeley requested that she be marked present. Representative Thornburg made comments. Representative Stone requested that she be marked present.

Representative Lee deferred to Representative Hudson.

Representative Hudson requested and was granted privilege of the floor for Alan V. Sokolow, Director, Eastern Region, Council of State Governments and David Ewing, Regional Transportation Consultant, Council of State Governments.

Representative Lee brought the following prefiled **Consent Calendar #28** before the House for consideration.

**HCR 67 – SCHOOLEY & SENATOR SORENSON – Celebrating the 300th Anniversary of the Founding of the Head of Christiana Presbyterian Church.**

**HCR 68 – SMITH & SENATOR BUNTING –A Resolution to Commend and Congratulate the National Society of the Sons of the American Revolution on the Occasion of Its Charter Centennial.**

**Consent Calendar #28** was adopted by voice vote and **HCR 67 & HCR 68** were sent to the Senate for concurrence.

Representative Lee made an announcement.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 90 w/HA 2 & SA 1** and requests the concurrence of the House.

#### MEMORANDUM

TO: THE HONORABLE TERRY R. SPENCE  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

FROM: REPRESENTATIVE Gregory F. Lavelle

DATE: May 31, 2006

RE: Absence from Session

Please be advised that it is necessary for me to be absent Wednesday, May 31, 2006 due to personal matters. Thank you for your understanding.

The Majority Whip moved to recess for committee meetings and to the call of the Chair at 2:39 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:39 P.M.: Representatives Carey, Ennis, Lofink, Maier, Miro, Mulrooney, Oberle, Roy, Spence & Ulbrich.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:15 p.m. on June 1, 2006.

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

APPROPRIATIONS: **HB 7** - 1F,4M; **HB 317** - 5F; **HB 372** - 5F; **HB 404** - 4M,1U; **HB 407** - 5M; **SS 1/SJR 3** - 4F.

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 445** - 9M; **HB 430** - 1F,8M; **SB 256** - 7M.

EDUCATION: **HS 1/HB 389** - 7M; **SB 251 w/SA 1** - 7M; **SB 264 w/SA 1 & 2** - 7M.

HEALTH & HUMAN DEVELOPMENT: **HB 309** - 6M; **SB 276 w/SA 1** - 8M; **SB 262 w/SA 1** - 6M.

LABOR: **HB 394** - 6M; **HB 396** - 6M; **HJR 24** - 6M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 423** - 7M,1U; **HB 455** - 8M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 418** - 3M.

PUBLIC SAFETY: **HB 386** - 4M; **HB 432** - 5M; **HB 443** - 4M; **HB 458** - 5M; **HB 459** - 4M.

REVENUE & FINANCE: **HB 421** - 6M.

Mr. Speaker Spence assigned **HB 394**, **HB 421** & **SB 251 w/SA 1** to the Appropriations Committee.  
Mr. Speaker Spence reassigned **HB 429** to the Judiciary Committee.

Representative Marshall requested and was granted personal privilege of the floor to introduce guests.

Representatives Maier, Ennis & Gilligan requested that they be marked present for the current Legislative Day.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 324**, **HB 383**, **HB 391 w/HA 1**, **HCR 66** & **HCR 67** and is returning same to the House.

Representatives Roy & Smith requested that they be marked present for the current Legislative Day.

The Majority Leader moved to adjourn at 2:25 p.m., thereby ending the current legislative day.  
The House reconvened at 2:26 p.m.

### **32nd LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session June 1, 2006**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Valihura & Viola -2.

A prayer was offered by Representative Joseph W. Booth, Thirty-Seventh Representative District.

Mr. Speaker Spence invited Darrell Andrews to join him in leading those present in a pledge of allegiance to the American Flag.

The following prefiled legislation was introduced:

**HB 451** - VALIHURA & REPRESENTATIVE SMITH & REPRESENTATIVE HOCKER & REPRESENTATIVE LAVELLE & SENATOR VENABLES; REPRESENTATIVES DIPINTO, MAIER, ULBRICH - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Titles 9 and 22 of the Delaware Code Enabling New Castle and Sussex Counties and Municipalities Located in Sussex County to Utilize Tax Increment Financing and Special Development Districts to Fund Costs Related to the Impacts of Development and Restating that the Act Applies to Towns and Cities Throughout the State with Populations in Excess of 50,000 People. (3/5 bill)

**HB 452** - VALIHURA & REPRESENTATIVE SMITH; REPRESENTATIVE DIPINTO; SENATOR STILL - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Related to Causes of Action and Successor Liability.

**HB 453** - MIRO; SENATOR SOKOLA; REPRESENTATIVES BUCKWORTH, DIPINTO - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to the Sale of Motor Vehicles.

**HB 454** - SMITH & REPRESENTATIVE CATHCART & SENATOR SOKOLA; REPRESENTATIVES BUCKWORTH, DIPINTO, HOCKER, LAVELLE, LONGHURST, MAIER, OBERLE, ULBRICH, VALIHURA, VIOLA; SENATORS AMICK, CLOUTIER, STILL - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Disputes Involving the Enforcement of Deed Covenants or Restrictions.

**HB 456** - BOOTH & SENATOR SIMPSON; REPRESENTATIVES LEE, ATKINS; SENATOR VENABLES - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Hazardous Substance Cleanup.

**HB 457** - VALIHURA & REPRESENTATIVE HUDSON & REPRESENTATIVE STONE & SENATOR CLOUTIER; REPRESENTATIVES FALLON, MAIER, THORNBURG, ULBRICH, WAGNER, ENNIS, HALL-LONG, KEELEY, LONGHURST, MCWILLIAMS, MULROONEY, PLANT, SCHOOLEY, WILLIAMS; SENATORS CONNOR, SOKOLA - HOUSE ADMINISTRATION - An Act Proposing an Amendment to Article II, Section 4 of the Constitution of the State of Delaware of 1897, as Amended, Relating to the Time and Frequency of Sessions of the General Assembly. (2/3 bill)

**HA 1 to HB 429** - SPENCE - Placed with the Bill.

Representative Roy requested that he be marked present.

Representatives Smith, Gilligan, Roy, Gilligan, Smith, Lavelle, Gilligan, Roy & Smith made comments regarding the Transportation Trust Fund.

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

Mr. Speaker Spence introduced a guest.

Representatives Carey, Hocker, Schwartzkopf, Wagner, Williams, Mulrooney & McWilliams requested that they be marked present.

Representative Wagner made an announcement.

Mr. Speaker Spence requested that **HA 1 to HR 61** be stricken.

The Reading Clerk read the following communication into the record:

MEMORANDUM

TO: THE HONORABLE TERRY R. SPENCE  
SPEAKER OF THE HOUSE OF REPRESENTATIVES  
FROM: REPRESENTATIVE Robert J. Valihura, Jr.  
DATE: June 1, 2006  
RE: Absence from Session

Please be advised that it is necessary for me to be absent Thursday, June 1, 2006 due to personal matters. Thank you for your understanding.

Representative Lofink requested that he be marked present.

Representatives Maier & Roy made comments.

The Majority Leader moved to recess for caucus at 2:55 p.m.

The House reconvened at 5:10 p.m.

Representative Smith introduced **HB 8**, jointly sponsored by Senator Vaughn & Senator Venables.

**HB 8 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE DISPOSAL OF YARD WASTE IN THE CHERRY ISLAND LANDFILL AND IN OTHER LANDFILLS, AND RAISING THE ELEVATION OF THE CHERRY ISLAND LANDFILL.**

Mr. Speaker Spence assigned **HB 8** to the Natural Resources & Environmental Management Committee.

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **HB 126**, jointly sponsored by Senator Sokola & Representatives Buckworth, Lavelle, Miro & Ulbrich & Senator Cloutier, before the House for consideration.

**HB 126 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO EQUIPMENT AND CONSTRUCTION. (2/3 bill)**

Representative Hudson requested that **HA 1 to HB 126** be stricken. Representative Hudson introduced and brought **HA 2 to HB 126** before the House for consideration. Representative Hudson moved to place **HA 2** on the Speaker's Table. The motion was properly seconded and adopted by voice vote. Representative Hudson moved to place **HB 126** on the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

Representatives Buckworth, Cathcart, Atkins, Hudson, Outten, Miro, Plant & Ulbrich requested that they be marked present.

Representative Smith deferred to Representative Stone.

Representative Stone brought **SB 256**, jointly sponsored by Senator Sokola & Senators Blevins, Bonini, Cloutier, Copeland, Sorenson & Still & Representatives DiPinto, Hall-Long, Hocker, Hudson, Keeley, Lavelle, Maier, Miro & Viola & cosponsored by Representative Fallon & Senators Connor, Cook & McDowell, before the House for consideration.

**SB 256 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE TO CREATE A FRAUD BUSTERS PROGRAM TO DISCOURAGE INSURANCE FRAUD IN THE STATE OF DELAWARE.**

Representative Stone made comments.

The roll call on **SB 256** was taken and revealed:

YES: 37.

ABSENT: Representatives Lavelle, Oberle, Valihura & Viola - 4.

Therefore, having received a constitutional majority, **SB 256** was returned to the Senate.

Representative Smith brought **HB 122 w/HA 1 & SA 1**, sponsored by Representative Hudson & Representative Valihura & Senator Sokola & Representatives Hocker, Lavelle, Mulrooney, Schwartzkopf, Stone, Thornburg & Viola & Senators Bonini, Copeland & Peterson, before the House for concurrence on **SA 1**.

**HB 122 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO BROKERAGE RELATIONSHIPS AND REAL ESTATE BROKERS, SALESPERSONS, AND APPRAISERS.**

Representative Smith deferred to Representative Hudson. Representative Hudson made comments.

The roll call on **HB 122 w/HA 1 & SA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Oberle, Schwartzkopf, Valihura & Viola - 4.

Therefore, having received a constitutional majority, **HB 122 w/HA 1 & SA 1** was sent to the Governor.

Representative Smith deferred to Representative Stone.

Representative Stone brought **HB 445**, jointly sponsored by Representative Valihura & Senator Vaughn & Representative Marshall & Senator Amick, before the House for consideration.

**HB 445** - AN ACT TO AMEND CHAPTER 38, TITLE 12 OF THE DELAWARE CODE RELATING TO STATUTORY TRUSTS. (3/5 bill)

Representative Stone made comments.

The roll call on **HB 445** was taken and revealed:

YES: 38.

ABSENT: Representatives Oberle, Valihura & Viola - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 445** was sent to the Senate for concurrence.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SS 1/SB 109 w/SA 1, SB 28, SB 277, SB 278 & SB 289 w/SA 2** and requests the concurrence of the House; **HB 122 w/HA 1 & SA 1** and is returning same to the House.

Delaware General Assembly  
WITHDRAWAL OF SPONSORSHIP REQUEST

I, George H. Bunting Jr., do hereby request that my name be removed as cosponsor of **HB 448**.

Date: June 1, 2006

Signed: George H. Bunting, Jr.

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

PUBLIC SAFETY: **HB 191** - 5M.

Representative Smith deferred to Representative Lee.

Representative Lee brought **SB 261 w/SA 2**, jointly sponsored by Senator Adams & Senator Vaughn, before the House for consideration.

**SB 261** - AN ACT TO AMEND CERTAIN PROVISIONS OF CHAPTER 92, TITLE 10 AND CHAPTER 59, TITLE 11 OF THE DELAWARE CODE RELATING TO PROCEDURES IN THE JUSTICE OF THE PEACE COURT.

Representative Lee brought **HA 1 to SB 261** before the House for consideration.

Representative Lee made a comment. **HA 1** was adopted by voice vote. Representative Lee introduced and brought **HA 2 to SB 261** before the House for consideration. Representative Lee made a comment. **HA 2** was adopted by voice vote. Representative Lee made comments.

The roll call on **SB 261 w/SA 2 & HA 1 & 2** was taken and revealed:

YES: 37.

ABSENT: Representatives Keeley, Oberle, Valihura & Viola - 4.

Therefore, having received a constitutional majority, **SB 261 w/SA 2 & HA 1 & 2** was returned to the Senate for concurrence on **HA 1 & 2**.

Representative Miro introduced **HS 1 for HB 388**, jointly sponsored by Senator Vaughn & Representative Spence.

**HB 388** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES RELATING TO RECORDING DEVICES.

Mr. Speaker Spence assigned **HS 1 for HB 388** to the Judiciary Committee.

Representative Smith brought **SB 90 w/HA 2 & SA 1 & 2**, sponsored by Senator McBride & Senators Venables, Simpson, Bunting & Connor & Representatives Booth, Hocker & McWilliams & cosponsored by Senator Still & Representative Lavelle, before the House for concurrence on **SA 1 & 2**.

**SB 90** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE PENALTIES FOR VIOLATING CHAPTER 60.

Representative Smith made comments.

The roll call on **SB 90 w/HA 2 & SA 1 & 2** was taken and revealed:

YES: 36.

ABSENT: Representatives Caulk, Keeley, Oberle, Valihura & Viola - 5.

Therefore, having received a constitutional majority, **SB 90 w/HA 2 & SA 1 & 2** was returned to the Senate.

Representative Smith deferred to Representative Hudson.

Representative Smith moved to lift **HB 126** from the Speaker's Table. The motion was seconded by Representative Hudson and adopted by voice vote.

Representative Hudson brought **HB 126**, jointly sponsored by Senator Sokola & Representatives Buckworth, Lavelle, Miro & Ulbrich & Senator Cloutier, before the House for consideration.

**HB 126** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO EQUIPMENT AND CONSTRUCTION. (2/3 bill)

Representative Hudson moved to lift **HA 2 to HB 126** from the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Hudson brought **HA 2 to HB 126** before the House for consideration. **HA 2** was adopted by voice vote. Representative Hudson introduced and brought **HA 3 to HB 126** before the House for consideration. Representatives Hudson & Marshall made comments. Representative Hudson requested and was granted privilege of the floor for Steven P. Wood, Deputy Attorney General. Representatives Marshall, Ewing, Wagner, Marshall, Hudson, Lavelle, Smith & Hudson made comments. **HA 3** was adopted by voice vote.

The roll call on **HB 126 w/HA 2 & 3** was taken and revealed:

YES: 32.

NO: Representative Marshall - 1.

ABSENT: Representatives Caulk, Keeley, Oberle, Plant, Roy, Stone, Valihura & Viola - 8.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 126 w/HA 2 & 3** was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 6:05 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Member was marked present by the Chief Clerk after the House recessed at 6:05 P.M.: Representative Oberle.

Mr. Acting Speaker Oberle called the House to order at 2:10 p.m. on June 6, 2006.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 320** and requests the concurrence of the House  
Representative Hudson made an announcement.

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

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.

### **33rd LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session June 6, 2006**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Wayne A. Smith, Seventh Representative District.

Mr. Acting Speaker invited Trevor Boulden to join him in leading those present in a pledge of allegiance to the American Flag.

The following prefiled legislation was introduced:

**HB 9 - SMITH & SENATOR BLEVINS - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Candidates and Political Party Affiliation.**

**HB 460 - HUDSON & SENATOR DELUCA; REPRESENTATIVES BUCKWORTH, EWING, MIRO, MULROONEY, VIOLA - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to State Taxes.**

**HB 461 - WAGNER & REPRESENTATIVE VALIHURA & SENATOR PETERSON & SENATOR SOKOLA - HOUSE ADMINISTRATION - An Act to Amend Title 29 of the Delaware Code Relating to the Freedom of Information Act.**

**HB 462 - WAGNER & SENATOR MCDOWELL; REPRESENTATIVES SPENCE, BUCKWORTH, DIPINTO, STONE, SCHOOLEY - EDUCATION - An Act to Amend Title 14 of the Delaware Code Creating a Delaware Higher Education Facilities Authority.**

**HB 463 - STONE & SENATOR BLEVINS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Insurer Investments in Foreign Countries.**

**HB 464 - LEE & REPRESENTATIVE ENNIS & SENATOR BUNTING - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Life Insurance.**

**HB 465 - ROY; REPRESENTATIVES CATHCART, MIRO - BUSINESS/ CORPORATIONS/COMMERCE - An Act to Amend Title 4 of the Delaware Code Relating to Purchasing, Receiving, Storing, and Selling Beer In Grocery Stores. (3/5 bill)**

**HB 466 - HUDSON & SENATOR VAUGHN - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13 of the Delaware Code Relating to Certain Specific Requested Relief in Divorce Actions.**

**HA 1 to HB 112 - SMITH - Placed with the Bill.**

**HA 1 to HB 181 - DIPINTO - Placed with the Bill.**

**HA 1 to HA 4 to HB 256 - SPENCE - Placed with the Bill.**

**HA 2 to HB 404 - SPENCE - Placed with the Bill.**

**HA 1 to HB 430 - KEELEY - Placed with the Bill.**

**HA 2 to HR 61 - WAGNER - Placed with the Bill.**

**HJR 29 - SMITH & REPRESENTATIVE VALIHURA & REPRESENTATIVE MCWILLIAMS & SENATOR MCDOWELL - HOUSE ADMINISTRATION - Extending the Reporting Date of the Philadelphia International Airport Air Traffic and Quality of Life Issues Action Group.**

**SB 28** - MCBRIDE; SENATORS COPELAND, SOKOLA; REPRESENTATIVES HUDSON, MULROONEY, VALIHURA, VIOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Funeral Services.

**SS 1 for SB 109 w/SA 1** - VENABLES & REPRESENTATIVE MAIER; SENATORS AMICK, BLEVINS, BUNTING, CLOUTIER, CONNOR, COPELAND, PETERSON, SOKOLA, DELUCA, HENRY, MARSHALL, MCBRIDE, MCDOWELL, SIMPSON, SORENSON; REPRESENTATIVES ATKINS, BOOTH, BUCKWORTH, CAREY, DIPINTO, ENNIS, FALLON, HALL-LONG, STONE, WAGNER - BUSINESS/CORPORATIONS/ COMMERCE - An Act to Amend Title 6 of the Delaware Code Relating to the Clean Credit and Identity Theft Protection Act.

**SB 277** - MARSHALL & REPRESENTATIVE HUDSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Taxation.

**SB 278** - MARSHALL & REPRESENTATIVE HUDSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Taxation.

**SB 289 w/SA 2** - BUNTING & REPRESENTATIVE ULBRICH; SENATORS STILL, SORENSON, BONINI, SOKOLA; REPRESENTATIVES ATKINS, BUCKWORTH, DIPINTO, HUDSON, MAIER, STONE, VALIHURA, HALL-LONG, LONGHURST, MCWILLIAMS, SCHOOLEY - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 14 of the Delaware Code Relating to the Creation of a Statewide Health Advisory Council.

**SB 320** - SOKOLA & REPRESENTATIVE WAGNER - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Delaware Student Testing Program.

Mr. Acting Speaker made comments and introduced guests.

Representative Smith deferred to Representative Booth.

Representative Booth introduced **HB 469**, jointly sponsored by Representative Schwartzkopf & Senator Bunting & Representatives Spence, Smith, Buckworth, Carey, Cathcart, Ewing, Hocker, Hudson, Lavelle, Miro, Outten, Valihura, Wagner & Keeley & Senators Henry & Sokola.

**HB 469** - AN ACT TO AMEND TITLES 16 AND 21 OF THE DELAWARE CODE RELATING TO LITTER CONTROL AND RULES OF THE ROAD.

Mr. Acting Speaker assigned **HB 469** to the Natural Resources & Environmental Management Committee.

Representative Booth made an announcement.

Mr. Acting Speaker introduced a guest. Mr. Acting Speaker granted privilege of the floor to third grade students from The Independence School, Newark, who announced their names for the record. Representative Smith made comments.

Representative Smith requested and was granted privilege of the floor for Rebecca Bledsoe, Miss Delaware 2005, who addressed the House and presented her official portrait to the House. Mr. Acting Speaker & Representative Maier made comments. The Miss Delaware 2006 contestants introduced themselves and stated their platforms for the record.

Representative Maier requested and was granted privilege of the floor for herself and Mr. Acting Speaker to present a House Tribute to Patricia Beebe, President and CEO, Food Bank of Delaware. Mr. Acting Speaker made comments. Representative Spence requested that he be marked present and made an announcement. Representative Ulbrich requested that she be marked present. Representative Johnson requested and was granted personal privilege of the floor to make comments. Mr. Acting Speaker made comments. Representative Longhurst requested that she be marked present. Representative Hall-Long requested that she be marked present and requested and was granted personal privilege of the floor to introduce a guest. Representatives Gilligan, DiPinto & McWilliams requested that they be marked present.

The Majority Leader moved to recess for caucus at 2:50 p.m.

The House reconvened at 5:21 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 310 w/SA 1, SB 311, SB 312, SB 313, SB 314 & SCR 38** and requests the concurrence of the House.

The minutes of the previous legislative were approved as posted.

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

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **SB 305** - 3M.

REVENUE & FINANCE: **HB 422** - 1F,5M.

Mr. Acting Speaker assigned **HB 422** to the Capital Infrastructure Committee.

Representatives Lee, Wagner & Schooley requested that they be marked present.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto brought **HB 309**, jointly sponsored by Senator Blevins & Representatives Buckworth, Ewing, Hocker, Miro, Stone, Ulbrich, Valihura, Wagner & Ennis & Senator Sorenson, before the House for consideration.

**HB 309** - AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO RADIATION CONTROL.

Representative DiPinto made comments.



The roll call on **HB 309** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 309** was sent to the Senate for concurrence.

Representatives Lofink, Miro, Schwartzkopf, Stone, Mulrooney, Plant, Cathcart, Atkins, Lavelle & Williams requested that they be marked present during the roll call.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth brought **HB 418**, jointly sponsored by Representatives Spence, Smith, Lee, Carey, Cathcart, Ewing, Maier, Outten, Stone, Hall-Long, Marshall, Plant, Schooley & Schwartzkopf & Senators Adams, DeLuca, Cook, Henry, Vaughn, Venables, Sorenson, Connor & Simpson, before the House for consideration.

**HB 418 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS.**

Representatives Buckworth & Hall-Long made comments. Representative Buckworth requested and was granted privilege of the floor for Nitin Rao representing the Medical Society of Delaware. Mr. Acting Speaker appointed Representative Booth as Acting Speaker. Representatives Hall-Long, Ewing & Hudson made comments.

The roll call on **HB 418** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 418** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle introduced and brought **HR 70**, jointly sponsored by Representative Smith & Representative Lofink & Representatives Lee, Atkins, Buckworth, Carey, Cathcart, Fallon, Hudson, Lavelle, Maier, Miro, Stone, Thornburg, Ulbrich & Valihura & cosponsored by Representatives Spence & Hocker, before the House for consideration.

**HR 70 - URGING THE SECRETARY OF LABOR TO RECONVENE THE DELAWARE WORKER'S COMPENSATION ADVISORY COUNCIL.**

Representatives Oberle & Gilligan made comments.

**HR 70** was adopted by voice vote.

Representative Oberle made an announcement.

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **HB 128**, jointly sponsored by Senator Sokola & Representatives Lee, Buckworth, DiPinto, Ewing, Lavelle, Miro, Oberle, Ulbrich & Valihura & Senators Cloutier, Connor & Simpson, before the House for consideration.

**HB 128 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.**

Representative Hudson brought **HA 1 to HB 128** before the House for consideration.

Representative Hudson made comments. **HA 1** was adopted by voice vote. Representatives Hudson & Marshall made comments. Representative Hudson moved to place **HB 128 w/HA 1** on the Speaker's Table. The motion was seconded by Representative Ulbrich and adopted by voice vote.

Representative Smith made an announcement regarding **HB 112**.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative VanSant.

Representative VanSant brought **HB 256**, jointly sponsored by Representative Spence & Representatives Ewing & Keeley & Senator Vaughn & cosponsored by Senators Connor & Sokola, before the House for consideration.

**HB 256 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS LICENSES. (F/N)**

Representative VanSant requested that **HA 1 to HB 256** be stricken. Representative VanSant brought **HA 2 to HB 256** before the House for consideration. Representative VanSant made comments. **HA 2** was adopted by voice vote. Representative VanSant requested that **HA 3 to HB 256** be stricken. Representative Spence requested that **HA 4 to HB 256** be stricken. Representative Spence requested that **HA 1 to HA 4 to HB 256** be stricken. Representative VanSant moved to place **HB 256 w/HA 2** on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Mr. Speaker Spence reassigned **HB 390** to the Appropriations Committee.

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

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **SB 31 w/SA 1 - 3M.**

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **HB 416 - 5M.**

Representative Schooley requested that **HJR 28** be stricken.

Representative Smith deferred to Representative Cathcart.

Representative Valihura made an announcement.

Representative Cathcart introduced **HB 472**, jointly sponsored by Senator Vaughn & Representatives Lofink, Roy & Hall-Long & Senator Amick.

**HB 472 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF CHIROPRACTIC.**

Representative Valihura made comments.

Mr. Speaker Spence assigned **HB 472** to the Policy Analysis & Government Accountability Committee.

Representative Maier made an announcement.

Mr. Speaker Spence assigned **HCR 63** to the House Administration Committee.

Representative Smith deferred to Representative Hocker.

Representative Hocker brought **HB 401**, jointly sponsored by Representative Ulbrich & Senator Bunting & Representatives Spence, Atkins, Maier, Thornburg, Valihura & Caulk, before the House for consideration.

**HB 401 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO GENERAL REGULATORY PROVISIONS.**

Representative Hocker introduced and brought **HA 1 to HB 401** before the House for consideration. Representative Hocker made comments. **HA 1** was adopted by voice vote. Representatives Hocker, Gilligan, Miro, Hocker & Smith made comments.

The roll call on **HB 401 w/HA 1** was taken and revealed:

YES: 32.

NO: Representatives Lavelle, Maier, Miro, Plant, Smith & Wagner - 6.

NOT VOTING: Representative Roy - 1.

ABSENT: Representatives Cathcart & Caulk - 2.

Therefore, having received a constitutional majority, **HB 401 w/HA 1** was sent to the Senate for concurrence.

The Majority Leader moved to recess to the call of the Chair at 6:21 p.m.

Mr. Acting Speaker Ewing called the House to order at 2:48 p.m. on June 7, 2006.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 99 w/SA 2 & SB 295 w/SA 1** and requests the concurrence of the House.

The Majority Leader moved to adjourn at 2:49 p.m., thereby ending the current legislative day. The House reconvened at 2:50 p.m.

### **34th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session June 7, 2006**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Cathcart & Caulk – 2.

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

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

The following prefiled legislation was introduced:

**HB 10 - SMITH & SENATOR BLEVINS - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Candidates and Political Party Affiliation.**

**HB 468 - MAIER & SENATOR PETERSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Tattoos, Body Piercing, and Permanent Makeup.**

**HB 470 - SPENCE & SENATOR PETERSON - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Chapter 17 of Title 7 of the Delaware Code Relating to Dangerous Dogs.**

**HB 473 - CATHCART & REPRESENTATIVE LAVELLE & REPRESENTATIVE ENNIS & REPRESENTATIVE SCHOOLEY & REPRESENTATIVE CAULK; REPRESENTATIVES SPENCE, BUCKWORTH, CAREY, DIPINTO, EWING, FALLON, HOCKER, HUDSON, LOFINK, MIRO, OBERLE, OUTTEN, STONE, THORNBURG, ULBRICH, WAGNER, GILLIGAN; SENATORS BUNTING, STILL, CLOUTIER - JUDICIARY - An Act to Amend Title 29 of the Delaware Code Relating to the State Department of Justice.**

**HA 2 to HB 317 - SPENCE - Placed with the Bill.**

**HA 1 to HB 390 - LAVELLE & REPRESENTATIVE MAIER - Placed with the Bill.**

**HA 1 to HB 423 - OUTTEN - Placed with the Bill.**

**HA 1 to HB 425 - SPENCE - Placed with the Bill.**

**HA 1 to HB 453 - MIRO - Placed with the Bill.**

**HA 1 to HB 465 - ROY - Placed with the Bill.**

**HA 1 to HA 1 to HB 465 - ROY - Placed with the Bill.**

**SB 99 w/SA 2 - BLEVINS & REPRESENTATIVE WAGNER - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Criminal Background Checks for Public and Private School Employees.**

**SB 295 w/SA 1 - BLEVINS & REPRESENTATIVE MAIER; SENATOR SOKOLA; REPRESENTATIVE STONE - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 and Title 18 of the Delaware Code Relating to Managed Care Organizations. (3/5 bill)**

**SB 310 w/SA 1** - DELUCA & REPRESENTATIVES STONE & VALIHURA; REPRESENTATIVE MARSHALL & SENATOR AMICK - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act Amending Title 12 of the Delaware Code Relating to Trusts.

**SB 311** - DELUCA & REPRESENTATIVES STONE & VALIHURA; REPRESENTATIVE MARSHALL & SENATOR AMICK - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act Amending Title 12 of the Delaware Code Relating to Trusts.

**SB 312** - DELUCA & REPRESENTATIVES STONE & VALIHURA; REPRESENTATIVE MARSHALL & SENATOR AMICK - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act Amending Titles 10 and 12 of the Delaware Code Relating to Trusts.

**SB 313** - DELUCA & REPRESENTATIVES STONE & VALIHURA; REPRESENTATIVE MARSHALL & SENATOR AMICK - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act Amending Title 12 of the Delaware Code Relating to Disclaimers of Interests in Property and of Powers Over Property.

**SB 314** - DELUCA & REPRESENTATIVES STONE & VALIHURA; REPRESENTATIVE MARSHALL & SENATOR AMICK - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act Amending Title 12 of the Delaware Code Relating to Estates.

**HA 2 to SS 1 for SB 53** - OBERLE - Placed with the Bill.

Representative Spence requested that he be marked present. Representative Wagner made an announcement. Representative Roy requested that **HB 437** be stricken. Mr. Speaker Spence resumed the Chair.

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

Representatives Miro & McWilliams requested that they be marked present.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #78

DATE: June 7, 2006

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                      | Date      | Type | Description                                                               |
|-----------|------------------------------|-----------|------|---------------------------------------------------------------------------|
| H143-1784 | Carey                        | 5/24/2006 | T    | W. Robert Steele - Contractor of the Year                                 |
|           | cosponsor: Rep. Schwartzkopf |           |      |                                                                           |
| H143-1785 | Carey                        | 5/24/2006 | T    | Elmer Ennis - Driver of the Year - Activity & Athletic Trips              |
|           | cosponsor: Rep. Schwartzkopf |           |      |                                                                           |
| H143-1786 | Carey                        | 5/24/2006 | T    | Cassandra White - Driver of the Year - Sussex Consortium                  |
|           | cosponsor: Rep. Schwartzkopf |           |      |                                                                           |
| H143-1787 | Carey                        | 5/24/2006 | T    | Ebony Gibbs - Monitor of the Year - Sussex Consortium                     |
|           | cosponsor: Rep. Schwartzkopf |           |      |                                                                           |
| H143-1788 | Booth                        | 5/24/2006 | T    | Frances Hopkins - Retiree of the Year - 20 Years - Cape Henlopen District |
|           | cosponsor: Rep. Schwartzkopf |           |      |                                                                           |
| H143-1789 | Outten                       | 5/16/2006 | M    | Juanita Scott                                                             |
| H143-1790 | Outten                       | 5/19/2006 | M    | Doris Paskey                                                              |
| H143-1791 | Ulbrich                      | 6/18/2006 | M    | Scott A. Dalton                                                           |
| H143-1792 | Thornburg                    | 5/15/2006 | M    | Betty L. McNatt                                                           |
| H143-1793 | Schwartzkopf                 | 5/23/2006 | T    | Alexander Pires, Jr. - Commitment to Community                            |
|           | cosponsor: Rep. Hocker       |           |      |                                                                           |
| H143-1794 | Carey                        | 5/23/2006 | T    | David Burton - Dedicated Service - Delaware Community Foundation          |
| H143-1795 | Wagner                       | 6/3/2006  | T    | Heather Peppard & Kevin Stansberry – Marriage                             |
| H143-1796 | Wagner                       | 5/28/2006 | T    | Maura Pierannunzio & Derek Herrera – Marriage                             |
| H143-1797 | Wagner                       | 5/17/2006 | M    | Jessica Danielle Reed                                                     |
| H143-1798 | Wagner                       | 5/16/2006 | M    | Elaine Burton Mosley                                                      |
| H143-1799 | Hudson                       | 5/21/2006 | M    | Jane C. Langshaw                                                          |
| H143-1800 | Fallon                       | 5/25/2006 | T    | G. Jane Drace - Community Service Award                                   |
| H143-1801 | Carey                        | 6/6/2006  | T    | Jackson Taylor - Employee of the First Quarter - KSI                      |
| H143-1802 | Carey                        | 6/6/2006  | T    | Chris Kerr - Employee of the Second Quarter - KSI                         |
| H143-1803 | Carey                        | 6/6/2006  | T    | Doris Winans - Employee of the Third Quarter - KSI                        |
| H143-1804 | Carey                        | 6/6/2006  | T    | Charles Nabb - Employee of the Fourth Quarter - KSI                       |
| H143-1805 | Carey                        | 6/6/2006  | T    | Katherine Johnson - Staff Employee of the Year - KSI                      |
| H143-1806 | Oberle                       | 5/31/2006 | T    | Dave Rodeheaver/Retirement/Health & Social Services                       |

HOUSE TRIBUTE ANNOUNCEMENT #79

DATE: June 7, 2006

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 | Date      | Type | Description         |
|-----------|---------|-----------|------|---------------------|
| H143-1807 | Johnson | 5/23/2006 | M    | Benjamin Rizzo, Sr. |

|           |                          |            |   |                                                         |
|-----------|--------------------------|------------|---|---------------------------------------------------------|
| H143-1808 | Ennis                    | 5/21/2006  | M | Jerry W. Johnson                                        |
| H143-1809 | Lee                      | 5/28/2006  | T | Lloyd Harrington - Eagle Scout                          |
| H143-1810 | Marshall                 | 6/1/2006   | T | Alice Eyman - Commitment to Children                    |
| H143-1811 | Ennis                    | 5/25/2006  | T | Ronald Grier - 85th Birthday                            |
| H143-1812 | Ennis                    | 6/15/2006  | T | Martha & William Bowser - 60th Wedding Anniversary      |
| H143-1813 | Wagner                   | 10/21/2005 | T | Jillian Johnson & Brian Floriani - Marriage             |
| H143-1814 | Wagner                   | 6/3/2006   | T | Jill Hajec & Joel Radunzel - Marriage                   |
| H143-1815 | Ennis                    | 5/26/2006  | M | Charles G. Lamb                                         |
| H143-1816 | DiPinto                  | 5/30/2006  | T | Captain Michael Linton - 65th Birthday                  |
| H143-1817 | DiPinto                  | 6/1/2006   | T | Ann Wick - Jane Davidson Leadership Award               |
|           | cosponsor: Rep. Marshall |            |   |                                                         |
| H143-1818 | Outten                   | 5/31/2006  | T | Jennifer Crouse/Prudential Spirit of Community Award    |
| H143-1819 | Outten                   | 5/31/2006  | T | Jeffery Sullivan/Prudential Spirit of Community Award   |
| H143-1820 | Lofink                   | 6/3/2006   | T | Groundbreaking - Bear Glasgow Family YMCA               |
| H143-1821 | Marshall                 | 5/31/2006  | T | Delaware Girls Initiative - Blueprint for System Change |
| H143-1822 | Carey                    | 5/26/2006  | M | Dorothy Chaffee Hurd                                    |
| H143-1823 | Hocker                   | 6/17/2006  | T | Benjamin David Kern - Eagle Scout                       |
| H143-1824 | Atkins                   | 7/14/2006  | T | Michael S. Cordrey - Eagle Scout                        |
| H143-1825 | Wagner                   | 7/1/2006   | T | Gary Breakwell - Retirement - Capital Schools           |
| H143-1826 | Wagner                   | 7/1/2006   | T | Kathleen Breakwell - Retirement - Capital Schools       |
| H143-1827 | Wagner                   | 7/1/2006   | T | Joseph Caputo - Retirement - Capital Schools            |
| H143-1828 | Buckworth                | 7/1/2006   | T | Deborah Cauff-White - Retirement - Capital Schools      |
| H143-1829 | Wagner                   | 7/1/2006   | T | Lynda Dunning - Retirement - Capital Schools            |
| H143-1830 | Thornburg                | 7/1/2006   | T | Charles Farrow - Retirement - Capital Schools           |
| H143-1831 | Wagner                   | 7/1/2006   | T | Glenn Gabrelcik - Retirement - Capital Schools          |
| H143-1832 | Hall-Long                | 7/1/2006   | T | Janice Hess - Retirement - Capital Schools              |

#### HOUSE TRIBUTE ANNOUNCEMENT #80

DATE: June 7, 2006

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   | Date      | Type | Description                                                   |
|-----------|-----------|-----------|------|---------------------------------------------------------------|
| H143-1833 | Wagner    | 7/1/2006  | T    | Beverly Hogate - Retirement - Capital Schools                 |
| H143-1834 | Buckworth | 7/1/2006  | T    | Thomas Kennish - Retirement - Capital Schools                 |
| H143-1835 | Ennis     | 7/1/2006  | T    | Jan Kirk - Retirement - Capital Schools                       |
| H143-1836 | Wagner    | 7/1/2006  | T    | Jacqueline Koniencki - Retirement - Capital Schools           |
| H143-1837 | Outten    | 7/1/2006  | T    | Jane Little - Retirement - Capital Schools                    |
| H143-1838 | Wagner    | 7/1/2006  | T    | Dianne Medina - Retirement - Capital Schools                  |
| H143-1839 | Ennis     | 7/1/2006  | T    | Terun Palmer - Retirement - Capital Schools                   |
| H143-1840 | Wagner    | 7/1/2006  | T    | Steve Protonentis - Retirement - Capital Schools              |
| H143-1841 | Viola     | 7/1/2006  | T    | Phyllise Wilkins-Church - Retirement - Capital Schools        |
| H143-1842 | Ennis     | 7/1/2006  | T    | Lois Williams - Retirement - Capital Schools                  |
| H143-1843 | Ennis     | 7/1/2006  | T    | Frances Wilson - Retirement - Capital Schools                 |
| H143-1844 | Thornburg | 7/1/2006  | T    | Loretta Hutson - Retirement - Capital Schools                 |
| H143-1845 | Thornburg | 7/1/2006  | T    | Isaac Johnson - Retirement - Capital Schools                  |
| H143-1846 | Hall-Long | 7/1/2006  | T    | Maryann McGowan - Retirement - Capital Schools                |
| H143-1847 | Wagner    | 7/1/2006  | T    | Bessie Morris - Retirement - Capital Schools                  |
| H143-1848 | Lofink    | 6/4/2006  | T    | Brian Werkheiser - Eagle Scout                                |
| H143-1849 | Stone     | 7/1/2006  | T    | Cynthia Reddix - Retirement - Capital Schools                 |
| H143-1850 | Caulk     | 3/1/2006  | T    | Paul Sherman - Retirement - Capital Schools                   |
| H143-1851 | Thornburg | 3/1/2006  | T    | Edward Starkey - Retirement - Capital Schools                 |
| H143-1852 | Cathcart  | 6/5/2006  | T    | Rodney Reeves - Retirement - DelTech - 34 Years               |
| H143-1853 | Maier     | 5/31/2006 | M    | Mayoe Ridley                                                  |
| H143-1854 | Lofink    | 6/6/2006  | T    | Shakir Ali/State Champions/Boys Track/Howard High             |
| H143-1855 | Lofink    | 6/6/2006  | T    | Ricardo Benjamin - State Champions - Boys Track - Howard High |
| H143-1856 | Lofink    | 6/6/2006  | T    | Parker Bennett - State Champions - Boys Track - Howard High   |
| H143-1857 | Lofink    | 6/6/2006  | T    | Kavon Brown/State Champions/Boys Track/Howard High            |
| H143-1858 | Lofink    | 6/6/2006  | T    | Aubray Edwards/State Champions/Boys Track/Howard High         |

#### HOUSE TRIBUTE ANNOUNCEMENT #81

DATE: June 7, 2006

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 | Date     | Type | Description                                            |
|-----------|---------|----------|------|--------------------------------------------------------|
| H143-1859 | Lofink  | 6/6/2006 | T    | Josh Foster/State Champions/Boys Track/Howard High     |
| H143-1860 | Lofink  | 6/6/2006 | T    | Eric Gregory/State Champions/Boys Track/Howard High    |
| H143-1861 | Lofink  | 6/6/2006 | T    | Marcus Hayes/State Champions/Boys Track/Howard High    |
| H143-1862 | Lofink  | 6/6/2006 | T    | Dion Inge/State Champions/Boys Track/Howard High       |
| H143-1863 | Lofink  | 6/6/2006 | T    | Jayvon Johnson/State Champions/Boys Track/Howard High  |
| H143-1864 | Lofink  | 6/6/2006 | T    | Shane Keatts/State Champions/Boys Track/Howard High    |
| H143-1865 | Lofink  | 6/6/2006 | T    | Mychal McAdoo/State Champions/Boys Track/Howard High   |
| H143-1866 | Lofink  | 6/6/2006 | T    | Kianti Miller/State Champions/Boys Track/Howard High   |
| H143-1867 | Lofink  | 6/6/2006 | T    | Dirk Moore/State Champions/Boys Track/Howard High      |
| H143-1868 | Lofink  | 6/6/2006 | T    | John Newman/State Champions/Boys Track/Howard High     |
| H143-1869 | Lofink  | 6/6/2006 | T    | Jeff Park/State Champions/Boys Track/Howard High       |
| H143-1870 | Lofink  | 6/6/2006 | T    | K'Lyle Peyton/State Champions/Boys Track/Howard High   |
| H143-1871 | Lofink  | 6/6/2006 | T    | Terrence Potter/State Champions/Boys Track/Howard High |
| H143-1872 | Lofink  | 6/6/2006 | T    | Shannon Powell/State Champions/Boys Track/Howard High  |
| H143-1873 | Lofink  | 6/6/2006 | T    | Shamuan Powell/State Champions/Boys Track/Howard High  |
| H143-1874 | Lofink  | 6/6/2006 | T    | David Quigley/State Champions/Boys Track/Howard High   |
| H143-1875 | Lofink  | 6/6/2006 | T    | Vince Stallings/State Champions/Boys Track/Howard High |
| H143-1876 | Lofink  | 6/6/2006 | T    | Devon Still/State Champions/Boys Track/Howard High     |
| H143-1877 | Lofink  | 6/6/2006 | T    | Tom Wyatt/State Champions/Boys Track/Howard High       |
| H143-1878 | Lofink  | 6/6/2006 | T    | Greg Jordan/State Champions/Boys Track/Howard High     |
| H143-1879 | Lofink  | 6/6/2006 | T    | Al Booker/State Champions/Boys Track/Howard High       |
| H143-1880 | Lofink  | 6/6/2006 | T    | Yolanda DuBose/State Champions/Boys Track/Howard High  |
| H143-1881 | Lofink  | 6/6/2006 | T    | Bill Moore/State Champions/Boys Track/Howard High      |
| H143-1882 | Lofink  | 6/6/2006 | T    | Karen Ware/State Champions/Boys Track/Howard High      |

T – Tribute

M – Memoriam

Mr. Speaker Spence reassigned **HB 422** to the Appropriations Committee.

Mr. Speaker Spence reassigned **HB 454** to the Housing & Community Affairs Committee.

Representative Smith made an announcement. Mr. Speaker Spence introduced guests.

Representative Smith made announcement. Representative Ewing requested and was granted personal privilege of the floor to introduce a guest. Representative Wagner introduced a guest.

Representative VanSant requested that he be marked present.

Representative Smith introduced guests. Mr. Speaker Spence granted privilege of the floor to Mansoor Zaman, Governor, YMCA Youth in Government. Mr. Speaker Spence & Representative Wagner made comments.

Representative Ennis requested that he be marked present.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 3:04 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 3:04 P.M.: Representatives Carey, Gilligan, Hudson, Johnson, Keeley, Lavelle, Lofink, Marshall, Oberle, Ulbrich & Valihura.

Mr. Acting Speaker Buckworth called the House to order at 2:17 p.m. on June 8, 2006.

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

AGRICULTURE: **HB 425** - 6M.

APPROPRIATIONS: **HB 349** - 6M; **HB 390** - 6M; **HB 422** - 1F,5M; **SB 251 w/SA 1** - 6M.

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 438** - 1F,10M; **HB 446** - 11M; **HB 463** - 10M.

EDUCATION: **HB 462** - 6M.

HOUSE ADMINISTRATION: **HB 405** - 3M; **HB 411** - 3M; **HB 420** - 3M; **HB 426** - 3M; **HB 434** - 3M; **HB 436** - 4M; **HJR 27** - 3M.

HOUSING & COMMUNITY AFFAIRS: **HB 410** - 6M; **HB 451** - 6M; **HB 454** - 6M; **SB 274** - 2F,4M.

JUDICIARY: **HB 334** - 5M; **HB 409** - 5M; **HB 414** - 5M; **HB 415** - 5M; **HB 424** - 5M; **HB 429** - 7M; **HB 431** - 5M,2U; **HB 442** - 7M; **HB 441** - 7M; **HB 439** - 6M; **HB 412** - 7M; **HB 449** - 7M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 8** - 7M,1U; **HB 469** - 1F,7M.

PUBLIC SAFETY: **HB 453** - 6M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 330 w/SA 1** and requests the concurrence of the House; **HS 1/HB 243 w/HA 2, 3 & 4 & SA 2**, **HB 119 w/HA 1 & SA 1 & HB 358 w/HA 1 & SA 1** and is returning same to the House; **SB 322**, **SB 300** & **SB 266** and requests the concurrence of the House.

June 3, 2006

Mrs. JoAnn M. Hedrick

Chief Clerk of the House

Dear Ms. Hedrick:

Thank you so much for issuing the Tribute to the Council of Civic Organizations of Brandywine Hundred on the occasion of the recent 50th Anniversary Celebration. Our special thanks go to you as the sponsors, but please extend our thanks to the House as a whole for approving this Tribute, unanimously.

It is gratifying to the members of our organization to be recognized by distinguished state officials. Throughout our history we have provided this community with a forum for open discussion on a wide variety of quality of life issues. Thank you again.

Sincerely,

Daniel E. Bockover

President

R. Jerry Martin

Legislative Chair

Council of Civic Organizations

Brandywine Hundred

Wilmington, DE

June 7, 2006

#### LEGISLATIVE ADVISORY #20

Governor Ruth Ann Minner signed the following legislation on the date indicated: 5/24/06 – **SJR 4**; 6/1/06 – **SB 157 aab SA 1, HB 324, HB 371 aab HA 1 & SA 2 & 4, HB 381 aab HA 1 & SA 1, HB 383 & HB 391 aab HA 1**; 6/7/06 – **SB 90 aab HA 2 & SA 1 & 2, SB 256 & HB 122 aab HA 1 & SA 1**.

Representative Lofink made an announcement.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich made comments.

Representative Ulbrich introduced **HB 471**, jointly sponsored by Senator Bunting & Representatives DiPinto, Maier, Stone, Valihura, Hall-Long, McWilliams, Schooley & Williams & Senators Blevins, Henry & Sokola.

**HB 471 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO A PILOT PROGRAM FOR PHYSICAL EDUCATION AND PHYSICAL ACTIVITY IN DELAWARE PUBLIC SCHOOLS.**

Mr. Acting Speaker assigned **HB 471** to the Education Committee.

Representative Smith deferred to Representative Carey.

Representative Carey introduced **HB 475**, jointly sponsored by Representative Hocker & Representative Thornburg & Representative Outten & Senator Bunting & Representatives Spence, Atkins, Hall-Long, McWilliams & Mulrooney & Senators Venables & Simpson.

**HB 475 - AN ACT TO AMEND TITLE 7 AND TITLE 25 OF THE DELAWARE CODE RELATING TO RECORDING OF NOTICE OF TAX DITCH, TAX LAGOON RIGHT-OF-WAY, OR ASSESSMENT, AND DEEDS.**

Mr. Acting Speaker assigned **HB 475** to the Natural Resources & Environmental Management Committee.

Representative Smith deferred to Representative Hocker.

Representative Hocker introduced **HB 476**, jointly sponsored by Senator Bunting & Representatives Smith, Lee, Buckworth, Carey, Ewing, Maier, Outten, Stone, Thornburg & Valihura & Senator Connor.

**HB 476 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF DENTAL EXAMINERS.**

Mr. Acting Speaker assigned **HB 476** to the Policy Analysis & Government Accountability Committee.

The Majority Leader moved to adjourn at 2:28 p.m., thereby ending the current legislative day. The House reconvened at 2:29 p.m.

#### 35th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session

June 8, 2006

The Chief Clerk called the roll:

Members Present: 41.

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

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

The following prefiled legislation was introduced:

**HB 474 - ROY & REPRESENTATIVE MIRO & SENATOR SOKOLA - BUSINESS/CORPORATIONS/COMMERCE - An Act to Amend Title 4 of the Delaware Code Relating to the Limit on Number of Retail Alcoholic Liquor Licenses.**

**HA 1 to HB 422 - HUDSON - Placed with the Bill.**

**SB 266 - SOKOLA & REPRESENTATIVE WAGNER - EDUCATION - An Act to Amend Title 14 of Delaware Code Relating to Compassionate Leave.**



**SB 300** - ADAMS & SENATOR VAUGHN & REPRESENTATIVE LEE - CORRECTIONS - An Act to Amend Titles 10 and 11 of the Delaware Code Relating to Probation Before Adjudication or Judgment.

**SB 322** - VAUGHN & REPRESENTATIVE VALIHURA; REPRESENTATIVE MARSHALL & SENATOR AMICK - JUDICIARY - An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law. (2/3 bill)

**SB 330 w/SA 1** - MCBRIDE & REPRESENTATIVE ROY; SENATORS BLEVINS, PETERSON - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Erosion and Sediment Control and the Establishment of a Stormwater Utility. (3/5 bill)

**HA 1 to SS 1 for SB 109** - STONE - Placed with the Bill.

Mr. Acting Speaker introduced guests and made an announcement.

Representative Roy requested that he be marked present.

Representative Smith made comments and requested and was granted privilege of the floor for Adjutant General Francis D. Vavala, Delaware National Guard, who introduced representatives of National Guard officers', enlistees' and retirees' organizations.

Representative Smith deferred to Representative Lee.

Representative Lee requested and was granted privilege of the floor to present a House Tribute to Kathryn Onken, 2006 Mar-Del Watermelon Queen. Representative Lee introduced guests. Miss Onken addressed the House.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto requested and was granted privilege of the floor to present a House Commendation to Daniele Dalla Valle, Director, Chamber of Commerce, Modena, Italy. Representatives Marshall, DiPinto & Mr. Acting Speaker made comments.

Representative Lavelle requested and was granted personal privilege of the floor to make comments.

Mr. Acting Speaker assigned **HB 334** & **HB 425** to the Appropriations Committee.

Representative Smith made comments.

The Majority Leader moved to recess for caucus at 2:49 p.m.

The House reconvened at 4:42 p.m. with Representative Booth as Acting Speaker.

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

JUDICIARY: **HB 417** - 5M.

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

Representative Smith deferred to Representative Stone.

Representative Stone requested that she be marked present.

Representative Stone brought **HB 463**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 463** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURER INVESTMENTS IN FOREIGN COUNTRIES.

Representative Stone made comments.

The roll call on **HB 463** was taken and revealed:

YES: 39.

ABSENT: Representatives DiPinto & Spence - 2.

Therefore, having received a constitutional majority, **HB 463** was sent to the Senate for concurrence.

Representatives Oberle, Schwartzkopf, Valihura, Williams, McWilliams, Maier, Cathcart, Mulrooney & Plant requested that they be marked present during the roll call.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to lift **HB 366** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Oberle brought **HB 366** before the House for consideration.

**HB 366** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF JUSTICE.

Representative Oberle moved to lift **HA 1 to HB 366** from the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote. Representative Oberle brought **HA 1 to HB 366** before the House for consideration. Representative Oberle made comments. Representative Miro requested that **HA 1 to HA 1 to HB 366** be stricken. Representative Miro introduced and brought **HA 2 to HA 1 to HB 366** before the House for consideration. Representatives Miro, Oberle, Smith, Oberle, Marshall, Smith, Miro, Lavelle & Oberle made comments.

The roll call on **HA 2 to HA 1 to HB 366** was taken and revealed:

YES: Representatives Lee, Miro, Smith & Valihura - 4.

NO: 37.

Therefore, not having received a constitutional majority, **HA 2 to HA 1 to HB 366** was declared defeated.

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

**HA 1** was adopted by voice vote. Representatives DiPinto & Oberle made comments. Representative Oberle requested and was granted privilege of the floor for Steven P. Wood, Deputy Attorney General. Representative DiPinto made comments.

The roll call on **HB 366 w/HA 1** was taken and revealed:

YES: 38.

NO: Representatives Keeley & Smith - 2.

ABSENT: Representative Valihura - 1.

Therefore, having received a constitutional majority, **HB 366 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Spence.

Representative Spence requested that action on **HB 317** be Deferred to a Day Certain, Tuesday, June 13, 2006.

Representative Spence brought **HB 404**, jointly sponsored by Senator McBride & Representative Valihura & Senator Cloutier & Representatives Smith, Atkins, Carey, Ewing, Fallon, Gilligan, Hocker, Lee, Lofink, Oberle, Outten & Stone & Senators Adams, DeLuca & Still & cosponsored by Representative Wagner, before the House for consideration.

**HB 404 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (F/N)**

Representative Spence brought **HA 1 to HB 404** before the House for consideration. Representative Spence made comments. Representative Spence deferred to Representative Marshall. Representative Marshall made comments and requested and was granted privilege of the floor for Steven P. Wood, Deputy Attorney General. Representatives Marshall, Smith, Wagner, Keeley, Marshall, Maier, Keeley, Smith, Marshall, Mulrooney & Spence made comments. **HA 1** was adopted by voice vote. Representative Spence brought **HA 2 to HB 404** before the House for consideration. Representative Spence made comments. **HA 2** was adopted by voice vote. Representative Spence made comments.

The roll call on **HB 404 w/HA 1 & 2** was taken and revealed:

YES: 38.

NO: Representative Johnson - 1.

ABSENT: Representatives Ennis & Roy - 2.

Therefore, having received a constitutional majority, **HB 404 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Lee.

Mr. Speaker Spence resumed the Chair.

Representative Lee introduced and brought **HR 71**, jointly sponsored by Representative Smith & Representative Lee on behalf of All Representatives, before the House for consideration.

**HR 71 - HONORING THE HONORABLE BATTLE R. ROBINSON UPON HER DEPARTURE TO REPRESENT DELAWARE AT THE HAGUE ON THE INTERNATIONAL RECOVERY OF CHILD SUPPORT AND OTHER FUNCTIONS OF FAMILY MAINTENANCE.**

WHEREAS, The Honorable Battle R. Robinson began her legal career as a House Attorney; and

WHEREAS, Battle then served as Counsel to Governor Pierre S. DuPont; and

WHEREAS, in 1984, Battle ran for Lieutenant Governor, but came up short by only a 429 vote difference; and

WHEREAS, Battle was nominated by Governor Michael N. Castle, and served as an Associate Judge of the Family Court from 1986 to 1999 and served as Director of Legal Affairs for Family Court before returning as a House Attorney for the House of Representatives in 2002; and

WHEREAS, during this time, she has served with distinction as one of Delaware's Uniform Law Commissioners and sits on the Board for Preservation Delaware; and

WHEREAS, Battle has been invited to attend the Conference at the Hague on the International Recovery of Child Support and Other Functions of Family Maintenance and will be heading overseas this weekend; and

WHEREAS, we know in her heart Battle will miss Legislative Hall, including the last two weeks of session, but her service to the State of Delaware and her country is paramount to us missing her here in Dover for the remainder of the session.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 143rd General Assembly of the State of Delaware that we honor The Honorable Battle R. Robinson and wish her well as she performs this assignment on behalf of the people of Delaware.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be presented to The Honorable Battle R. Robinson.

Representatives Booth & Buckworth made comments.

**HR 71** was adopted by voice vote.

Mr. Speaker Spence reassigned **SS 1 for SB 109** to the Economic Development/Banking & Insurance Committee. Mr. Speaker Spence assigned **HB 422** to the Capital Infrastructure Committee.

Representative Valihura brought **HB 191**, jointly sponsored by Representative Miro & Representative Ewing & Senator Sokola & Senator Cloutier & Representatives Buckworth, Carey, DiPinto, Fallon, Hudson & Oberle, before the House for consideration.

**HB 191** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS' PERMITS AND LICENSES. (F/N)

Representative Valihura brought **HA 1** to **HB 191** before the House for consideration. **HA 1** was adopted by voice vote. Representatives Valihura, VanSant & Marshall made comments. Representative Marshall requested and was granted privilege of the floor for Ron Smith, House Attorney. Representative Marshall made comments.

The roll call on **HB 191 w/HA 1** was taken and revealed:

YES: Representatives Buckworth, DiPinto, Ewing, Fallon, Hudson, Lofink, Roy, Smith, Valihura & Spence - 10.

NO: 26.

NOT VOTING: Representatives Cathcart, Oberle & Wagner - 3.

ABSENT: Representatives Lavelle & Lee - 2.

Therefore, not having received a constitutional majority, **HB 191 w/HA 1** was declared defeated.

Representative Smith deferred to Representative Maier.

Representative Maier brought **SB 262 w/SA 1**, sponsored by Senator Blevins & Senator Sorenson & Representative Hudson, before the House for consideration.

**SB 262** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE FATAL INCIDENT REVIEW TEAM.

Representative Maier made a comment.

The roll call on **SB 262 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 262 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought **HB 455**, jointly sponsored by Senator Venables, before the House for consideration.

**HB 455** - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO ENVIRONMENTAL CONTROL AND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES. (3/5 bill) (F/I)

Representative Ewing made comments.

The roll call on **HB 455** was taken and revealed:

YES: 38.

NO: Representative Caulk - 1.

NOT VOTING: Representatives Stone & Valihura - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 455** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HB 355**, jointly sponsored by Representative Stone & Representative Hall-Long & Senator Blevins & Representatives Spence, Carey, Cathcart, DiPinto, Ewing, Hocker, Hudson, Maier, Miro, Ulbrich, Longhurst & Schooley, before the House for consideration.

**HB 355** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF SERVICES FOR AGING AND ADULTS WITH PHYSICAL DISABILITIES.

Representative Valihura made a comment.

Representative Stone introduced a guest.

The roll call on **HB 355** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 355** was sent to the Senate for concurrence.

The Majority Leader moved to recess at 6:50 p.m.

The House reconvened at 7:14 p.m.

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

HEALTH & HUMAN DEVELOPMENT: **SB 297** - 5M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 447** - 3M.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 196 w/SA 1** & **SB 184 w/SA 1** and requests the concurrence of the House.

Representative Smith deferred to Representative Williams.

Representative Williams brought **HB 443**, jointly sponsored by Representatives Longhurst, Miro, Plant & Valihura & Senators Blevins & Henry & cosponsored by Senators Connor & McDowell, before the House for consideration.

**HB 443** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DELAWARE POLICE TRAINING PROGRAM.

Representatives Williams, DiPinto & Booth made comments.

The roll call on **HB 443** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk, Plant - 2.

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

Representative Smith deferred to Representative Cathcart.

Representative Cathcart requested that action on **SB 241** be Deferred to a Day Certain, Tuesday, June 13, 2006.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **SB 265**, jointly sponsored by Senator Vaughn, before the House for consideration.

**SB 265** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXECUTION ON JUDGMENTS IN THE JUSTICE OF THE PEACE COURT.

Representative Valihura made comments.

The roll call on **SB 265** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Fallon & Plant - 3.

Therefore, having received a constitutional majority, **SB 265** was returned to the Senate.

Representative Smith deferred to Representative Lee.

Representative Lee brought **SB 305**, jointly sponsored by Senator DeLuca, before the House for consideration.

**SB 305** - AN ACT TO AMEND CHAPTER 87, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF PROFESSIONAL REGULATION AND THE REGULATION OF BOXING.

Representative Lee made comments.

The roll call on **SB 305** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Plant - 2.

Therefore, having received a constitutional majority, **SB 305** was returned to the Senate.

Representative Smith deferred to Representative Gilligan.

Representative Gilligan brought **HB 416**, jointly sponsored by Representative Hudson & Representative Roy & Senator Sokola & Senator Blevins, before the House for consideration.

**HB 416** - AN ACT PERMITTING THE STATE OF DELAWARE TO CONVEY A PORTION OF UNIMPROVED EMILY P. BISSELL HOSPITAL PROPERTY TO NEW CASTLE COUNTY FOR FLOOD MITIGATION AND A RETENTION BASIN. (3/4 bill)

Representative Gilligan made comments.

The roll call on **HB 416** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Plant - 2.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **HB 416** was sent to the Senate for concurrence.

Representative Smith deferred to Representative VanSant.

Representative VanSant moved to lift **HB 256 w/HA 2** from the Speaker's Table. The motion was seconded by Representative Johnson and adopted by voice vote.

Representative VanSant brought **HB 256 w/HA 2**, jointly sponsored by Representative Spence & Representatives Ewing & Keeley & Senator Vaughn & cosponsored by Senators Connor & Sokola, before the House for consideration.

**HB 256** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS LICENSES. (F/N)

Mr. Speaker Spence appointed Representative Buckworth as Acting Speaker.

Representative Spence introduced and brought **HA 5 to HB 256** before the House for consideration. Representatives Spence & Marshall made comments. Representative Spence requested and was granted privilege of the floor for Clayton W. Hewes, Jr., representing Delaware Drivers' Safety Education Association. Representatives Marshall, Lavelle, Stone, Maier, Schwartzkopf, Ewing & Spence made comments. **HA 5** was adopted by voice vote. Representative VanSant requested and was granted privilege of the floor for Clayton W. Hewes, Jr. representing Delaware Drivers' Safety Education Association. Mr. Speaker Spence resumed the Chair. Representatives Stone, Valihura & Wagner made comments. Mr. Speaker Spence granted privilege of the floor to Jeffrey D. Hewes, Sr. representing Delaware Drivers' Safety Education Association and Andrea Summers representing the Office of Highway Safety. Representatives Lavelle & Thornburg made comments. Mr. Speaker Spence granted privilege of the floor to Catherine Rossi, Manager, Public and Governmental Affairs, American Automobile Association. Representatives Maier & McWilliams made comments. Mr. Speaker Spence granted privilege of the floor to Jason Hewes representing Delaware Drivers' Safety Education Association. Representatives Valihura, Oberle & VanSant made comments. Representative VanSant moved to place **HB 256 w/HA 2 & 5** on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith deferred to Representative Ewing.

Mr. Speaker Spence made an announcement regarding **HB 256**.

Representative Ewing brought **HB 432**, jointly sponsored by Senator Henry, before the House for consideration.

**HB 432 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR THE UNLAWFUL USE OF A DRIVER'S LICENSE.**

Representative Ewing made a comment.

The roll call on **HB 432** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **HB 432** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **SS 1 for SJR 3**, jointly sponsored by Senator DeLuca & Senators Blevins, Sokola, Still, Adams, Cook, McBride, Marshall, Venables, Henry, McDowell, Bunting, Vaughn, Sorenson, Cloutier, Copeland, Simpson & Connor & Representatives Atkins, Booth, Buckworth, Carey, Cathcart, Caulk, DiPinto, Ennis, Ewing, Fallon, Gilligan, Hall-Long, Hocker, Hudson, Keeley, Lee, Lofink, Longhurst, Miro, Oberle, Outten, Schooley, Smith, Spence, Stone, Ulbrich, Viola & Wagner, before the House for consideration.

**SJR 3 - DIRECTING THE OFFICE OF MANAGEMENT AND BUDGET AND THE CONTROLLER GENERAL TO HIRE AN INDEPENDENT CONSULTANT TO STUDY THE EFFECTS OF UTILITY RE-REGULATION IN DELAWARE. (F/N)**

Representative Valihura made comments.

The roll call on **SS 1 for SJR 3** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Ewing - 2.

Therefore, having received a constitutional majority, **SS 1 for SJR 3** was returned to the Senate.

Mr. Speaker Spence appointed Representative Roy as Acting Speaker.

Representative Smith deferred to Representative Spence.

Representative Spence brought **HB 386**, jointly sponsored by Senator McBride, before the House for consideration.

**HB 386 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO UNIFORM COMMERCIAL DRIVER LICENSE ACT.**

Representative Spence requested that **HA 1 to HB 386** be stricken. Representative Spence made comments.

The roll call on **HB 386** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Ewing - 2.

Therefore, having received a constitutional majority, **HB 386** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Booth.

Representative Booth brought **HB 469**, jointly sponsored by Representative Schwartzkopf & Senator Bunting & Representatives Spence, Smith, Buckworth, Carey, Cathcart, Ewing, Hocker, Hudson, Lavelle, Miro, Outten, Valihura, Wagner & Keeley & Senators Henry & Sokola, before the House for consideration.

**HB 469 - AN ACT TO AMEND TITLES 16 AND 21 OF THE DELAWARE CODE RELATING TO LITTER CONTROL AND RULES OF THE ROAD.**

Representative Booth made comments.

The roll call on **HB 469** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Ewing & Plant - 3.

Therefore, having received a constitutional majority, **HB 469** was sent to the Senate for concurrence.

Representative Smith brought **HB 454**, jointly sponsored by Representative Cathcart & Senator Sokola & Representatives Buckworth, DiPinto, Hocker, Lavelle, Longhurst, Maier, Oberle, Ulbrich, Valihura & Viola & Senators Amick, Cloutier & Still, before the House for consideration.

**HB 454 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO DISPUTES INVOLVING THE ENFORCEMENT OF DEED COVENANTS OR RESTRICTIONS.**

Representative Smith made comments.

The roll call on **HB 454** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Ewing & Plant - 3.

Therefore, having received a constitutional majority, **HB 454** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner made an announcement. Representative Smith deferred to Representative Valihura. Representative Valihura made comments regarding **HB 454**.

The Majority Leader moved to recess to the call of the Chair at 9:02 p.m.

Mr. Speaker Spence resumed the Chair.

Representative Booth made an announcement.

Representative Smith deferred to Representative Lofink.

Representative Lofink made an announcement.

Representative Lofink introduced **HB 497**, jointly sponsored by Representative Oberle & Senator DeLuca & Representative Viola & Senator Amick.

**HB 497 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR CERTAIN OFF-HIGHWAY VEHICLE VIOLATIONS.**

Mr. Speaker Spence assigned **HB 497** to the Public Safety Committee.

Representative Ewing made an announcement.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 290 w/SA 1, SB 329, SB 275 w/SA 1, SB 183, SB 343 & SB 328** and requests the concurrence of the House; **HB 258 w/SA 1 & 2** and is returning same to the House. The Senate wishes to inform the House that it has passed **SB 225 w/SA 1 & 2, SCR 40 & SCR 39** and requests the concurrence of the House; **HB 325 & HCR 68** and is returning same to the House.

The Majority Leader moved to adjourn at 2:25 p.m., thereby ending the current legislative day. The House reconvened at 2:26 p.m.

**36th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session  
June 13, 2006**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Bruce C. Ennis, Twenty-Eighth Representative District.

Mr. Speaker Spence and Representative Smith 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 312 - VALIHURA & REPRESENTATIVE STONE; REPRESENTATIVE WAGNER - JUDICIARY - An Act to Amend Titles 10, 11, 21 and 30 of the Delaware Code Relating to the Classification of Certain Minor Offenses as Civil Infractions.**

**HS 1 for HB 412 - ULBRICH & REPRESENTATIVE MAIER & SENATOR BLEVINS - JUDICIARY - An Act to Amend Title 10, Chapter 43 of the Delaware Code Relating to Courts and Judicial Procedures.**

**HB 477 - LAVELLE & REPRESENTATIVE ROY - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 9 of the Delaware Code Relating to County Comprehensive Plans.**

**HB 478 - LAVELLE & REPRESENTATIVE ROY - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 17 of the Delaware Code Relating to the General Powers and Duties of the Department of Transportation.**

**HB 479 - LAVELLE & REPRESENTATIVE ROY - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 17 of the Delaware Code Relating to Private Funding of Public Streets.**

**HB 480 - LAVELLE & REPRESENTATIVE ROY - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 17 of the Delaware Code Relating to Vacation and Abandonment of Public Roads and Road Closures.**

**HB 481 - HOCKER & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Millville, Chapter 217, Volume 24, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Millville", to Amend Subsection (a) of Section 31, Enumeration of Powers by Adding Authorization for Imposing "Impact Fees" for Installing, Enlarging, Improving or Expanding Public or Municipal Improvements and/or to Contribute to the Costs of Operations of Volunteer Fire and Paramedic Companies Providing Services Within the Town. (2/3 bill)**

**HB 482 - OBERLE & REPRESENTATIVE LEE & REPRESENTATIVE WILLIAMS & SENATOR VAUGHN; REPRESENTATIVES SMITH, BUCKWORTH, DIPINTO, EWING, SPENCE; SENATORS COOK, AMICK, CLOUTIER, STILL - PUBLIC SAFETY - An Act to Amend Titles 10, 11 and 29 of the Delaware Code Relating to the Department of Safety and Homeland Security, Constables and Capitol Police and Buildings and Grounds.**

**HB 483 - ULBRICH & REPRESENTATIVE SPENCE & SENATOR DELUCA & SENATOR SOKOLA; REPRESENTATIVES HUDSON, MAIER, SCHOOLEY; SENATORS CLOUTIER, BUNTING, PETERSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code to Establish the School Bullying Prevention Act of 2006.**

**HB 484 - VALIHURA & SENATOR COPELAND; REPRESENTATIVE VIOLA; SENATORS BUNTING, AMICK - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 29 of the Delaware Code Relating to Civil Administrative Procedures.**



**HB 485** - SPENCE & REPRESENTATIVE EWING & REPRESENTATIVE ULBRICH & SENATOR DELUCA & SENATOR SOKOLA; REPRESENTATIVES SMITH, LEE, CAREY, FALLON, HUDSON, LAVELLE, MAIER, MIRO, STONE, VALIHURA, WAGNER - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Crimes and Criminal Procedure.

**HB 486** - OUTTEN & SENATOR COOK; REPRESENTATIVES FALLON, HOCKER, HUDSON, WAGNER; SENATOR BONINI - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Pertaining to Specific Speed Limits.

**HB 487** - HALL-LONG & SENATOR VAUGHN - HOUSE ADMINISTRATION - An Act to Amend the Charter of the Town of Townsend, Chapter 241, Volume 74, Laws of Delaware, as Amended, to Increase the Length of Residency from 90 Days to One Year to Qualify to Hold Office. (2/3 bill)

**HB 488** - ATKINS & REPRESENTATIVE EWING; REPRESENTATIVES SPENCE, LEE, BUCKWORTH, CAREY, HOCKER, MAIER, MIRO, OUTTEN, STONE, ULBRICH, THORNBURG, WAGNER, GILLIGAN - PUBLIC SAFETY - An Act to Amend Chapter 21, Title 21 of the Delaware Code Relating to Registration of Vehicles. (3/5 bill)

**HB 489** - HALL-LONG & SENATOR BLEVINS; REPRESENTATIVES MAIER, ENNIS, MCWILLIAMS, SCHOOLEY, ULBRICH; SENATORS AMICK, SORENSON, CONNOR, VENABLES - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Medical Certification for Handicap License Plates and Parking Permits.

**HB 490** - DIPINTO & SENATOR MCDOWELL; REPRESENTATIVES SPENCE, BOOTH, BUCKWORTH, EWING, HUDSON, MAIER, MIRO, OBERLE, ULBRICH, VALIHURA, WAGNER, ENNIS, HALL-LONG, PLANT; SENATORS HENRY, SORENSON - HOUSE ADMINISTRATION - An Act to Amend Chapter 4, Title 29 of the Delaware Code Relating to Buildings and Grounds, to Promote Culture and the Arts in State Buildings.

**HB 491** - SMITH & SENATOR COOK - HOUSE ADMINISTRATION - An Act to Establish the Delaware Abraham Lincoln Bicentennial Commission.

**HB 492** - MIRO & SENATOR HENRY - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicles.

**HB 493** - ENNIS & REPRESENTATIVE LEE & SENATOR VAUGHN & SENATOR SIMPSON; REPRESENTATIVES BUCKWORTH, CAREY, CAULK, EWING, GILLIGAN, HALL-LONG, MCWILLIAMS, OBERLE, OUTTEN, SPENCE, VANSANT, WILLIAMS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Pertaining to Line-of-Duty Disability Benefits to Covered Firefighters.

**HB 494** - SPENCE & REPRESENTATIVE OBERLE & REPRESENTATIVE SCHWARTZKOPF & SENATOR MCBRIDE; REPRESENTATIVES ATKINS, EWING, VANSANT, ENNIS; SENATOR CLOUTIER - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 13, Title 24 of the Delaware Code Relating to Regulation of Private Security Agencies.

**HA 3 to HB 97** - HOCKER - Placed with the Bill.

**HA 1 to HB 410** - SMITH - Placed with the Bill.

**HA 2 to HB 410** - LAVELLE - Placed with the Bill.

**HA 1 to HB 417** - VALIHURA - Placed with the Bill.

**HA 1 to HB 431** - SPENCE - Placed with the Bill.

**HA 2 to HB 431** - SPENCE - Placed with the Bill.

**HA 2 to HB 436** - OBERLE & REPRESENTATIVE MIRO & REPRESENTATIVE BOOTH & REPRESENTATIVE LOFINK & REPRESENTATIVE MAIER & REPRESENTATIVE WAGNER & REPRESENTATIVE KEELEY & REPRESENTATIVE SCHOOLEY & REPRESENTATIVE WILLIAMS - Placed with the Bill.

**HA 1 to HB 460** - HUDSON - Placed with the Bill.

**HA 1 to HB 482** - OBERLE - Placed with the Bill.

**HJR 30** - CATHCART & SENATOR BUNTING; REPRESENTATIVES SPENCE, SMITH, LEE, ATKINS, BOOTH, BUCKWORTH, CAREY, DIPINTO, EWING, FALLON, HOCKER, HUDSON, LAVELLE, LOFINK, MAIER, OBERLE, OUTTEN, ROY, STONE, THORNBURG, ULBRICH, VALIHURA, WAGNER, GILLIGAN, VANSANT, ENNIS, HALL-LONG, KEELEY, LONGHURST, MARSHALL, MCWILLIAMS, MULROONEY, PLANT, SCHWARTZKOPF, VIOLA, WILLIAMS; SENATORS VAUGHN, CLOUTIER, CONNOR, COPELAND - VETERANS AFFAIRS - Resolution by the State of Delaware to Memorialize the Establishment of the Purple Heart Trail.

**SB 183** - BLEVINS & REPRESENTATIVE ULBRICH; REPRESENTATIVES HALL-LONG, MAIER - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 37, Title 24 of the Delaware Code Relating to Speech/Language Pathologists, Audiologists and Hearing Aid Dispensers.

**SB 184 w/SA 1** - PETERSON & REPRESENTATIVE VALIHURA; SENATORS AMICK, CONNOR; REPRESENTATIVES SPENCE, HALL-LONG, VIOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 33 of Title 24 of the Delaware Code Relating to Veterinarians and Establishing Veterinary Technicians. (2/3 bill)

**SB 196 w/SA 1 - PETERSON & REPRESENTATIVE VALIHURA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY** - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Plumbing Examiners and Basic Plumbing Principles. (3/5 bill)

**SB 225 w/SA 1 & 2 - MCBRIDE & REPRESENTATIVE LOFINK & REPRESENTATIVE MCWILLIAMS; SENATORS CONNOR, COPELAND, PETERSON, SOKOLA, SORENSON; REPRESENTATIVES DIPINTO, ENNIS, HALL-LONG, HUDSON, KEELEY, LONGHURST, MAIER, MULROONEY, OBERLE, PLANT, SCHOOLEY, VALIHURA - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT** - An Act to Amend Title 7 of the Delaware Code Relating to the Delaware Solid Waste Authority, the Department of Natural Resources and Environmental Control, and the Recycling Public Advisory Council Concerning Residential Curbside Recycling. (2/3 bill) (F/I)

**SB 275 w/SA 1 - BLEVINS & REPRESENTATIVE MAIER; SENATORS HENRY, PETERSON, CONNOR - HEALTH & HUMAN DEVELOPMENT** - An Act to Amend Title 29 of the Delaware Code Relating to the Division of Services for Aging and Adults with Physical Disabilities and Title 31 of the Delaware Code Relating to the Delaware Commission for the Blind.

**SB 290 w/SA 1 - MARSHALL & REPRESENTATIVE DIPINTO - HOUSING & COMMUNITY AFFAIRS** - An Act to Amend Title 25 of the Delaware Code Relating to Liens of Taxes and Other Charges.

**SB 328 - BLEVINS & REPRESENTATIVE SMITH; SENATORS PETERSON, MCBRIDE; REPRESENTATIVES KEELEY, LAVELLE, CATHCART, OBERLE, HUDSON, ULBRICH, DIPINTO - PUBLIC SAFETY** - An Act to Amend Title 21 of the Delaware Code Relating to Abandoned Vehicles.

**SB 329 - COOK & REPRESENTATIVE WAGNER; SENATORS STILL, SIMPSON, ADAMS; REPRESENTATIVES BUCKWORTH, ENNIS, THORNBURG, OUTTEN, EWING, CAREY - EDUCATION** - An Act to Amend Title 14 of the Delaware Code Relating to Changing Boundaries.

**SB 343 - DELUCA & REPRESENTATIVE STONE; SENATORS BUNTING, SOKOLA, SORENSON, STILL; REPRESENTATIVES LAVELLE, CAREY, FALLON, HOCKER, HUDSON, VALIHURA, THORNBURG, KEELEY, LONGHURST, PLANT, VIOLA - ECONOMIC DEVELOPMENT/BANKING & INSURANCE** - An Act to Amend Title 5 of the Delaware Code and Volumes 70 and 72 of the Laws of the State of Delaware Relating to the Bank Franchise Tax.

**HA 2 to SS 1 for SB 109 - STONE** - Placed with the Bill.

**HA 2 to SB 186 - CATHCART** - Placed with the Bill.

Mr. Speaker Spence appointed Representative Booth as Acting Speaker.

Representative Smith deferred to Representative Keeley.

Representative Keeley introduced guests.

Representative Smith deferred to Representative Spence.

Representative Spence introduced and brought **SCR 38**, jointly sponsored by Senator Adams, before the House for consideration.

**SCR 38 - EXTENDING SINCERE CONGRATULATIONS TO THE ARTESIAN WATER COMPANY ON THE OCCASION OF THE ONE HUNDREDTH ANNIVERSARY OF ITS ESTABLISHMENT IN 1906.**

WHEREAS, Artesian Water Company has just marked its first century of business; and

WHEREAS, the company had its origins in the establishment of the early Wilmington suburb of Richardson Park in 1905; and

WHEREAS, when difficulty was experienced in locating sufficient well water to serve one of the new homes in the development, the problem was solved by Aaron K. Taylor, great-grandfather of the current president of Artesian, Dian C. Taylor, who connected the new home to a common well that then was used to serve the entire community; and

WHEREAS, Mr. Taylor's ingenuity served as the nucleus from which the Artesian Water Company has grown; and

WHEREAS, by 1930, Artesian was serving one thousand customers through old wooden pipe, which was then replaced with cast iron, in a major project which gave Artesian an opportunity to provide work for many of its customers, who had lost their jobs as a result of the Great Depression; and

WHEREAS, by 1940, Artesian had more than three thousand customers, and fire protection had become a major concern, leading the company to install more than one hundred fire hydrants throughout its system; and

WHEREAS, by 1948, Artesian was serving seven thousand customers and was adding an additional one thousand new metered customers each year; and

WHEREAS, by the time it celebrated its first fifty years, Artesian Water Company had more than thirty employees and was now regulated by the recently established Delaware Public Service Commission; and

WHEREAS, within a few more years, Artesian had 16,000 metered customers and was pumping four million gallons of water each day; and

WHEREAS, by 1980, shortly before it celebrated its 75th Anniversary, Artesian, had more than 32,000 customers and had some 500 miles of water mains extending throughout northern New Castle County; and

WHEREAS, having experienced steady growth throughout the 1980s and early 1990s, Artesian had some 56,000 customers by 1993, the year the company experienced a historic milestone when Dian C. Taylor, great-granddaughter of the company's founder, was named president, thereby becoming the first woman president of any water utility in the United States; and

WHEREAS, in the years that followed, Artesian began providing service in southern New Castle County as well as in Kent and Sussex Counties; and

WHEREAS, in the past ten years, Artesian has invested almost \$170 million in water service infrastructure by adding some 238 miles of new water main, replacing 46 miles of old main, installing a transmission main beneath the Chesapeake and Delaware Canal to facilitate system integration and better reliability, by construction five elevated storage tanks, and by constructing twelve new water treatment facilities in order to provide an additional 18 million gallons a day of water supply; and

WHEREAS, by 2005, Artesian's customer base had increased to 73,000 and the company had become the eighth largest investor-owned water utility in the United States, pumping 7.5 billion gallons of water each year through a network of 1,000 miles of water main, while maintaining a 98 per cent customer satisfaction rating; and

WHEREAS, as it begins its second century of service to the citizens of Delaware, and as the fifth generation of the Taylor family prepares to take its place in company operations, the Artesian Water Company is looking forward to an even more active future;

NOW, THEREFORE:

BE IT RESOLVED by the Senate of the 143rd General Assembly of the State of Delaware, the House of Representatives concurring therein, that the members do hereby extend heartfelt best wishes to the stockholders, management, and staff of the Artesian Water Company, Inc., and to the members of the Taylor family which began and has continued to operate the company, as it celebrates one hundred years of service to the community.

BE IT FURTHER RESOLVED that the members of the Senate and House do hereby extend, as well, the hope that the Artesian Water Company and its affiliated enterprises will enjoy many more years of success.

BE IT FURTHER RESOLVED that a suitable copy of this Senate Concurrent Resolution be provided to Artesian Water Company, Inc., upon its passage.

Mr. Acting Speaker & Representative Spence made comments. Representative Spence requested and was granted privilege of the floor for Dian C. Taylor, President and CEO, Artesian Resources Corporation. Representatives Spence, Smith & Gilligan made comments.

**SCR 38** was adopted by voice vote and was returned to the Senate.

Representatives Viola, McWilliams & Thornburg requested that they be marked present.

Representative Smith deferred to Representative Maier. Representative Maier introduced a guest.

The Majority Leader moved to recess for caucus at 2:46 p.m.

The House reconvened at 6:30 p.m. with Representative Ewing as Acting Speaker.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 270 w/SA 1 & 2, SB 345 w/SA 1, SB 323, SB 321 w/SA 1 & 3, SB 331 w/SA 2 & SB 319 w/SA 2** and requests the concurrence of the House; **HB 190 w/SA 2** and is returning same to the House.

Representative Oberle requested that he be marked present.

Representative Smith deferred to Representative Schwartzkopf.

Representative Schwartzkopf introduced **HB 502**, jointly sponsored by Representative Ewing & Senator Bunting.

**HB 502 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO MENTAL HEALTH.**

Mr. Acting Speaker assigned **HB 502** to the Health & Human Development Committee.

Representative Schwartzkopf requested that he be marked present.

Representative Schwartzkopf introduced **HB 503**, jointly sponsored by Representative Ewing & Senator Bunting.

**HB 503 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO BUILDING AND PLUMBING.**

Mr. Acting Speaker assigned **HB 503** to the Health & Human Development Committee.

Representative Cathcart requested that he be marked present.

Representative Cathcart introduced **HS 1 for HB 375**, jointly sponsored by Senator Sokola & Representatives Carey, Ewing, Fallon, Hocker, Lofink, Miro, Oberle, Stone, Valihura, Wagner, VanSant, Keeley, Mulrooney & Plant.

**HB 375 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.**

Mr. Acting Speaker assigned **HS 1 for HB 375** to the Judiciary Committee.

Mr. Acting Speaker Ewing appointed Representative Booth as Acting Speaker.

Representative Smith brought the following **Consent Agenda A**, which requires a two-thirds vote, before the House for consideration.

**HB 405** – HOCKER & SENATOR BUNTING & REPRESENTATIVES ATKINS, BOOTH, CAREY, CATHCART, DIPINTO, EWING, FALLON & HUDSON – An Act to Amend Chapter 202, Volume 73, Entitled “An Act to Reincorporate the Town of Ocean View” Relating to the Limitation on the Power to Raise Revenue. (2/3 bill)

**HB 426** - HOCKER & SENATOR BUNTING – An Act to Amend the Charter of the Town of Bethany Beach, Chapter 295, Volume 65, Laws of Delaware as Amended to Allow the Town to Recover Its Costs and Reasonable Attorneys Fees If It is the Prevailing Party in Any Action to Enforce Compliance with a Town Ordinance or to Correct or Abate a Nuisance; to Amend Section 15 of Chapter 295, Volume 65, Laws of Delaware, as Amended to Alter the Term of Office for Alderman and Assistant Alderman from One (1) Year to Two (2) Years, to Permit the Appointment of More Than One (1) Assistant Alderman and to Permit Reasonable Fines to be Set by Town Ordinance; and to Authorize the Town to Adopt, by Reference, Any State Motor Vehicle Statute or Corresponding Penalty, Including Future Amendments Thereto. (2/3 bill)

**HB 434** – EWING & SENATOR ADAMS – An Act to Amend Chapter 237, Volume 51, Entitled “An Act to Reincorporate the Town of Bridgeville” Relating to the Election of the Commissioners of Bridgeville Upon the Establishment of Election Districts by Ordinance. (2/3 bill)

**HB 439** – MULROONEY & SENATOR MCBRIDE & REPRESENTATIVES CAREY, CATHCART, DIPINTO, ENNIS, EWING, JOHNSON, KEELEY, LOFINK, LONGHURST, MAIER, MIRO, VALIHURA & SENATORS CLOUTIER, CONNOR, DELUCA & SOKOLA – An Act to Amend Title 11 of the Delaware Code Relating to Prostitution. (2/3 bill)

**SB 264 w/SA 1 & 2** – SIMPSON & REPRESENTATIVE ULBRUCH & SENATORS BUNTING, CLOUTIER, COPELAND, HENRY, SOKOLA & STILL & REPRESENTATIVES BUCKWORTH, EWING, HOCKER, HUDSON, MAIER & BOOTH – An Act to Amend Title 11 of the Delaware Code Relating to Indicia of Higher Education. (2/3 bill)

Representative Smith requested that **HB 439** and **SB 264 w/SA 1 & 2** be removed from **Consent Agenda A**.

The roll call on **Consent Agenda A** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Plant - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 405**, **HB 426** & **HB 434** were sent to the Senate for concurrence.

Representatives Mulrooney, Ulbrich, Williams & Lavelle requested that they be marked present during the roll call.

Representative Smith deferred to Representative Ewing.

Representative Ewing made an announcement.

Representative Smith deferred to Representative Spence.

Representative Spence brought **HB 317**, jointly sponsored by Senator McBride & Senator Sokola & Senator Cloutier, before the House for consideration.

**HB 317** - AN ACT TO AMEND TITLE 31, DELAWARE CODE RELATING TO PUBLIC ASSISTANCE. (F/N)

Representative Spence brought **HA 1** to **HB 317** before the House for consideration. Representative Spence made a comment. **HA 1** was adopted by voice vote. Representative Spence brought **HA 2** to **HB 317** before the House for consideration. Representatives Spence & Ulbrich made comments.

Representative Spence requested that **HA 2** be stricken. Representative Spence made comments.

Representative Gilligan requested and was granted privilege of the floor for David Michalik, Senior Administrator, Division of Medicaid and Medical Assistance, Department of Health and Social Services.

Representatives Spence & Ennis made comments. Representative DiPinto requested and was granted privilege of the floor for James Lafferty, Executive Director, Mental Health Association of Delaware.

Representative Plant requested that she be marked present. Representatives Spence & Cathcart made comments. Representative Spence requested and was granted privilege of the floor for Rita A. Marocco, Executive Director of the National Alliance for the Mentally Ill in Delaware. Representative Cathcart rose on a point of order. Mr. Acting Speaker concurred. Representative Spence made comments.

The roll call on **HB 317 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Plant - 2.

Therefore, having received a constitutional majority, **HB 317 w/HA 1** was sent to the Senate for concurrence.

Representative Smith brought the following **Consent Agenda B**, which requires a two-thirds vote, before the House for concurrence on Senate Amendments.

**HB 119 w/HA 1 & SA 1** – VIOLA & REPRESENTATIVES ENNIS, JOHNSON, KEELEY, MCWILLIAMS, MIRO, MULROONEY, PLANT, VALIHURA & WILLIAMS & SENATOR DELUCA – An Act to Amend Title 29 of the Delaware Code Relating to State Procurement.

**HS 1/HB 243 w/ HA 2, 3 & 4 & SA 2** – LEE & SENATOR VAUGHN; REPRESENTATIVE WAGNER – An Act to Amend Chapter 23 of Title 24 of the Delaware Code Relating to Pawnbrokers and Junk Dealers. (2/3 bill) (F/T)

**HB 258 w/SA 1 & 2** – MAIER & SENATOR BLEVINS – An Act to Amend Title 16 of the Delaware Code Relating to Persons with Mental Retardation, Mental Illness and Other Significant Disabilities.

**HB 358 w/HA 1 & SA 1** – HUDSON & REPRESENTATIVE LAVELLE & REPRESENTATIVE VALIHURA & SENATOR BLEVINS – An Act to Amend Title 15 of the Delaware Code Relating to Elections.

The roll call on **Consent Agenda B** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Plant - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 119 w/HA 1 & SA 1, HS 1/HB 243 w/HA 2, 3 & 4 & SA 2, HB 258 w/SA 1 & 2 & HB 358 w/HA 1 & SA 1** were sent to the Governor.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **SB 264 w/SA 1 & 2**, sponsored by Senator Simpson & Representative Ulbrich & Senators Bunting, Cloutier, Copeland, Henry, Sokola & Still & Representatives Buckworth, Ewing, Hocker, Hudson, Maier & Booth, before the House for consideration.

**SB 264 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO INDICIA OF HIGHER EDUCATION.** (2/3 bill)

Representatives Lavelle, Valihura, Ulbrich, Wagner, Stone, Ulbrich, Valihura, Ulbrich & Stone made comments.

The roll call on **SB 264 w/SA 1 & 2** was taken and revealed:

YES: Representatives Atkins, Buckworth, Carey, DiPinto, Ewing, Hall-Long, Hocker, Hudson, Maier, Miro, Oberle, Schwartzkopf, Smith, Spence, Thornburg, Ulbrich, VanSant, Wagner & Booth - 19.  
NO: 16.

NOT VOTING: Representatives Cathcart, Fallon & Schooley - 3.

ABSENT: Representatives Caulk, Plant & Roy - 3.

Therefore, not having received a constitutional majority of at least two-thirds Members of the House, **SB 264 w/SA 1 & 2** was declared defeated.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative Keeley. Representative Keeley made comments.

Representative Smith deferred to Representative Mulrooney.

Representative Mulrooney brought **HB 439**, jointly sponsored by Senator McBride & Representatives Carey, Cathcart, DiPinto, Ennis, Ewing, Johnson, Keeley, Lofink, Longhurst, Maier, Miro & Valihura & Senators Cloutier, Connor, DeLuca & Sokola, before the House for consideration.

**HB 439 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PROSTITUTION.** (2/3 bill)

Representative Mulrooney made comments. Representative Marshall moved to suspend the rules which interfere with introduction of and action on **HA 2 to HB 439**. The motion was seconded by Representative Booth and adopted by voice vote. Representative Marshall introduced and brought **HA 2 to HB 439** before the House for consideration. Representatives Marshall, Lavelle, Smith & Marshall made comments.

The roll call on **HA 2 to HB 439** was taken and revealed:

YES: Representatives Ennis, Gilligan, Hudson, Keeley, Marshall, Schwartzkopf, VanSant, Viola & Williams - 9.

NO: 29.

ABSENT: Representatives Caulk, Plant & Roy - 3.

Therefore, not having received a constitutional majority, **HA 2 to HB 439** was declared defeated.

Representatives Oberle, Smith & Mulrooney made comments.

The roll call on **HB 439** was taken and revealed:

YES: 37.

NOT VOTING: Representative Marshall - 1.

ABSENT: Representatives Caulk, Plant & Roy - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 439** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought **SB 241**, sponsored by Senator Vaughn & Representative Stone & Senator Cook & Representatives Buckworth & Ennis, before the House for consideration.

**SB 241 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO APPEALS FROM DECISIONS OF THE REGIONAL PLANNING COMMISSION.**

Representative Stone brought **HA 1 to SB 241** before the House for consideration. Representative Stone made a comment. **HA 1** was adopted by voice vote.



Representative Cathcart requested and was granted privilege of the floor for Bret Scott, Communications and Research Assistant, Kent County Levy Court. Representative Cathcart made a comment.

The roll call on **SB 241 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Plant & Roy - 3.

Therefore, having received a constitutional majority, **SB 241 w/HA 1** was returned to the Senate.

Representative Hudson moved to lift **HB 128 w/HA 1** from the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Hudson brought **HB 128 w/HA 1**, jointly sponsored by Senator Sokola & Representatives Lee, Buckworth, DiPinto, Ewing, Lavelle, Miro, Oberle, Ulbrich & Valihura & Senators Cloutier, Connor & Simpson, before the House for consideration.

**HB 128 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD.**

Representative Marshall introduced and brought **HA 2 to HB 128** before the House for consideration. Representatives Marshall & Hudson made comments. **HA 2** was adopted by voice vote. Representatives Hudson & Wagner made comments. Representative Wagner requested and was granted privilege of the floor for Mary Sherlock, House Attorney. Representative Wagner made comments.

The roll call on **HB 128 w/HA 1 & 2** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Plant & Roy - 3.

Therefore, having received a constitutional majority, **HB 128 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Ewing made an announcement.

Representative Smith requested and was granted personal privilege of the floor to make comments regarding **HB 128**. Representative Marshall made comments. Representative Smith requested and was granted privilege of the floor for W. G. Edmanson representing the Division of Motor Vehicles. Representative Smith made comments.

Representative Smith deferred to Representative Lavelle.

Representative Lavelle brought **HB 411**, jointly sponsored by Senator Blevins & Representatives Hudson, Ennis & Keeley & Senator Simpson, before the House for consideration.

**HB 411 - AN ACT TO AMEND TITLE 29, DELAWARE CODE RELATING TO FINANCIAL DISCLOSURE REPORTS.**

Representatives Lavelle & Gilligan made comments.

The roll call on **HB 411** was taken and revealed:

YES: 37.

NO: Representative Ewing - 1.

ABSENT: Representatives Caulk, Plant & Roy - 3.

Therefore, having received a constitutional majority, **HB 411** was sent to the Senate for concurrence.

Representative Lavelle made a comment.

Representative Smith deferred to Representative Outten.

Representative Outten requested that action on **HB 436** be Deferred to a Day Certain, Thursday, June, 15, 2006.

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **SB 274**, jointly sponsored by Senator Sorenson & Senator Blevins & Senator Sokola & Senator Connor & Representative Lavelle & Senators Cloutier & Henry & Representatives Hall-Long, Keeley, McWilliams, Mulrooney, Schooley, Stone, Thornburg, Valihura, Viola & Wagner & Senators Peterson & McDowell, before the House for consideration.

**SB 274 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE.**

Representative Hudson made comments.

The roll call on **SB 274** was taken and revealed:

YES: 37.

ABSENT: Representatives Caulk, Ewing, Plant & Roy - 4.

Therefore, having received a constitutional majority, **SB 274** was returned to the Senate.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought **HB 372**, jointly sponsored by & Senator Bunting, before the House for consideration.

**HB 372 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE ASSESSMENT OF FITNESS OF PUBLIC SCHOOL STUDENTS. (F/N)**

Representatives Ulbrich, Gilligan & Booth made comments. Representative Ulbrich requested and was granted privilege of the floor for John Ray, Education Specialist, Coordinated School Health, Department of Education. Representatives Booth, Wagner & Ulbrich made comments.

The roll call on **HB 372** was taken and revealed:

YES: 38.



ABSENT: Representatives Caulk, Plant & Roy - 3.

Therefore, having received a constitutional majority, **HB 372** was sent to the Senate for concurrence.

Representative Smith deferred to Representative VanSant.

Representative VanSant moved to lift **HB 256 w/HA 2 & 5** from the Speaker's Table. The motion was seconded by Representative Smith and adopted by voice vote.

Representative VanSant brought **HB 256 w/HA 2 & 5**, jointly sponsored by Representative Spence & Representatives Ewing & Keeley & Senator Vaughn & cosponsored by Senators Connor & Sokola, before the House for consideration.

**HB 256 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS LICENSES. (F/N)**

Mr. Speaker Spence reassigned **HB 476** to the Health & Human Development Committee.

Representative Thornburg introduced and brought **HA 6 to HB 256** before the House for consideration. Representatives Thornburg, Valihura, Wagner, Marshall, Thornburg, Williams & VanSant made comments. **HA 6** was adopted by voice vote. Representatives VanSant, Lee, Valihura, Maier, Schwartzkopf & Lavelle made comments.

The roll call on **HB 256 w/HA 2, 5 & 6** was taken and revealed:

YES: 34.

NO: Representatives Atkins, Cathcart, Hocker & Lavelle - 4.

ABSENT: Representatives Caulk, Plant & Roy - 3.

Therefore, having received a constitutional majority, **HB 256 w/HA 2, 5 & 6** was sent to the Senate for concurrence.

Representative VanSant requested and was granted personal privilege of the floor to make comments. Mr. Speaker Spence made comments regarding **HB 256**.

The Majority Leader moved to recess at 9:02 p.m.

The House reconvened at 9:19 p.m. with Representative Ewing as Acting Speaker.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth brought **HB 441**, jointly sponsored by Representative Valihura & Senator Blevins & Representative Marshall & Senator Amick, before the House for consideration.

**HB 441 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CUSTODY PROCEEDINGS.**

Representative Buckworth made comments.

The roll call on **HB 441** was taken and revealed:

YES: 36.

ABSENT: Representatives Caulk, Lavelle, Plant, Roy & VanSant - 5.

Therefore, having received a constitutional majority, **HB 441** was sent to the Senate for concurrence.

Mr. Speaker Spence resumed the Chair.

Representative Stone moved to restore **HB 191 w/HA 1**. The motion was seconded by Representative Smith and adopted by voice vote. Representative Oberle rose on a point of order. Mr. Speaker concurred. Representative Stone moved to rescind the roll call on **HB 191 w/HA 1**. The motion was seconded by Representative Lee and adopted by voice vote.

**HB 191 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS' PERMITS AND LICENSES. (F/N)**

Representative Stone moved to place **HB 191 w/HA 1** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth brought **HB 442**, jointly sponsored by Representative Valihura & Senator Blevins & Representative Marshall & Senator Amick, before the House for consideration.

**HB 442 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE TERMINATION OF PARENTAL RIGHTS.**

Representative Buckworth made a comment.

The roll call on **HB 442** was taken and revealed:

YES: 36.

ABSENT: Representatives Caulk, Lavelle, Plant, Roy & VanSant - 5.

Therefore, having received a constitutional majority, **HB 442** was sent to the Senate for concurrence.

Representatives Wagner & Maier made announcements.

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

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 472 - 3M; SB 28 - 3M; SB 184 w/SA 1 - 3M; SB 196 w/SA 1 - 3M;**

Representative Smith deferred to Representative Oberle.

Representative Oberle requested that action on **SB 62** be Deferred to a Day Certain, Thursday, June, 15, 2006.

Representative Smith deferred to Representative Miro.

Representative Miro brought **HB 453**, jointly sponsored by Senator Sokola & Representatives Buckworth & DiPinto, before the House for consideration.

**HB 453** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE SALE OF MOTOR VEHICLES.

Representatives Miro & Marshall made comments. Representative Miro brought **HA 1** to **HB 453** before the House for consideration. Representative Miro made a comment. **HA 1** was adopted by voice vote. Representatives Keeley, Miro, DiPinto & Johnson made comments.

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

YES: 36.

ABSENT: Representatives Caulk, Lavelle, Plant, Roy & VanSant - 5.

Therefore, having received a constitutional majority, **HB 453 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **SB 187 w/SA 2**, sponsored by Senator Sokola & Representative Wagner, before the House for consideration.

**SB 187** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ATHLETIC EXAMINERS.

Representative Oberle made comments.

The roll call on **SB 187 w/SA 2** was taken and revealed:

YES: 36.

ABSENT: Representatives Caulk, Lavelle, Plant, Roy & VanSant - 5.

Therefore, having received a constitutional majority, **SB 187 w/SA 2** was returned to the Senate.

Representative Maier made an announcement.

The Majority Leader moved to recess to the call of the Chair at 9:46 p.m.

Mr. Acting Speaker Roy called the House to order at 2:08 p.m. on June 14, 2006.

Representative Ewing made an announcement.

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.

**37th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session  
June 14, 2006**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Caulk – 1.

A prayer was offered by Representative Deborah D. Hudson, Twelfth Representative District.

Mr. Acting Speaker invited Brad and Olivia Smith to join him in leading those present in a pledge of allegiance to the American Flag.

The following prefiled legislation was introduced:

**HS 1 for HB 360** - KEELEY - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Protection of Minors from Harmful Materials.

**HS 1 for HB 406** - CATHCART & SENATOR AMICK; REPRESENTATIVES ATKINS, HOCKER, HUDSON, LOFINK, OBERLE, STONE, VALIHURA, WAGNER, HALL-LONG, KEELEY, LONGHURST; SENATORS STILL, SORENSON, CLOUTIER, CONNOR - ENERGY COMMITTEE - An Act to Amend Title 26 of the Delaware Code Relating to Public Utilities.

**HB 495** - SMITH & SENATOR SOKOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Driver Education Certification.

**HB 496** - ULBRICH & REPRESENTATIVE SMITH & SENATOR DELUCA & SENATOR SOKOLA; REPRESENTATIVES GILLIGAN, JOHNSON, KEELEY, LOFINK, LONGHURST, MAIER, SCHOOLEY, SPENCE, VIOLA; SENATORS AMICK, CONNOR, COOK, PETERSON, SORENSON - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to Employment Contracts.

**HB 498** - HALL-LONG & REPRESENTATIVE MAIER & SENATOR BLEVINS; REPRESENTATIVES EWING, LAVELLE, MCWILLIAMS, ULBRICH, VANSANT - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24, Chapter 19 of the Delaware Code Relating to Nursing.

**HB 499** - SPENCE & SENATOR MCBRIDE - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 17 of the Delaware Code Relating to Regulation of Outdoor Advertising.

**HB 500** - MARSHALL & SENATOR SOKOLA - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**HB 501** - ULBRICH & SENATOR AMICK - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Vehicle Accidents Resulting in Injury or Death to Any Person.

**HB 505** - WAGNER & SENATOR PETERSON & SENATOR SOKOLA - TELECOMMUNICATION INTERNET & TECHNOLOGY - An Act to Amend Title 29 of the Delaware Code Relating to the Department of Technology and Information.

**HB 506** - LAVELLE & REPRESENTATIVE CATHCART & REPRESENTATIVE HUDSON & SENATOR SIMPSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Counties.

**HB 507** - VALIHURA & SENATOR SOKOLA; REPRESENTATIVES STONE, WAGNER - ENERGY COMMITTEE - An Act to Amend Title 26 of the Delaware Code Relating to Net Metering and Billing.

**HB 508** - VALIHURA & REPRESENTATIVE MAIER & SENATOR SOKOLA; REPRESENTATIVES SPENCE, DIPINTO, EWING, THORNBURG, WAGNER, KEELEY - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Driving on Roadways Laned for Traffic.

**HB 509** - WAGNER & SENATOR SOKOLA - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Fines, Costs, Penalties and Forfeitures.

**HB 510** - ATKINS & SENATOR BUNTING - HOUSE ADMINISTRATION - 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", Section 26.A., Supplemental Assessment, Subsection (b), to Bring the Supplemental Assessment Quarterly Periods in Line with the Town's Fiscal Year of July 1 to June 30. (2/3 bill)

- HA 1 to HB 10** - SMITH - Placed with the Bill.
- HA 1 to HB 436** - OUTTEN - Placed with the Bill.
- HA 1 to HB 446** - STONE - Placed with the Bill.
- HA 1 to HB 456** - BOOTH - Placed with the Bill.

**SB 270 w/SA 1 & 2** - BLEVINS & SENATOR AMICK; REPRESENTATIVES ULBRICH & SCHWARTZKOPF - PUBLIC SAFETY - An Act to Amend Titles 11 and 21 of the Delaware Code Relating to Driving Under the Influence of Drugs and Related Offenses.

**SB 319 w/SA 2** - MCBRIDE & REPRESENTATIVE OBERLE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Delaware Professional Engineers Act.

**SB 321 w/SA 1 & 3** - VAUGHN & REPRESENTATIVE VALIHURA; REPRESENTATIVE MIRO - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Recording Devices. (2/3 bill)

**SB 323** - HENRY & REPRESENTATIVE EWING - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Uncollectible Fees; Penalties.

**SB 331 w/SA 2** - HENRY & REPRESENTATIVE EWING - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicles and Rules of the Road. (2/3 bill) (F/N)

**SB 345 w/SA 1** - DELUCA & REPRESENTATIVE STONE; SENATORS BUNTING, SOKOLA, SORENSON, STILL; REPRESENTATIVES LAVELLE, CAREY, FALLON, HOCKER, HUDSON, KEELEY, LONGHURST, THORNBURG, VALIHURA, VIOLA; SENATOR AMICK - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 25 of the Delaware Code Relating to Property.

- HA 3 to SS 1 for SB 109** - MAIER - Placed with the Bill.
  - HA 2 to SB 117** - SMITH - Placed with the Bill
- Representative Keeley requested that she be marked present.  
Representative Ewing requested and was granted personal privilege of the floor to introduce a guest.  
The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #82

DATE: June 14, 2006

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                         | Date      | Type | Description                                             |
|-----------|---------------------------------|-----------|------|---------------------------------------------------------|
| H143-1883 | Hocker                          | 6/3/2006  | T    | Center for the Inland Bays - New Headquarters           |
|           | cosponsors: All Representatives |           |      |                                                         |
| H143-1884 | Ewing                           | 6/1/2006  | M    | Robert H. Myers, Jr.                                    |
| H143-1885 | Wagner                          | 6/21/2006 | T    | Michael Adams - Service- Capital School Board           |
| H143-1886 | Oberle                          | 6/6/2006  | T    | Food Bank of Delaware - 25th Anniversary                |
|           | cosponsors: All Representatives |           |      |                                                         |
| H143-1887 | Hudson                          | 4/14/2006 | T    | Andrew & Carmelia DiSabatino - 50th Wedding Anniversary |
| H143-1888 | Hudson                          | 2/11/2006 | T    | Frederick & Evelyn Fluegge - 50th Wedding Anniversary   |
| H143-1889 | Hudson                          | 6/16/2006 | T    | Walt & Jane Levering - 50th Wedding Anniversary         |
| H143-1890 | Hudson                          | 5/27/2006 | M    | Robert Preston Hoff                                     |
| H143-1891 | Lofink                          | 6/6/2006  | T    | Joe June - Howard High Track - State Champions          |
| H143-1892 | Outten                          | 7/7/2006  | T    | Pauline Hayes - 90th Birthday                           |
| H143-1893 | Caulk                           | 6/9/2006  | T    | Cheryl Yerkes - Retirement - Health & Social Services   |
| H143-1894 | Schooley                        | 6/8/2006  | T    | James Streit, Jr. - Service - Newark Community          |
| H143-1895 | Lofink                          | 6/9/2006  | T    | Barbara Brooks/Retirement/NCC Vo-Tech Schools           |
| H143-1896 | Lofink                          | 6/9/2006  | T    | Stanley Hill/Retirement/NCC Vo-Tech Schools             |

|           |                        |           |   |                                                    |
|-----------|------------------------|-----------|---|----------------------------------------------------|
| H143-1897 | Johnson                | 6/9/2006  | T | Margaret Surratte - 80th Birthday                  |
| H143-1898 | Maier                  | 5/25/2006 | M | Mildred R. Ridenour                                |
| H143-1899 | DiPinto                | 6/12/2006 | T | Erin Mullin - Father James Trainor Scholarship     |
|           | cosponsor: Rep. Keeley |           |   |                                                    |
| H143-1900 | DiPinto                | 6/12/2006 | T | Kevin Kelleher - Father James Trainor Scholarship  |
|           | cosponsor: Rep. Keeley |           |   |                                                    |
| H143-1901 | Cathcart               | 6/12/2006 | T | Kristen Marbury - Father James Trainor Scholarship |
|           | cosponsor: Rep. Keeley |           |   |                                                    |
| H143-1902 | Spence                 | 6/12/2006 | T | Maria Martinez - Father James Trainor Scholarship  |
|           | cosponsor: Rep. Keeley |           |   |                                                    |
| H143-1903 | Plant                  | 6/12/2006 | T | Matthew Pierce - Father James Trainor Scholarship  |
|           | cosponsor: Rep. Keeley |           |   |                                                    |
| H143-1904 | Hudson                 | 6/12/2006 | T | Margaret Smith - Father James Trainor Scholarship  |
|           | cosponsor: Rep. Keeley |           |   |                                                    |

#### HOUSE TRIBUTE ANNOUNCEMENT #83

DATE: June 14, 2006

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                         | Date      | Type | Description                                                     |
|-----------|---------------------------------|-----------|------|-----------------------------------------------------------------|
| H143-1905 | Miro                            | 6/12/2006 | T    | Charlotte Strazdus - Father James Trainor Scholarship           |
|           | cosponsor: Rep. Keeley          |           |      |                                                                 |
| H143-1906 | Miro                            | 6/12/2006 | T    | Odyssey Charter School - Ribbon Cutting                         |
| H143-1907 | Caulk                           | 6/8/2006  | T    | Kathryn Onken - MarDel Watermelon Queen                         |
| H143-1908 | Fallon                          | 5/26/2006 | M    | Reverend Hayward P. Henry                                       |
| H143-1909 | Lofink                          | 6/10/2006 | T    | Aetna Hose, Hook & Ladder Company - Groundbreaking – Station 10 |
| H143-1910 | Hudson                          | 6/7/2006  | M    | Valerie Schaefer                                                |
| H143-1911 | Booth                           | 6/19/2006 | T    | Sarah Scott - 100th Birthday                                    |
| H143-1912 | Booth                           | 6/30/2006 | T    | Harvey Walls/Retirement/Indian River School Board               |
| H143-1913 | Booth                           | 6/30/2006 | T    | John Evans/Retirement/Indian River School Board                 |
| H143-1914 | Ewing                           | 6/30/2006 | T    | Mark Isaacs - Retirement - Indian River School Board            |
|           | cosponsor: Rep. Booth           |           |      |                                                                 |
| H143-1915 | Gilligan                        | 6/8/2006  | T    | Norman & Mary Ellen Buckalew/50th Wedding Anniversary           |
| H143-1916 | Gilligan                        | 6/9/2006  | T    | Robert & Jill Eastep - 50th Wedding Anniversary                 |
| H143-1917 | Spence                          | 6/9/2006  | T    | Harry Crystal - 60th Birthday                                   |
|           | cosponsors: All Representatives |           |      |                                                                 |
| H143-1918 | Spence                          | 6/4/2006  | T    | Nichole Cochran - Graduation - St. Mark's High School           |
|           | cosponsors: All Representatives |           |      |                                                                 |
| H143-1919 | Ennis                           | 6/4/2006  | M    | John E. Barlow                                                  |
| H143-1920 | Ennis                           | 6/5/2006  | T    | Anna Albia - 80th Birthday                                      |
|           | cosponsor: Rep. Hall-Long       |           |      |                                                                 |
| H143-1921 | Longhurst                       | 6/16/2006 | T    | Russ & Joan Snyder - 50th Wedding Anniversary                   |
| H143-1922 | Gilligan                        | 6/28/2006 | T    | Samuel & Evelyn Bramble - 65th Wedding Anniversary              |
| H143-1923 | Gilligan                        | 5/5/2006  | T    | Michael & Sophie Szotkiewicz - 60th Wedding Anniversary         |
| H143-1924 | VanSant                         | 4/28/2006 | T    | Paul & Louise Pitrizzi - 50th Wedding Anniversary               |
| H143-1925 | Spence                          | 6/4/2006  | T    | New Castle County Police Mounted Patrol – 25th Anniversary      |
|           | cosponsors: All Representatives |           |      |                                                                 |
| H143-1926 | Hudson                          | 6/8/2006  | M    | Matthew G. Downey                                               |
| H143-1927 | Ennis                           | 6/8/2006  | T    | Cheryl Ann Passwaters - 50th Birthday                           |

T- Tribute

M – Memoriam

Representative Smith brought the following prefiled **Consent Calendar #29** before the House for consideration.

**HR 72** – MCWILLIAMS – Designating June 15, 2006 as Delaware Elder Abuse Awareness Day.

**HR 73** – VALIHURA & REPRESENTATIVE MARSHALL ON BEHALF OF ALL REPRESENTATIVES – Congratulating Chief Justice Myron T. Steele, Chancellor William B. Chandler, III, Justice Jack B. Jacobs and Vice-Chancellor Leo E. Strine, Jr. on Their National Recognition as Judges and Lawyers.

**HCR 69** – JOHNSON & SENATOR HENRY – Proclaiming the Month of June, 2006 “Fatherhood Awareness Month”.

**HCR 70** – SPENCE & SENATOR CLOUTIER – Establishing a Blue Ribbon Task Force to Investigate and Make Recommendations Thereto as to the Feasibility of Developing A C2H60 Ethanol Plant and Delivery System Within the State of Delaware.

**SCR 39** – BLEVINS & REPRESENTATIVE MAIER & REPRESENTATIVE STONE –  
Establishing the Health Service Corporation Task Force.

**SCR 40** – MARSHAL & REPRESENTATIVE MAIER ON BEHALF OF ALL SENATORS & ON BEHALF OF ALL REPRESENTATIVES – Recognizing June 15, 2006 as National Nursing Assistants Day and Recognizing the Vital Role that Certified Nursing Assistants Play in Providing Health Care Services.

Representative Smith requested that **HR 73** & **SCR 39** be removed from **Consent Calendar #29**.

**Consent Calendar #29** was adopted by voice vote and **HR 72** was declared passed, **HCR 69** & **HCR 70** were sent to the Senate for concurrence and **SCR 40** was returned to the Senate.

Representative Smith moved to place **HR 73** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Mr. Acting Speaker assigned **SCR 39** to the Economic, Banking & Insurance Committee.

Representative Smith introduced a guest.

Representative Smith requested that **HB 9** be stricken.

Representative Gilligan requested that he be marked present.

The Majority Leader moved to recess for committee meetings and to the call of the Chair at 2:20 p.m.

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:20 P.M.: Representatives Buckworth, Cathcart, DiPinto, Fallon, Lofink, Maier, Miro, Mulrooney, Oberle, Schwartzkopf, Spence, Ulbrich, Viola, Wagner & Williams.

Mr. Acting Speaker Booth called the House to order at 2:20 p.m. on June 15, 2006.

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

APPROPRIATIONS: **HB 334** - 6M; **HB 425** - 6F.

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **SB 345 w/SA 1** - 7M; **SB 311** - 7M; **SB 310 w/SA 1** - 7M; **SB 312** - 7M; **SB 314** - 7M; **SB 313** - 7M; **HB 285** - 7M,2U; **HB 464** - 1F,6M.

EDUCATION: **HB 483** - 6M; **SB 329** - 6M; **SB 266** - 6M; **SB 320** - 6M.

HEALTH & HUMAN DEVELOPMENT: **SB 289 w/SA 2** - 7M; **HB 466** - 1F,6M; **HB 498** - 5M; **HB 502** - 5M; **SB 295 w/SA 1** - 5M.

HOUSE ADMINISTRATION: **HB 481** - 3M; **HB 461** - 4M; **HB 10** - 4M.

JUDICIARY: **HB 450** - 5M; **HS 1/HB 388** - 5M; **HS 1/HB 375** - 7M; **HS 1/HB 360** - 5M; **SB 322** - 7M.

LABOR: **HB 408** - 5M; **HB 419** - 5M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 470** - 6M; **HB 475** - 6M.

PUBLIC SAFETY: **SB 270 w/SA 1 & 2** - 5M; **HB 488** - 5M; **HB 497** - 5M; **HB 486** - 4M; **SB 331 w/SA 2** - 5M; **HB 489** - 5M; **HB 492** - 5M; **HB 482** - 5M; **SB 328** - 4M.

REVENUE & FINANCE: **HB 460** - 6M,1U; **SB 277** - 7M; **SB 278** - 7M.

TRANSPORTATION/LAND USE AND INFRASTRUCTURE: **HB 280** - 3M,2U.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 285** and requests the concurrence of the House; **HB 382 w/SA 1** and is returning same to the House.

#### MEMORANDUM

TO: Bernard J. Brady, Secretary of the Senate

FROM: Senator Patricia M. Blevins

DATE: June 7, 2006

SUBJECT: Removal of co-sponsorship of **House Bill No. 402**

Please remove my name as a co-sponsor of **House Bill No. 402**, relating to the qualifications of Attorney General.

Thank you for your attention to this request.

The Majority Leader moved to adjourn at 2:23 p.m., thereby ending the current legislative day. The House reconvened at 2:24 p.m.

### 38th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session June 15, 2006

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative John C. Atkins, Forty-First Representative District.

Mr. Acting Speaker invited Abigail Atkins to join him in leading those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

**HB 504** - ULBRICH & SENATOR DELUCA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Elected School District Board Member Recall Procedures.

**HB 511** - VALIHURA & REPRESENTATIVE HUDSON & REPRESENTATIVE JOHNSON & REPRESENTATIVE STONE & SENATOR DELUCA & SENATOR CLOUTIER - JUDICIARY - An Act to Amend Titles 10 and 11 of the Delaware Code Relating to Records of Arrest and Prosecution.

**HB 512** - SPENCE & SENATOR MCBRIDE - LABOR - An Act to Amend Chapter 55, Title 29 of the Delaware Code Relating to the State Employees' Pension Plan.

**HA 1 to HB 60** - BOOTH - Placed with the Bill.

**HA 1 to HB 289** - MAIER - Placed with the Bill.

**HA 1 to HB 334** - SCHOOLEY - Placed with the Bill.

**HJR 31** - MAIER & SENATOR HENRY & SENATOR SORENSON - CORRECTIONS - A Resolution Calling for Timely Medical Treatment to Inmates in Facilities Operated by the Department of Correction Who Have Life Threatening and Painful Illnesses.

**SB 285** - BLEVINS & REPRESENTATIVE MARSHALL & REPRESENTATIVE MAIER; SENATORS HENRY, SORENSON, CLOUTIER, CONNOR - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Access of the Child Death, Near Death, and Still Birth Commission to Protected Health Information and Other Records and Information.

**SB 316** - PETERSON - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 29 of the Delaware Code Relating to the Division of Professional Regulation and the Administrative Procedures Act.

**SB 317** - CLOUTIER & SENATOR CONNOR & REPRESENTATIVE LAVELLE; SENATORS ADAMS, AMICK, BLEVINS, BONINI, BUNTING, COPELAND, PETERSON, SIMPSON, SORENSON, STILL, VENABLES; REPRESENTATIVES ENNIS, JOHNSON, LOFINK, MAIER, MARSHALL, STONE, ULBRICH, VALIHURA, SPENCE - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to the Definition of "swears Falsely". (2/3 bill)

**SB 327** - ADAMS & SENATOR VAUGHN; REPRESENTATIVES VALIHURA & SPENCE - JUDICIARY - An Act Proposing an Amendment to Article IV of the Delaware Constitution of 1897, as Amended, Relating to the Judiciary and the Chief Magistrate of the Justice of the Peace Court. (2/3 bill)

**SB 333** - ADAMS & REPRESENTATIVE VALIHURA; SENATOR VAUGHN & REPRESENTATIVE SPENCE - JUDICIARY - An Act Proposing an Amendment to Article IV, Section 11 of the Delaware Constitution of 1897, as Amended, Relating to Certification of Questions of Law to the Supreme Court. (2/3 bill)

Representative Smith deferred to Representative Maier.

Representative Maier requested privilege of the floor for Delaware Eagle Scouts who announced their names, troop numbers and hometowns for the record. Mr. Acting Speaker introduced a guest.

Representative Smith deferred to Representative Maier.

Representative Maier requested and was granted privilege of the floor for Career Nursing Assistants who announced their names and places of employment for the record.

Representatives Spence, Keeley & Hall-Long made comments. Representative Longhurst requested that she be marked present introduced a guest. Representative McWilliams requested and was granted personal privilege of the floor to make comments and to introduce guests. Representative Gilligan requested and was granted personal privilege of the floor to introduce guests. Representative McWilliams requested and was granted privilege of the floor for Reverend Robert P. Hall, Executive Director, Delaware Ecumenical Council on Children and Families.

Representatives Ennis, Oberle, DiPinto, Hudson & Williams requested that they be marked present. Representative Smith deferred to Representative Oberle. Representative Oberle introduced guests. Representative Smith requested and was granted personal privilege of the floor to make comments. Representative Miro requested that he be marked present. Representative Smith made an announcement.

The Majority Leader moved to recess for caucus at 2:45 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 7:13 p.m.

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

JUDICIARY: **HS 1/HB 412** - 5M.

Mr. Speaker Spence reassigned **HB 500** to the Public Safety Committee.

Mr. Speaker Spence reassigned **SB 302** to the Policy Analysis & Government Accountability Committee.

Representative Schwartzkopf requested that he 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 317, SB 316, SB 333, SB 327 & SCR 42** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed **HB 363, HB 374, HB 416, HB 443, HB 335 w/HA 1 & HB 362 w/SA 1** and is returning same to the House.

Representative Smith moved to restore **HB 256 w/HA 2, 5 & 6**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **HB 256 w/HA 2, 5 & 6**, sponsored by Representative VanSant & Representative Spence & Representatives Ewing & Keeley & Senator Vaughn & cosponsored by Senators Connor & Sokola, before the House for consideration.



**HB 256 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS LICENSES. (F/N)**

Representative Smith moved to place **HB 256 w/HA 2, 5 & 6** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **SB 62**, jointly sponsored by Senator Marshall & Senator Peterson & Representative Viola & Senators DeLuca, Henry, McBride, McDowell, Blevins & Representatives Ennis, George, Gilligan, Hall-Long, Keeley, Mulrooney, Plant, VanSant & Williams & cosponsored by Senator Connor, before the House for consideration.

**SB 62 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE MINIMUM WAGE.**

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

Representative Oberle requested that **HA 1 to SB 62** be stricken. Representative Oberle brought **HA 2 to SB 62** before the House for consideration. Representative Oberle made comments. **HA 2** was adopted by voice vote. Representative Hocker introduced and brought **HA 3 to SB 62** before the House for consideration. Representatives Hocker, Oberle, Smith, Marshall & Hocker made comments. Representative Oberle requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Oberle, Smith, Keeley & Hocker made comments. Representatives Cathcart & Ulbrich requested that they be marked present. Representative Oberle requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Oberle, Ennis & Hocker made comments. Representative Hocker moved to place **HA 3** on the Speaker's Table. The motion was properly seconded and adopted by voice vote. Representative Oberle moved to place **SB 62 w/HA 2** on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith brought **HB 8**, jointly sponsored by Senator Vaughn & Senator Venables, before the House for consideration.

**HB 8 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE DISPOSAL OF YARD WASTE IN THE CHERRY ISLAND LANDFILL AND IN OTHER LANDFILLS, AND RAISING THE ELEVATION OF THE CHERRY ISLAND LANDFILL.**

Representative Smith introduced and brought **HA 1 to HB 8**, jointly sponsored by Representative Hudson & Representative Ulbrich, before the House for consideration. Representative Smith made comments. **HA 1** was adopted by voice vote. Representatives Smith & Valihura made comments. Representative Valihura requested and was granted privilege of the floor for John A. Hughes, Secretary, Department of Natural Resources and Environmental Control and David S. Small, Deputy Secretary, Department of Natural Resources and Environmental Control. Representatives Valihura, Smith, McWilliams, Johnson, Booth, Atkins, Keeley, Smith, Atkins, Fallon, Valihura, Ulbrich, Viola, McWilliams, Smith, Lavelle, Maier & Atkins made comments.

The roll call on **HB 8 w/HA 1** was taken and revealed:

YES: Representatives Atkins, Booth, Buckworth, Carey, Cathcart, Ewing, Fallon, Hocker, Hudson, Lavelle, Lofink, Miro, Outten, Smith, Stone, Thornburg, Wagner & Spence - 18.

NO: 22.

NOT VOTING: Representative Caulk - 1.

Therefore, not having received a constitutional majority, **HB 8 w/HA 1** was declared defeated.

Representative Stone requested and was granted personal privilege of the floor to introduce guests. Representative Booth made comments.

Representative Wagner requested that **HB 395** be stricken.

Representative Smith deferred to Representative VanSant.

Representative VanSant moved to lift **HB 256 w/HA 2, 5 & 6** from the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative VanSant brought **HB 256 w/HA 2, 5 & 6**, jointly sponsored by Representative Spence & Representatives Ewing & Keeley & Senator Vaughn & cosponsored by Senators Connor & Sokola, before the House for consideration.

**HB 256 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS LICENSES. (F/N)**

Representative Thornburg introduced and brought **HA 7 to HB 256** before the House for consideration. Representative Thornburg made comments. **HA 7** was adopted by voice vote.

The roll call on **HB 256 w/HA 2, 5, 6 & 7** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **HB 256 w/HA 2, 5, 6 & 7** was sent to the Senate for concurrence.

Representative Lavelle made comments regarding **HB 256**.

Representative Smith brought **Consent Agenda C**, which requires a two-thirds vote, before the House for consideration.

**HJR 24** – WAGNER & REPRESENTATIVE ENNIS & SENATOR PETERSON & REPRESENTATIVES SPENCE, SMITH, LEE, BUCKWORTH, CAREY, CATHCART, DIPINTO, EWING, HOCKER, LAVELLE, LOFINK, MAIER, MIRO, OBERLE, OUTTEN, STONE, THORNBURG, ULBRICH, VANSANT, HALL-LONG, JOHNSON, KEELEY, LONGHURST, MCWILLIAMS, MULROONEY, SCHOOLEY, SCHWARTZKOPF & WILLIAMS & SENATORS SOKOLA, AMICK, CONNOR & SIMPSON – Directing the Merit Employee Relations Board Establish a Page on the State Website for Information Dissemination for Use by State Employees and State Employees Can Discuss These Matters with Their Legislators Without Fear of Reprisal.

**HB 396** – WAGNER & REPRESENTATIVE ENNIS & SENATOR PETERSON & REPRESENTATIVES SPENCE, LEE, BUCKWORTH, CAREY, CATHCART, DIPINTO, EWING, HOCKER, LAVELLE, LOFINK, MAIER, MIRO, OBERLE, STONE, THORNBURG, ULBRICH, KEELEY & WILLIAMS & SENATORS SOKOLA, SORENSON, AMICK, CONNOR & SIMPSON – An Act to Amend Title 29 of the Delaware Code Relating to the Merit System. (F/N)

**HB 310** – KEELEY & REPRESENTATIVES BUCKWORTH, CAULK, EWING, HALL-LONG, HOCKER, LONGHURST, MIRO, MULROONEY, PLANT, SCHWARTZKOPF, SPENCE & VIOLA & SENATORS BLEVINS, CONNOR, HENRY & PETERSON – An Act to Amend Title 11 of the Delaware Code Relating to Theft. (2/3 bill)

**HB 414** – VALIHURA & SENATOR VAUGHN & REPRESENTATIVE MARSHALL & SENATOR AMICK – An Act to Amend Chapter 18, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Liability Companies and the Registration and Regulation of Foreign Limited Liability Companies.

**SB 184 w/SA 1** – PETERSON & VALIHURA & SENATORS AMICK & CONNOR & REPRESENTATIVES SPENCE, HALL-LONG & VIOLA – An Act to Amend Chapter 33 of Title 24 of the Delaware Code Relating to Veterinarians and Establishing Veterinary Technicians. (2/3 bill)

**SB 58** – HENRY & REPRESENTATIVE BUCKWORTH – An Act to Amend Title 21 of the Delaware Code Relating to Child Helmet Requirements. (2/3 bill)

Representative Smith requested that **HB 310** & **SB 58** be removed from **Consent Agenda C**.

The roll call on **Consent Agenda C** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority at least two-thirds Members of the House, **HJR 24**, **HB 396** & **HB 414** were sent to the Senate for concurrence & **SB 184 w/SA 1** was returned to the Senate.

Representatives Gilligan & Smith made comments.

Representative Smith deferred to Representative Keeley.

Representative Keeley brought **HB 310**, jointly sponsored by Representatives Buckworth, Caulk, Ewing, Hall-Long, Hocker, Longhurst, Miro, Mulrooney, Plant, Schwartzkopf, Spence & Viola & Senators Blevins, Connor, Henry & Peterson, before the House for consideration.

**HB 310** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THEFT. (2/3 bill)

Representatives Keeley, Lavelle, Smith, Marshall, Keeley, Smith, Williams & Plant made comments. Representative Keeley requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Keeley, Lavelle & Keeley made comments.

The roll call on **HB 310** was taken and revealed:

YES: 30.

NO: Representatives Atkins, Booth, Hudson, Lavelle, Roy, Smith, Stone, Thornburg, Valihura & Wagner - 10.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 310** was sent to the Senate for concurrence.

Representative Smith brought **SB 58**, sponsored by Senator Henry & Representative Buckworth, before the House for consideration.

**SB 58** – AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CHILD HELMET REQUIREMENTS. (2/3 bill)

Representative Smith moved to place **SB 58** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to lift **SB 62 w/HA 2** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Oberle brought **SB 62 w/HA 2**, jointly sponsored by Senator Marshall & Senator Peterson & Representative Viola & Senators DeLuca, Henry, McBride, McDowell & Blevins & Representatives Ennis, George, Gilligan, Hall-Long, Keeley, Mulrooney, Plant, VanSant & Williams & cosponsored by Senator Connor before the House for consideration.

**SB 62 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE MINIMUM WAGE.**

Representative Oberle deferred to Representative Hocker. Representative Hocker requested that **HA 3 to SB 62** be stricken. Representative Oberle introduced and brought **HA 4 to SB 62** before the House for consideration. Representative Oberle made comments. **HA 4** was adopted by voice vote. Representative Oberle deferred to Representative Hocker. Representative Hocker introduced and brought **HA 5 to SB 62** before the House for consideration. Representatives Hocker, Oberle, Schwartzkopf & Mulrooney made comments.

The roll call on **HA 5 to SB 62** was taken and revealed:

YES: Representatives Booth, Buckworth, Carey, DiPinto, Ewing, Fallon, Hocker, Hudson, Lavelle, Lee, Miro, Outten, Roy, Smith, Stone, Valihura - 16.

NO: 24.

ABSENT: Representative Caulk - 1.

Therefore, not having received a constitutional majority, **HA 5 to SB 62** was declared defeated.

Representatives Smith, Oberle & Viola made comments.

The roll call on **SB 62 w/HA 2 & 4** was taken and revealed:

YES: 26.

NO: Representatives Atkins, Booth, Buckworth, Carey, Ewing, Fallon, Hocker, Lavelle, Lee, Outten, Roy, Smith, Thornburg & Wagner - 14.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **SB 62 w/HA 2 & 4** was returned to the Senate for concurrence on **HA 2 & 4**.

Mr. Speaker Spence appointed Representative Roy as Acting Speaker.

Representative Smith deferred to Representative Spence.

Representative Spence brought **HB 425**, jointly sponsored by Senator Blevins & Representatives Carey, Fallon, Hocker, Lavelle, Lofink, Valihura, Ennis, Longhurst, Schooley & Viola & Senators McBride, Cloutier, Connor & cosponsored by Senators McDowell, Amick, Bunting, Cook, DeLuca, Peterson & Still, before the House for consideration.

**HB 425 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO AGRICULTURE. (F/N)**

Representative Spence brought **HA 1 to HB 425** before the House for consideration. Representative Spence introduced and brought **HA 1 to HA 1 to HB 425** before the House for consideration. Representative Spence made comments. **HA 1 to HA 1** was adopted by voice vote. **HA 1 w/HA 1** was adopted by voice vote. Representative Spence made comments.

The roll call on **HB 425 w/HA 1 & HA 1 to HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Hocker & Smith - 3.

Therefore, having received a constitutional majority, **HB 425 w/HA 1 & HA 1 to HA 1** was sent to the Senate for concurrence.

Representative Spence introduced guests.

Representative Lavelle made an announcement.

Representative Outten requested that **HB 436** be stricken.

Representative Spence made comments and introduced guests.

Representative Spence introduced and brought **HR 74**, sponsored on behalf of All Representatives, before the House for consideration.

**HR 74 - DECLARING JUNE AS FATHERHOOD AWARENESS MONTH.**

Representative Spence made comments.

**HR 74** was adopted by voice vote.

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

BUSINESS/CORPORATIONS/COMMERCE: **HB 474 - 1M,6U.**

PUBLIC SAFETY: **HB 500 - 5M.**

Representatives Valihura & Stone made announcements.

The Majority Leader moved to recess to the call of the Chair at 9:49 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:15 p.m. on June 20, 2006.

The Reading Clerk read the following communications into the record:

June 15, 2006

#### LEGISLATIVE ADVISORY #21

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/15/06 – **SS 1/SJR 3**; 6/13/06 – **SB 261 aab SA 2 & HA 1 & 2, SB 262 aab SA 1 & SB 305**; 6/15/06 – **SB 187 aab SA 2, SB 265, HB 119 aab HA 1 & SA 1, HS 1/HB 243 aab HA 2, 3 & 4 & SA 2, HB 258 aab SA 1 & 2, HB 325 & HB 358 aab HA 1 & SA 1.**

Representative Marshall requested and was granted personal privilege of the floor to introduce guests.

The Majority Leader moved to adjourn at 2:19 p.m., thereby ending the current legislative day. The House reconvened at 2:20 p.m.

**39th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session  
June 20, 2006**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Gregory F. Lavelle, Eleventh Representative District.

Mr. Speaker Spence invited Jahaira Torres and Jeneé Poindexter to join him in leading those present in a pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

**HB 513** - OBERLE & SENATOR MARSHALL; REPRESENTATIVES HUDSON, MULROONEY, VALIHURA, VIOLA; SENATORS BONINI, BUNTING, COPELAND, SOKOLA - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Delaware Health Resources Board.

**HB 514** - EWING & SENATOR HENRY; REPRESENTATIVES BOOTH, BUCKWORTH, CATHCART, HOCKER, OUTTEN, THORNBURG - PUBLIC SAFETY - An Act to Amend Chapter 47, Title 21 of the Delaware Code Relating to Medical Standards Pertaining to School Bus Drivers.

**HB 515** - KEELEY & SENATOR BLEVINS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to a Pilot Program for Continuous Remote Alcohol Monitoring.

**HA 2 to HB 51** - WAGNER - Placed with the Bill.

**HA 1 to HB 349** - WAGNER - Placed with the Bill.

**HA 1 to HS 1 for HB 388** - MIRO; REPRESENTATIVES EWING, FALLON, STONE, VALIHURA, CAULK - Placed with the Bill.

**HA 3 to HB 410** - SMITH - Placed with the Bill.

**HA 2 to HB 422** - HUDSON - Placed with the Bill.

**HA 1 to HB 470** - MARSHALL - Placed with the Bill.

**HA 2 to HB 470** - MARSHALL - Placed with the Bill.

**HA 1 to HB 472** - CATHCART - Placed with the Bill.

**HA 2 to HB 482** - OBERLE - Placed with the Bill.

**HA 3 to HB 482** - OBERLE - Placed with the Bill.

**HA 4 to HB 482** - OBERLE - Placed with the Bill.

**HA 5 to HB 482** - OBERLE - Placed with the Bill.

**HA 1 to HB 505** - WAGNER - Placed with the Bill.

Representative Gilligan requested that he be marked present.

Representatives Ennis & Schooley requested and were granted personal privilege of the floor to introduce guests. Representative Maier & Mr. Speaker Spence introduced guests.

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

HOUSING & COMMUNITY AFFAIRS: **SB 290 w/SA 1** - 6M.

JUDICIARY: **HS 1/HB 312** - 5M; **HS 2/HB 84** - 5M; **HB 485** - 5M; **HB 511** - 5M; **SB 317** - 5M; **SB 321 w/SA 1 & 3** - 5M;

Representative Viola requested that he be marked present.

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

HOUSE ADMINISTRATION: **HB 487** - 4M.

Representative Lofink requested that he be marked present.

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

The House reconvened at 5:00 p.m. with Representative Ewing as Acting Speaker.

The Reading Clerk read the following communication into the record:

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Senator James T. Vaughn, do hereby request that my name be removed as cosponsor of **HS 1 for HB 312**.

Date: June 20, 2006

Signed: James T. Vaughn

Representative Buckworth requested that he be marked present.

Representative Smith deferred to Representative Oberle.

Mr. Acting Speaker Ewing appointed Representative Buckworth as Acting Speaker.

Representative Oberle made comments.

Representative Oberle introduced and brought **HCR 71**, jointly sponsored by Senator Adams & Representatives Atkins, Hocker & Lofink & Senators Bunting & Simpson & cosponsored by Representatives Ewing & Lee & Senator Marshall, before the House for consideration.

**HCR 71** - CREATING THE TASK FORCE ON HARNESS AND HORSE RACING SAFETY.

Representative Oberle made comments.

**HCR 71** was adopted by voice vote and was sent to the Senate for concurrence.

Mr. Acting Speaker introduced guests.

Representatives Cathcart, DiPinto & Hudson requested that they be marked present.

The House observed a moment of silence in memory of the father of Mr. Stuart Lindner at the request of Representative Hudson.

Representatives Ulbrich, Mulrooney, Wagner, Fallon, Miro, Stone, Schwartzkopf & Plant requested that they be marked present.

Representative Oberle introduced and brought **HR 77**, jointly sponsored by Representatives Atkins, Hocker & Lofink & cosponsored by Representative Lee, before the House for consideration.

**HR 77 - CREATING A TASK FORCE TO STUDY AND RECOMMEND QUALIFICATIONS AND IMPROVEMENTS CONCERNING THE USE OF OUTRIDERS AND CHASE VEHICLES AT DELAWARE HORSE RACING TRACKS.**

Representative Oberle made comments.

**HR 77** was adopted by voice vote.

Representative Oberle introduced **HB 518**, jointly sponsored by Senator Adams & Senator Marshall & Representatives Atkins, Hocker & Lofink & Senators Bunting & Simpson & cosponsored by Representatives Ewing, Lee & Outten.

**HB 518 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE "HAL" BELOTE HARNESS AND/OR HORSE RACING SAFETY ACT.**

Mr. Acting Speaker assigned **HB 518** to the Gaming & Parimutuels Committee.

Representative Oberle introduced **HB 519**, jointly sponsored by Senator Adams & Representatives Atkins, Hocker & Lofink & Senators Bunting & Simpson & cosponsored by Representatives Ewing & Lee & Senator Marshall.

**HB 519 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES.**

Mr. Acting Speaker assigned **HB 519** to the Gaming & Parimutuels Committee.

Representative Smith deferred to Representative Carey.

Representative Carey brought **HB 475**, jointly sponsored by Representative Hocker & Representative Thornburg & Representative Outten & Senator Bunting & Representatives Spence, Atkins, Hall-Long, McWilliams & Mulrooney & Senators Venables & Simpson, before the House for consideration.

**HB 475 - AN ACT TO AMEND TITLE 7 AND TITLE 25 OF THE DELAWARE CODE RELATING TO RECORDING OF NOTICE OF TAX DITCH, TAX LAGOON RIGHT-OF-WAY, OR ASSESSMENT, AND DEEDS.**

Representative Carey made comments.

The roll call on **HB 475** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 475** was sent to the Senate for concurrence.

Representatives Atkins, McWilliams, Valihura & Williams requested that they be marked present during the roll call.

Representative Carey introduced guests.

Representative Smith brought **Consent Agenda D** before the House for consideration and for concurrence on Senate Amendments.

**HB 486 – OUTTEN & SENATOR COOK & REPRESENTATIVES FALON, HOCKER, HUDSON & WAGNER & SENATOR BONINI – An Act to Amend Title 21 of the Delaware Code Pertaining to Specific Speed Limits.**

**HB 492 – MIRO & SENATOR HENRY - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicles.**

**HB 466 - HUDSON & SENATOR VAUGHN – An Act to Amend Title 13 of the Delaware Code Relating to Certain Specific Requested Relief in Divorce Actions.**

**HS 1/HB 412 – ULBRICH & REPRESENTATIVE MAIER & SENATOR BLEVINS – An Act to Amend Title 10, Chapter 43 of the Delaware Code Relating to Courts and Judicial Procedures.**

**SB 28 – MCBRIDE & SENATOR COPELAND & SENATOR SOKOLA & REPRESENTATIVES HUDSON, MULROONEY, VALIHURA & VIOLA – An Act to Amend Title 24 of the Delaware Code Relating to Funeral Services.**

**HB 447 – OBERLE & SENATOR MCBRIDE & REPRESENTATIVE ATKINS – An Act to Amend Title 24 of the Delaware Code Relating to the Commission on Adult Entertainment Establishments.**

**HB 362 w/SA 1 – EWING & SENATOR VAUGHN & REPRESENTATIVES ATKINS, SCHWARTZKOPF, SPENCE, LEE, OUTTEN & WAGNER – An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.**

**HB 382 w/SA 1 – ENNIS & SENATOR COOK & REPRESENTATIVES EWING, HALL-LONG, LEE, OUTTEN, SPENCE & VANSANT & SENATOR VAUGHN – An Act to Amend Title 30 of the Delaware Code Relating to Occupational and Business Licenses and Taxes.**

Mr. Speaker Spence resumed the Chair.

The roll call on **Consent Agenda D** was taken and revealed:



YES: 41.

Therefore having received a constitutional majority, **HB 486, HB 492, HB 466, HS 1/HB 412 & HB 447** were sent to the Senate for concurrence, **HB 362 w/SA 1 & HB 382 w/SA 1** were sent to the Governor & **SB 28** was returned to the Senate.

Representative Smith brought **Consent Agenda E**, which requires a three-fifths vote, before the House for consideration and for concurrence on Senate Amendments.

**HB 190 w/SA 2 – OBERLE & SENATOR BLEVINS** – An Act to Amend Title 16 of the Delaware Code Relating to a Personal Assistance Services Agency Act. (3/5 bill)

**HB 415 – VALIHURA & SENATOR VAUGHN & REPRESENTATIVE MARSHALL & SENATOR AMICK** – 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 424 – VALIHURA & SENATOR VAUGHN & REPRESENTATIVE MARSHALL & SENATOR AMICK** – An Act to Amend Chapter 15, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operations and Dissolution of Domestic Partnerships and the Registration and Regulation of Foreign Limited Partnerships. (3/5 bill)

**SB 196 w/SA 1 – PETERSON & REPRESENTATIVE VALIHURA** – An Act to Amend Title 24 of the Delaware Code Relating to the Board of Plumbing Examiners and Basic Plumbing Principles. (3/5 bill)

The roll call on **Consent Agenda E** was taken and revealed:

YES: 41.

Therefore having received a constitutional majority of at least three-fifths Members of the House, **HB 190 w/SA 2** was sent to the Governor, **HB 415 & HB 424** were sent to the Senate for concurrence and **SB 196 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Ulbrich. Representative Ulbrich made a comment. Representative Wagner made an announcement.

Mr. Speaker Spence appointed Representative Booth as Acting Speaker.

Representative Smith deferred to Representative Spence.

Representative Spence brought **HB 470**, jointly sponsored by Senator Peterson, before the House for consideration.

**HB 470 - AN ACT TO AMEND CHAPTER 17 OF TITLE 7 OF THE DELAWARE CODE RELATING TO DANGEROUS DOGS.**

Representative Spence deferred to Representative Marshall. Representative Marshall requested that **HA 1 to HB 470** be stricken. Representative Spence made comments. Representative Spence deferred to Representative Marshall. Representative Marshall brought **HA 2 to HB 470** before the House for consideration. Representative Marshall made comments. Representative Spence requested and was granted privilege of the floor for Anne McCann, representing the Attorney General's Task Force on Animal Cruelty and Interpersonal Violence. Representatives Spence, Marshall, Schwartzkopf, Spence, Schwartzkopf & DiPinto made comments. **HA 2** was adopted by voice vote. Representatives Spence, Wagner & Valihura made comments. Representative Spence requested and was granted privilege of the floor for Anne McCann, representing the Attorney General's Task Force on Animal Cruelty and Interpersonal Violence. Representatives Valihura, Spence, Ulbrich & Johnson made comments.

The roll call on **HB 470 w/HA 2** was taken and revealed:

YES: 38.

NO: Representatives Caulk, Schwartzkopf & Valihura - 3.

Therefore, having received a constitutional majority, **HB 470 w/HA 2** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Stone.

Representative Stone brought **SB 345 w/SA 1**, jointly sponsored by Senator DeLuca & Senators Bunting, Sokola, Sorenson & Still & Representatives Lavelle, Carey, Fallon, Hocker, Hudson, Keeley, Longhurst, Thornburg, Valihura & Viola & cosponsored by Senator Amick, before the House for consideration.

**SB 345 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO PROPERTY.**

Representative Stone made comments.

The roll call on **SB 345 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 345 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Lavelle.

Representative Lavelle brought **HB 410**, jointly sponsored by Representative Hudson & Representative Ennis & Representative Hall-Long & Senator Blevins & Senator Sokola, before the House for consideration.

**HB 410 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE DEALING WITH MUNICIPAL ELECTIONS.** (2/3 bill)

Mr. Acting Speaker Booth appointed Representative Buckworth as Acting Speaker.



Representative Smith brought **HA 1 to HB 410** before the House for consideration. Representatives Smith & Lavelle made comments. **HA 1** was adopted by voice vote. Representative Lavelle brought **HA 2 to HB 410** before the House for consideration. Representative Lavelle made comments. **HA 2** was adopted by voice vote. Representative Smith brought **HA 3 to HB 410** before the House for consideration. Representatives Smith, Ennis, Smith & Hall-Long made comments. Representative Hall-Long requested and was granted privilege of the floor for Frank B. Calio, Commissioner, Department of Elections. Representative Hall-Long made comments. Representative Smith requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Smith & Ennis made comments.

The roll call on **HA 3 to HB 410** was taken and revealed:

YES: 24.

NO: Representatives Ennis, Gilligan, Hall-Long, Johnson, Keeley, Longhurst, M Marshall, McWilliams, Mulrooney, Plant, Schooley, Schwartzkopf, VanSant & Viola - 14.

ABSENT: Representatives Caulk, Oberle & Williams - 3.

Therefore, having received a constitutional majority, **HA 3 to HB 410** was declared passed.

Representative Booth introduced and brought **HA 4 to HB 410** before the House for consideration. Representatives Booth, Lavelle, Keeley, Gilligan, Booth, Lavelle, Ennis, Booth, Hall-Long & Booth made comments.

The roll call on **HA 4 to HB 410** was taken and revealed:

YES: Representatives Atkins, Booth, Carey, Caulk, Ewing, Hocker, Lee, Outten, Schwartzkopf, Smith & Spence - 11.

NO: 25.

NOT VOTING: Representative Gilligan - 1.

ABSENT: Representatives Fallon, Roy, Stone & VanSant - 4.

Therefore, not having received a constitutional majority, **HA 4 to HB 410** was declared defeated.

The roll call on **HB 410 w/HA 1, 2 & 3** was taken and revealed:

YES: 31.

NO: Representatives Atkins, Booth, Carey, Ewing, Hocker, Lee & Outten - 7.

ABSENT: Representatives Caulk, Roy & VanSant - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 410 w/HA 1, 2 & 3** was sent to the Senate for concurrence.

Representative Lavelle made comments regarding **HB 410**.

The Majority Leader moved to recess for dinner at 6:52 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 7:46 p.m.

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

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **SB 343** - 7M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **SB 319 w/SA 2** - 3M.

PUBLIC SAFETY: **SB 323** - 4M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 375, SB 334, SB 336, SB 356, SB 359, SB 146 w/SA 1, SS 1/SB 151 & SCR 41 w/SA 1** and requests the concurrence of the House; **HB 432 w/SA 2** and is returning same to the House.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **SB 322**, jointly sponsored by Senator Vaughn & Representative Marshall & Senator Amick, before the House for consideration.

**SB 322** - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (2/3 bill)

Representative Valihura made a comment.

The roll call on **SB 322** was taken and revealed:

YES: 40.

ABSENT: Representative Lavelle - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 322** was returned to the Senate.

Representative Smith requested that **HB 349** be stricken.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought **HB 472**, jointly sponsored by Senator Vaughn & Representatives Lofink, Roy & Hall-Long & Senator Amick, before the House for consideration.

**HB 472** - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF CHIROPRACTIC.

Representative Cathcart brought **HA 1 to HB 472** before the House for consideration.

Representative Cathcart made comments. **HA 1** was adopted by voice vote. Representative Cathcart introduced and brought **HA 2 to HB 472** before the House for consideration. Representative Cathcart made comments. **HA 2** was adopted by voice vote.

The roll call on **HB 472 w/HA 1 & 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 472 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **HB 460**, jointly sponsored by Senator DeLuca & Representatives Buckworth, Ewing, Miro, Mulrooney & Viola, before the House for consideration.

**HB 460 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES.**

Representative Hudson brought **HA 1 to HB 460** before the House for consideration. **HA 1** was adopted by voice vote. Representative Hudson made comments.

The roll call on **HB 460 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Oberle - 1.

Therefore, having received a constitutional majority, **HB 460 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought **HS 1 for HB 375**, jointly sponsored by Senator Sokola & Representatives Carey, Ewing, Fallon, Hocker, Lofink, Miro, Oberle, Stone, Valihura, Wagner, VanSant, Keeley, Mulrooney & Plant, before the House for consideration.

**HB 375 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.**

Representative Cathcart made comments.

The roll call on **HS 1 for HB 375** was taken and revealed:

YES: 40.

ABSENT: Representative Oberle - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 375** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Atkins.

Representative Atkins brought **HB 488**, jointly sponsored by Representative Ewing & Representatives Spence, Lee, Buckworth, Carey, Hocker, Maier, Miro, Outten, Stone, Thornburg, Wagner & Gilligan & cosponsored by Representative Ulbrich, before the House for consideration.

**HB 488 - AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF VEHICLES. (3/5 bill)**

Representative Atkins introduced and brought **HA 1 to HB 488** before the House for consideration. Representative Atkins made a comment. **HA 1** was adopted by voice vote. Representatives Atkins & Maier made comments.

The roll call on **HB 488 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 488 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Stone.

Representative Stone moved to suspend the rules which interfere with action on **HB 446**. The motion was properly seconded and adopted by voice vote.

Representative Stone made an announcement.

Representative Stone brought **HB 446**, jointly sponsored by Representative Wagner & Senator Blevins & Senator McDowell & Representatives Buckworth, DiPinto, Hall-Long, Hocker, Maier, Oberle, Spence, Ulbrich, Ennis & Schooley & Senators DeLuca, Sokola & Sorenson, before the House for consideration.

**HB 446 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SUPPLEMENTAL HEALTH INSURANCE COVERAGE FOR CHILDREN OF INSURED.**

Representative Stone made comments. Representative Stone brought **HA 1 to HB 446** before the House for consideration. Representative Stone made comments. **HA 1** was adopted by voice vote.

Representative Stone introduced and brought **HA 2 to HB 446** before the House for consideration.

Representative Stone made comments. **HA 2** was adopted by voice vote. Representatives Lavelle, Maier, Stone & Smith made comments. Representative Stone requested and was granted privilege of the floor for Matt Denn, Insurance Commissioner. Representatives Smith, Lavelle & Stone made comments.

The roll call on **HB 446 w/HA 1 & 2** was taken and revealed:

YES: 38.

NO: Representatives Atkins & Smith - 2.

NOT VOTING: Representative Lavelle - 1.

Therefore, having received a constitutional majority, **HB 446 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **HB 482**, jointly sponsored by Representative Lee & Representative Williams & Senator Vaughn & Representatives Smith, Buckworth, DiPinto & Ewing & Senators Cook, Amick, Cloutier & Still & cosponsored by Representative Spence, before the House for consideration.

**HB 482 - AN ACT TO AMEND TITLES 10, 11 AND 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY, CONSTABLES AND CAPITOL POLICE AND BUILDINGS AND GROUNDS. (F/N)**

Representative Oberle requested that **HA 1 to HB 482** be stricken. Representative Oberle requested that **HA 2 to HB 482** be stricken. Representative Oberle requested that **HA 3 to HB 482** be stricken. Representative Oberle requested that **HA 4 to HB 482** be stricken. Representative Oberle brought **HA 5 to HB 482** before the House for consideration. Representative Oberle made comments. **HA 5** was adopted by voice vote. Representative Oberle introduced and brought **HA 6 to HB 482** before the House for consideration. Representative Oberle made comments. **HA 6** was adopted by voice vote. Representative Oberle made comments.

The roll call on **HB 482 w/HA 5 & 6** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 482 w/HA 5 & 6** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Miro.

Representative Miro brought **HS 1 for HB 388**, jointly sponsored by Senator Vaughn & Representative Spence, before the House for consideration.

**HB 388 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES RELATING TO RECORDING DEVICES.**

Representative Miro brought **HA 1 to HS 1 for HB 388**, jointly sponsored by Representatives Ewing, Fallon, Stone, Valihura & Caulk, before the House for consideration. Representative Miro made a comment. **HA 1** was adopted by voice vote. Representative Miro made comments.

The roll call on **HS 1 for HB 388 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HS 1 for HB 388 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **HB 419**, jointly sponsored by Representative Miro & Senator Marshall & Senator Venables, before the House for consideration.

**HB 419 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (3/5 bill)**

Representative Oberle made comments.

The roll call on **HB 419** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 419** was sent to the Senate for concurrence.

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

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **SB 330 w/SA 1 - 7M.**

The Majority Leader moved to recess to the call of the Chair at 8:55 p.m.

Mr. Acting Speaker Roy called the House to order at 2:10 p.m. on June 21, 2006.

The Majority Leader moved to adjourn at 2:25 p.m., thereby ending the current legislative day. The House reconvened at 2:26 p.m.

#### **40th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session**

**June 21, 2006**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Bethany A. Hall-Long, Eighth Representative District.

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

The following prefiled legislation was introduced:

**HB 516 - MAIER & REPRESENTATIVE WAGNER & SENATOR BLEVINS; REPRESENTATIVES BUCKWORTH, FALLON, MIRO, STONE, ULBRICH - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to Pharmacy.**

**HB 517 - VALIHURA & SENATOR COPELAND; REPRESENTATIVE VIOLA; SENATORS BUNTING, AMICK - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Titles 24 and 29, Chapter 10 of the Delaware Code Relating to Civil Administrative Procedures.**

**HB 520 - BOOTH & SENATOR VENABLES - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Licenses.**

**HB 521 - LAVELLE & SENATOR VENABLES; REPRESENTATIVES LEE, ATKINS, BOOTH, BUCKWORTH, CAREY, EWING, FALLON, HOCKER, LOFINK, MAIER, MIRO, OUTTEN,**

THORNBURG, HALL-LONG, SCHOOLEY, CAULK; SENATORS ADAMS, BUNTING, VAUGHN, STILL, AMICK, BONINI, COPELAND, SIMPSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Realty Transfer Tax.

**HB 522** - LAVELLE & SENATOR VENABLES; REPRESENTATIVES LEE, ATKINS, BOOTH, BUCKWORTH, CAREY, EWING, FALLON, HOCKER, LOFINK, MAIER, MIRO, OUTTEN, THORNBURG, HALL-LONG, SCHOOLEY, CAULK; SENATORS ADAMS, BUNTING, VAUGHN, STILL, AMICK, BONINI, COPELAND, SIMPSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 25 of the Delaware Code Relating to Titles and Conveyances.

**HB 523** - LAVELLE & SENATOR VENABLES; REPRESENTATIVES LEE, ATKINS, BOOTH, BUCKWORTH, CAREY, EWING, FALLON, HOCKER, LOFINK, MAIER, MIRO, OUTTEN, THORNBURG, HALL-LONG, SCHOOLEY, CAULK; SENATORS ADAMS, BUNTING, VAUGHN, STILL, AMICK, BONINI, COPELAND, SIMPSON - AGRICULTURE - An Act to Amend Title 29 of the Delaware Code Relating to General Fund.

**HB 524** - LAVELLE & SENATOR VENABLES; REPRESENTATIVES LEE, ATKINS, BOOTH, BUCKWORTH, CAREY, EWING, FALLON, HOCKER, LOFINK, MAIER, MIRO, OUTTEN, THORNBURG, HALL-LONG, SCHOOLEY, CAULK; SENATORS ADAMS, BUNTING, VAUGHN, STILL, AMICK, BONINI, COPELAND, SIMPSON - AGRICULTURE - An Act to Amend Title 3 of the Delaware Code Relating to the Agricultural Lands Preservation Act.

**HB 525** - BOOTH & SENATOR VENABLES - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Licenses.

**HB 526** - LAVELLE & SENATOR VENABLES; REPRESENTATIVES LEE, ATKINS, BOOTH, BUCKWORTH, CAREY, EWING, FALLON, HOCKER, LOFINK, MAIER, MIRO, OUTTEN, THORNBURG, HALL-LONG, SCHOOLEY, CAULK; SENATORS ADAMS, BUNTING, VAUGHN, STILL, AMICK, BONINI, COPELAND, SIMPSON - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Natural Resources.

**HB 527** - LAVELLE & SENATOR VENABLES; REPRESENTATIVES LEE, ATKINS, BOOTH, BUCKWORTH, CAREY, EWING, FALLON, HOCKER, LOFINK, MAIER, MIRO, OUTTEN, THORNBURG, HALL-LONG, SCHOOLEY, CAULK; SENATORS ADAMS, BUNTING, VAUGHN, STILL, AMICK, BONINI, COPELAND, SIMPSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Personal Income Tax.

**HB 528** - HOCKER & SENATOR BUNTING; REPRESENTATIVES ATKINS, BUCKWORTH, CAREY, CATHCART, EWING, HUDSON, LOFINK, MIRO - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Powers and Duties of the Department of Health and Social Services.

**HB 529** - VALIHURA & SENATOR MCDOWELL & SENATOR BUNTING - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 25 of the Delaware Code Relating to the Residential Landlord-Tenant Code.

**HA 1 to HB 262** - ROY - Placed with the Bill.

**HA 1 to HS 1 for HB 312** - VALIHURA - Placed with the Bill.

**HA 2 to HB 409** - MIRO - Placed with the Bill.

**HA 2 to HB 430** - KEELEY - Placed with the Bill.

**HA 1 to HB 449** - VALIHURA - Placed with the Bill.

**HA 1 to HB 485** - SPENCE - Placed with the Bill.

**HA 1 to HB 497** - LOFINK - Placed with the Bill.

**HA 1 to HB 509** - WAGNER - Placed with the Bill.

**SB 146 w/SA 1** - BLEVINS & REPRESENTATIVE STONE; SENATORS CONNOR, HENRY, PETERSON, SIMPSON, SOKOLA, VENABLES; REPRESENTATIVES HALL-LONG, KEELEY, MIRO, OBERLE, SCHOOLEY, VALIHURA, WAGNER - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Creating a Delaware Health Insurance Pool.

**SS 1 for SB 151** - BLEVINS & REPRESENTATIVE KEELEY - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Medical Practice.

**SB 334** - VAUGHN & REPRESENTATIVE EWING - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Statutes of Limitations.

**SB 336 w/SA 1** - VAUGHN & REPRESENTATIVE ATKINS - CORRECTIONS - An Act to Amend Title 11, Chapter 43, Relating to Department of Correction Records.

**SB 356** - DELUCA & REPRESENTATIVE VALIHURA - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Evidence of Juvenile Adjudications.

**SB 359** - VAUGHN & REPRESENTATIVE VALIHURA - JUDICIARY - An Act to Amend Title 29 of the Delaware Code Relating to the Department of Justice.

**SB 375** - BLEVINS & REPRESENTATIVES KEELEY & WAGNER; SENATOR AMICK; REPRESENTATIVES ENNIS, OBERLE, VIOLA - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Expert Witnesses in Health Care and Medical Negligence Actions.

**HA 1 to SB 251 - BOOTH - Placed with the Bill.**

Representative Smith deferred to Representative Longhurst. Representative Longhurst requested and was granted privilege of the floor for herself and Representative Lofink to present House Tributes to the Caravel Academy Boys Baseball and Girls Softball Championship Teams and Coaches. Representatives Longhurst and Lofink made comments. The players and coaches announced their names for the record.

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

GAMING & PARIMUTUELS: **HB 518 - 5F,2M; HB 519 - 5F,2M.**

Mr. Acting Speaker assigned **HS 2/HB 84** to the Appropriations Committee.

Representative Smith deferred to Representative Hall-Long.

Representative Hall-Long requested and was granted personal privilege of the floor to introduce guests. Representative Marshall requested that she be marked present.

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

Representative Viola requested that he be marked present.

Representative Smith deferred to Representative Hocker. Representative Hocker requested and was granted privilege of the floor for himself and Representatives Atkins & Booth to present a House Tribute to Indian River School District's Odyssey of the Mind Division I World Championship Team. The House observed a moment of silence in memory of the mother of Lisa Forney, coach of the Odyssey of the Mind team, at the request of Representative Hocker. Representatives Hocker, Atkins & Booth made comments. Holly Kaufman, team member, addressed the House. Representative Booth presented House Commendations to each member of the Odyssey of the Mind Team. The team members and coaches announced their names for the record.

Representative Smith deferred to Representative Booth. Representative Booth introduced a guest.

Representative Smith deferred to Representative Atkins.

Representative Atkins made an announcement.

Representatives Wagner, Miro & Ennis requested that they be marked present.

Representative Smith made comments regarding **HS 1 for HB 134.**

Representative Schwartzkopf requested that he be marked present.

The Majority Leader moved to recess for caucus at 2:38 p.m.

The House reconvened at 5:02 p.m. with Representative Oberle as Acting Speaker.

Representative Oberle requested that he be marked present.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SCR 43** and requests the concurrence of the House.

Representative Smith brought the following prefiled **Consent Calendar #30** before the House for consideration.

**HR 75 – WAGNER & REPRESENTATIVE STONE; REPRESENTATIVES SPENCE, LEE, ATKINS, BOOTH, BUCKWORTH, CAREY, CATHCART, DIPINTO, EWING, FALLON, HOCKER, HUDSON, LAVELLE, LOFINK, MIRO, OUTTEN, ROY, THORNBURG, VALIHURA, VANSANT, HALL-LONG, KEELEY, VIOLA, WILLIAMS, CAULK – Encouraging Senator Thomas R. Carper to Support and Co-sponsor S. 3128 Which Provides for Nationally Uniform Food Safety Standards and Warning Labels on Packaged Foods.**

**HR 76 – ATKINS & REPRESENTATIVE WAGNER – A Resolution to Establish a House Task Force to Develop a Telecommunications and Telemedicine and Telehealth Network for the State.**

**HR 78 – SMITH & REPRESENTATIVE GILLIGAN – Supporting the Efforts of “Philadelphia 2016” to Secure Philadelphia’s Designation as the U.S. Candidate City by the United States Olympic Committee.**

**SCR 41 w/SA 1 – SOKOLA & REPRESENTATIVE VALIHURA; REPRESENTATIVE MIRO – Urging the President of the United States to Demand that the Chinese Government Allow an International Investigation of All Labor Camps, Prisons, Hospitals, and Related Facilities in China Where Falun Gong Practitioners are Being Detained.**

**SCR 42 – SORENSON & REPRESENTATIVE MAIER & SENATORS ADAMS, BONINI, BUNTING, CONNOR, COOK, COPELAND, MCBRIDE, PETERSON, SIMPSON, SOKOLA, STILL, VAUGHN; REPRESENTATIVES ATKINS, BOOTH, BUCKWORTH, CATHCART, CAULK, ENNIS, HALL-LONG, HOCKER, HUDSON, LOFINK, MARSHALL, MIRO, OUTTEN, ROY, SCHOOLEY, SMITH, STONE, THORNBURG, WAGNER – Commending the Class of 2005-2006 Eagle Scouts for Having Attained the Highest Rank One Can Earn in the Boy Scouts of America.**

Representative Smith requested that **SCR 41 w/SA 1** be removed from **Consent Calendar #30.**

Representative Williams requested that he be marked present.

**Consent Calendar #30** was adopted by voice vote and **HR 75, HR 76 & HR 78** were declared passed and **SCR 42** was returned to the Senate.

Mr. Acting Speaker assigned **SCR 41 w/SA 1** to the Judiciary Committee.

Representatives Cathcart & Hudson requested that they be marked present.

Representative Smith deferred to Representative Wagner.



Representative Wagner brought **SB 320**, jointly sponsored by Senator Sokola, before the House for consideration.

**SB 320 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE STUDENT TESTING PROGRAM.**

Representative Wagner made comments.

The roll call on **SB 320** was taken and revealed:

YES: 39.

ABSENT: Representatives DiPinto & Stone - 2.

Therefore, having received a constitutional majority, **SB 320** was returned to the Senate.

Representatives Gilligan, Maier, Mulrooney, Ulbrich, Valihura, Lavelle & Plant requested that they be marked present during the roll call.

Representative Smith deferred to Representative Wagner.

Representative Wagner moved to lift **HR 61** from the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Wagner brought **HR 61**, jointly sponsored by Representative Lavelle & Representatives Booth, Buckworth, Cathcart, Maier, Ulbrich, McWilliams & Schooley, before the House for consideration.

**HR 61 - CREATING A TASK FORCE TO PROMOTE COORDINATION BETWEEN SPECIAL EDUCATION STUDENTS, THEIR PARENTS, TEACHERS, DISTRICT ADMINISTRATORS AND THE DEPARTMENT OF EDUCATION.**

Representative Wagner made a comment. Representative Wagner brought **HA 2 to HR 61** before the House for consideration. Representative Wagner made a comment. **HA 2** was adopted by voice vote.

**HR 61 w/HA 2** was adopted by voice vote.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich requested that action on **SB 270 w/SA 1 & 2** be Deferred to a Day Certain, Thursday, June, 22, 2006.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **SB 321 w/SA 1 & 3**, jointly sponsored by Senator Vaughn & Representative Miro, before the House for consideration.

**SB 321 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO RECORDING DEVICES. (2/3 bill)**

Representative Valihura made comments.

The roll call on **SB 321 w/SA 1 & 3** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 321 w/SA 1 & 3** was returned to the Senate.

Representatives Stone & DiPinto requested that they be marked present during the roll call.

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

HOUSE ADMINISTRATION: **HB 491 - 1F,3M.**

Representative Smith brought **Consent Agenda F** before the House for consideration.

**SB 266 – SOKOLA & REPRESENTATIVE WAGNER – An Act to Amend Title 14 of the Delaware Code Relating to Compassionate Leave.**

**SB 310 w/SA 1 – DELUCA & REPRESENTATIVES STONE & VALIHURA & REPRESENTATIVE MARSHALL & SENATOR AMICK – An Act to Amend Title 12 of the Delaware Code Relating to Trusts.**

**SB 311 - DELUCA & REPRESENTATIVES STONE & VALIHURA & REPRESENTATIVE MARSHALL & SENATOR AMICK – An Act to Amend Title of the Delaware Code Relating to Trusts.**

**SB 312 - DELUCA & REPRESENTATIVES STONE & VALIHURA & REPRESENTATIVE MARSHALL & SENATOR AMICK – An Act to Amend Titles 10 and 12 of the Delaware Code Relating to Trusts.**

**SB 313 - DELUCA & REPRESENTATIVES STONE & VALIHURA & REPRESENTATIVE MARSHALL & SENATOR AMICK – An Act Amending Title 12 of the Delaware Code Relating to Disclaimers of Interests in Property and of Powers Over Property.**

**SB 314 - DELUCA & REPRESENTATIVES STONE & VALIHURA & REPRESENTATIVE MARSHALL & SENATOR AMICK – An Act Amending Title 12 of the Delaware Code Relating to Estates.**

**SB 319 w/SA 2 – MCBRIDE & REPRESENTATIVE OBERLE – An Act to Amend Title 24 of the Delaware Code Relating to the Delaware Professional Engineers Act.**

**HB 461 – WAGNER & REPRESENTATIVE VALIHURA & SENATOR PETERSON & SENATOR SOKOLA – An Act to Amend Title 29 of the Delaware Code Relating to the Freedom of Information Act.**

**HB 511 – VALIHURA & REPRESENTATIVES HUDSON & REPRESENTATIVE JOHNSON & REPRESENTATIVE STONE & SENATOR DELUCA & SENATOR CLOUTIER – An Act to Amend Titles 10 and 11 of the Delaware Code Relating to Records of Arrest and Prosecution.**



**HS 1 for HB 312 w/HA 1 – VALIHURA & REPRESENTATIVE STONE & REPRESENTATIVE WAGNER – An Act to Amend Titles 10, 11, 21 and 30 of the Delaware Code Relating to the Classification of Certain Minor Offenses as Civil Infractions. (F/N)**

Representative Smith requested that **HB 511 & HS 1/HB 312 w/HA 1** be removed from **Consent Agenda F**.

The roll call on **Consent Agenda F** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 266, SB 310 w/SA 1, SB 311, SB 312, SB 313, SB 314 & SB 319 w/SA 2** were returned to the Senate and **HB 461** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HB 511**, jointly sponsored by Representative Hudson & Representative Johnson & Representative Stone & Senator DeLuca & Senator Cloutier, before the House for consideration.

**HB 511 - AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO RECORDS OF ARREST AND PROSECUTION.**

Representative Lavelle introduced and brought **HA 1 to HB 511** before the House for consideration. Representative Lavelle made comments. **HA 1** was adopted by voice vote. Representatives Valihura & Johnson made comments.

The roll call on **HB 511 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 511 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Marshall.

Representative Marshall brought **HB 500**, jointly sponsored by Senator Sokola & Representatives Ewing, Valihura, Lavelle & Spence, before the House for consideration.

**HB 500 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.**

Representative Marshall made comments. Representative Marshall introduced and brought **HA 1 to HB 500** before the House for consideration. **HA 1** was adopted by voice vote. Representatives Smith & Marshall made comments. Representative Marshall requested and was granted privilege of the floor for Steven P. Wood, Deputy Attorney General. Representative Smith made comments.

The roll call on **HB 500 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 500 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Outten.

Representative Outten brought **HB 423**, jointly sponsored by Senator Simpson & Representatives Smith, Booth, Ewing, Hocker, Hudson & Caulk, before the House for consideration.

**HB 423 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROTECTION CONCERNING FISH AND GAME.**

Representative Outten brought **HA 1 to HB 423** before the House for consideration. Representative Outten made comments. **HA 1** was adopted by voice vote.

The roll call on **HB 423 w/HA 1** was taken and revealed:

YES: 37.

NO: Representatives McWilliams & Oberle - 2.

ABSENT: Representatives Marshall & Williams - 2.

Therefore, having received a constitutional majority, **HB 423 w/HA 1** was sent to the Senate for concurrence.

The Majority Leader moved to recess for dinner at 5:50 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 6:50 p.m.

Representative Smith deferred to Representative Stone.

Representative Stone introduced and brought **SCR 43**, sponsored on behalf of All Representatives and jointly sponsored by Senator Simpson on behalf of All Senators, before the House for consideration.

**SCR 43 - HONORING THE YOUNG WOMEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2006 SESSION OF DELAWARE'S GIRLS' STATE.**

Representative Stone made comments.

**SCR 43** was adopted by voice vote and was returned to the Senate.

Representative Smith deferred to Representative Booth.

Representative Booth made an announcement.

Representative Smith deferred to Representative Hall-Long.

Representative Hall-Long brought **HB 498**, jointly sponsored by Representative Maier & Senator Blevins & cosponsored by Representatives Ewing, Lavelle, McWilliams, Ulbrich & VanSant, before the House for consideration.

**HB 498 - AN ACT TO AMEND TITLE 24, CHAPTER 19 OF THE DELAWARE CODE RELATING TO NURSING.**

Representative Hall-Long made comments. Representative Hall-Long introduced and brought **HA 1 to HB 489** before the House for consideration. Representative Hall-Long requested that **HA 1 to HB 489** be stricken.

Representative Hall-Long moved to place **HB 498** on the Speaker's Table. The motion was seconded by Representative Marshall and adopted by voice vote.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought **HB 483**, jointly sponsored by Representative Spence & Senator DeLuca & Senator Sokola & Representatives Hudson, Maier & Schooley & Senators Cloutier, Bunting & Peterson, before the House for consideration.

**HB 483 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE TO ESTABLISH THE SCHOOL BULLYING PREVENTION ACT OF 2006.**

Representatives Ulbrich & Smith, Mr. Speaker Spence, Representatives Smith, Gilligan, Ulbrich, Keeley, Ulbrich & Mr. Speaker Spence made comments.

The roll call on **HB 483** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Ewing - 2.

Therefore, having received a constitutional majority, **HB 483** was sent to the Senate for concurrence.

Mr. Speaker Spence appointed Representative Booth as Acting Speaker.

Representative Smith made comments regarding **HB 483**. Representative Smith deferred to Representative Ulbrich. Representative Ulbrich made comments.

Representative Smith deferred to Representative Hall-Long.

Representative Hall-Long moved to lift **HB 498** from the Speaker's Table. The motion was seconded by Representative Lavelle and adopted by voice vote.

Representative Hall-Long brought **HB 498**, jointly sponsored by Representative Maier & Senator Blevins & cosponsored by Representatives Ewing, Lavelle, McWilliams, Ulbrich & VanSant, before the House for consideration.

**HB 498 - AN ACT TO AMEND TITLE 24, CHAPTER 19 OF THE DELAWARE CODE RELATING TO NURSING.**

Representative Hall-Long made a comment. Representative Hall-Long introduced and brought **HA 1 to HB 498** before the House for consideration. Representative Hall-Long made comments. **HA 1** was adopted by voice vote. Representatives Hall-Long & Wagner made comments. Representative Hall-Long deferred to Representative VanSant. Representatives VanSant & Wagner made comments.

The roll call on **HB 498 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Cathcart, Caulk & Ewing - 3.

Therefore, having received a constitutional majority, **HB 498 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Lavelle.

Representative Lavelle introduced **HS 1 for HB 450**, jointly sponsored by Representative Valihura & Senator Peterson & Senator Copeland & Representatives Spence, Lee, Atkins, Buckworth, Carey, Cathcart, Ewing, Hocker, Hudson, Lofink, Maier, Miro, Outten, Stone, Ulbrich & Wagner & Senators Blevins, Bunting, Sorenson, Cloutier, Connor & Simpson & cosponsored by Senator Sokola.

**HB 450 - AN ACT TO AMEND TITLE 10, CHAPTER 81 OF THE DELAWARE CODE BY ENLARGING THE STATUTE OF LIMITATIONS FOR SUITS FOR DAMAGES DUE TO PERSONAL INJURIES THAT WERE CAUSED BY SEXUAL ABUSE OF A CHILD BY AN ADULT.**

Mr. Acting Speaker assigned **HS 1 for HB 450** to the Judiciary Committee.

Representative Smith deferred to Representative Marshall.

Representative Marshall introduced **HJR 32**, jointly sponsored by Senator Simpson & Representatives DiPinto & Keeley & Senators Copeland, Henry, Sokola & Sorenson.

**HJR 32 - REQUIRING A STUDY OF THE DEATH PENALTY AS CURRENTLY ADMINISTERED IN DELAWARE.**

Mr. Acting Speaker assigned **HJR 32** to the Judiciary Committee.

Representative Smith deferred to Representative Keeley.

Representative Keeley requested that action on **HB 430** be Deferred to a Day Certain, Thursday, June 22, 2006.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HS 1 for HB 312**, jointly sponsored by Representative Stone & Representative Wagner, before the House for consideration.

**HB 312** - AN ACT TO AMEND TITLES 10, 11, 21 AND 30 OF THE DELAWARE CODE RELATING TO THE CLASSIFICATION OF CERTAIN MINOR OFFENSES AS CIVIL INFRACTIONS. (F/N)

Representative Valihura requested that **HA 1 to HS 1 for HB 312** be stricken.

Representative Valihura introduced and brought **HA 2 to HS 1 for HB 312** before the House for consideration. Representative Valihura made comments. **HA 2** was adopted by voice vote.

Representatives Valihura & Gilligan made comments.

The roll call on **HS 1 for HB 312 w/HA 2** was taken and revealed:

YES: 35.

NO: Representatives Atkins, Hocker & Plant - 3.

ABSENT: Representatives Buckworth, Caulk & Ewing - 3.

Therefore, having received a constitutional majority, **HS 1 for HB 312 w/HA 2** was sent to the Senate for concurrence.

Representative Valihura made comments.

Representative Smith deferred to Representative Spence.

Representative Spence brought **HB 485**, jointly sponsored by Representative Ewing & Representative Ulbrich & Senator DeLuca & Senator Sokola & Representatives Smith, Lee, Carey, Fallon, Hudson, Lavelle, Maier, Miro, Stone, Valihura & Wagner, before the House for consideration.

**HB 485** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE.

Representative Spence brought **HA 1 to HB 485** before the House for consideration. Representative Spence made a comment. **HA 1** was adopted by voice vote. Representative Spence introduced and brought **HA 2 to HB 485** before the House for consideration. Representative Spence made a comment. **HA 2** was adopted by voice vote. Representatives Spence, Johnson, Williams, Marshall & Spence made comments.

The roll call on **HB 485 w/HA 1 & 2** was taken and revealed:

YES: 35.

NO: Representative Plant - 1.

NOT VOTING: Representative Johnson - 1.

ABSENT: Representatives Buckworth, Caulk, Ewing & Lavelle - 4.

Therefore, having received a constitutional majority, **HB 485 w/HA 1 & 2** was sent to the Senate for concurrence.

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

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **SS 1/SB 109 w/SA 1** - 7M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 51 w/HA 1 & SA 2** - 3M.

The Majority Leader moved to recess to the call of the Chair at 7:58 p.m.

Mr. Acting Speaker Ewing called the House to order at 2:15 p.m. on June 22, 2006.

The Majority Leader moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

#### **41st LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session June 22, 2006**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Wayne A. Smith, Seventh Representative District.

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

The following prefiled legislation was introduced:

**HB 467** - KEELEY & REPRESENTATIVE VALIHURA; REPRESENTATIVES CATHCART, CAULK, ENNIS, HALL-LONG, JOHNSON, LEE, LONGHURST, MIRO, MULROONEY, PLANT, SCHOOLEY, WILLIAMS; SENATORS HENRY, MARSHALL, MCDOWELL - ENERGY - An Act to Amend Title 26 of the Delaware Code Relating to Public Utilities.

**HB 530** - SCHWARTZKOPF & SENATOR BUNTING - HOUSE ADMINISTRATION - An Act to Amend Chapter 197, Volume 54 of the Laws of Delaware, as Amended, Entitled "An Act Revising the Prior Charter of the City of Rehoboth Beach and Establishing a New Charter Therefor and Prescribing the Powers and Duties of the Commissioners of Rehoboth Beach" Relating to the City of Rehoboth Beach. (2/3 bill)

**HA 1 to HS 1 for HB 360** - KEELEY - Placed with the Bill.

**HA 1 to HB 407** - LOFINK - Placed with the Bill.

**HA 3 to HB 430** - STONE - Placed with the Bill.

**HA 1 to HB 503** - EWING - Placed with the Bill.

**HA 2 to HB 505** - WAGNER - Placed with the Bill.

**HA 2 to HB 509** - WAGNER - Placed with the Bill.

**HA 1 to HB 518** - OBERLE - Placed with the Bill.

**HA 1 to HJR 32** - MARSHALL - Placed with the Bill.

Representative Lee moved to restore **HB 8 w/HA 1** and to rescind the roll call. The motion was seconded by Representative Atkins and adopted by voice vote.

Representative Smith brought **HB 8 w/HA 1**, jointly sponsored by Senator Vaughn & Senator Venables, before the House for consideration.

**HB 8 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE DISPOSAL OF YARD WASTE IN THE CHERRY ISLAND LANDFILL AND IN OTHER LANDFILLS, AND RAISING THE ELEVATION OF THE CHERRY ISLAND LANDFILL.**

Representative Booth requested that he be marked present.

Mr. Acting Speaker appointed Representative Booth as Acting Speaker.

Representative Smith moved to place **HB 8 w/HA 1** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Smith deferred to Representative Hall-Long.

Representative Hall-Long requested and was granted personal privilege of the floor to introduce guests and requested and was granted privilege of the floor for Ruba Sadi representing a group of Jordanian and Syrian English Teachers who are visiting the University of Delaware English Language Institute who announced their names and countries for the record. Representative Smith made comments.

Representative Smith introduced guests. Mr. Acting Speaker introduced a guest.

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

Representative Smith deferred to Representative Marshall. Representative Marshall introduced a guest.

Representatives McWilliams, Gilligan, Lofink & Spence requested that they be marked present.

Representative Gilligan requested and was granted personal privilege of the floor to introduce a guest. Representative Smith requested and was granted personal privilege of the floor to make comments.

Representative Smith requested and was granted privilege of the floor for W. Laird Stabler, Jr. and presented a gift to Mr. Stabler who addressed the House. Representative Spence requested and was granted privilege of the floor for Thomas L. Little, House Attorney.

Representatives Miro & Johnson requested that they be marked present.

Representative Fallon made comments.

The Majority Leader moved to recess for caucus at 2:40 p.m.

The House reconvened at 5:03 p.m. with Representative Hudson as Acting Speaker.

Representatives Hudson, Cathcart, DiPinto, Ulbrich, Wagner, Roy & Valihura requested that they be marked present.

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

JUDICIARY: **HS 1 for HB 450 - 5M; HB 509 - 6M; HB 515 - 5M; SB 99 w/SA 2 - 5M; SB 333 - 6M.**

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

Representative Smith deferred to Representative DiPinto.

Representatives Keeley, Oberle & Plant requested that they be marked present.

Representative DiPinto introduced and brought **HCR 72**, jointly sponsored by Senator DeLuca & Representatives Buckworth, Hudson, Roy, Ulbrich, VanSant, Marshall, Schwartzkopf & Viola & Senators McDowell, Cook, Henry, Marshall, McBride & Simpson & cosponsored by Representatives Longhurst, Johnson, Booth & Lofink, before the House for consideration.

**HCR 72 - DESIGNATING THE MONTH OF OCTOBER AS ITALIAN HERITAGE MONTH.**

Representatives DiPinto, Gilligan, Keeley, Longhurst, Mulrooney & Johnson made comments.

**HCR 72** was adopted by voice vote and was sent to the Senate for concurrence.

Representatives Buckworth & Schwartzkopf requested that they be marked present.

Representative Smith made comments regarding **HCR 72**.

Representative Smith brought **HB 7**, jointly sponsored by Representative Spence & Representative VanSant & Senator Vaughn & Senator Cloutier & Representatives Lee, Carey, Ennis, Keeley, Schwartzkopf, Stone, Caulk & Ewing before the House for consideration.

**HB 7 - AN ACT TO AMEND TITLE 11 AND TITLE 20 OF THE DELAWARE CODE RELATING TO THE DELAWARE STATE POLICE. (F/N)**

Representative Smith introduced and brought **HA 1 to HB 7** before the House for consideration. Representative Smith made comments. **HA 1** was adopted by voice vote.

Representative Williams requested that he be marked present. Representative Smith made comments.

The roll call on **HB 7 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 7 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representatives Oberle, Smith & Ennis made comments regarding **HB 7 w/HA 1**.

Representative Smith brought **HB 491**, jointly sponsored by Senator Cook, before the House for consideration.

**HB 491 - AN ACT TO ESTABLISH THE DELAWARE ABRAHAM LINCOLN BICENTENNIAL COMMISSION.**

Representative Smith made comments.

The roll call on **HB 491** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 491** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Roy.

Representative Roy requested that action on **SB 330 w/SA 1** be Deferred to a Day Certain, Tuesday, June, 27, 2006.

Representative Smith deferred to Representative Stone. Representative Stone made a comment.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought **SB 270 w/SA 1 & 2**, jointly sponsored by Senator Blevins & Senator Amick & Representative Schwartzkopf, before the House for consideration.

**SB 270 - AN ACT TO AMEND TITLES 11 AND 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF DRUGS AND RELATED OFFENSES.**

Representative Ulbrich made comments. Representative Ulbrich requested and was granted privilege of the floor for Richard Clinton. Representative Ulbrich made comments.

The roll call on **SB 270 w/SA 1 & 2** was taken and revealed:

YES: 40.

ABSENT: Representative Oberle - 1.

Therefore, having received a constitutional majority, **SB 270 w/SA 1 & 2** was returned to the Senate.

The Majority Leader moved to recess for caucus and for dinner at 5:35 p.m.

The House reconvened at 7:10 p.m. with Representative Oberle as Acting Speaker.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 51 w/HA 1 & SA 2**, jointly sponsored by Senator Blevins & Representative Williams, before the House for concurrence on **SA 2**.

**HB 51 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF PHARMACY.**

Representative Wagner made comments. Representative Wagner brought **HA 2 to HB 51** before the House for consideration. Representative Wagner made comments. **HA 2** was adopted by voice vote.

The roll call on **HB 51 w/HA 1 & SA 2 & HA 2** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **HB 51 w/HA 1 & SA 2 & HA 2** was sent to the Senate for concurrence on **HA 2**.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence assigned **HCR 63** to the House Administration Committee.

Representative Smith deferred to Representative Atkins.

Representative Atkins brought **HB 518**, jointly sponsored by Representative Oberle & Senator Adams & Senator Marshall & Representatives Ewing, Hocker, Lee & Lofink & Senators Bunting, Marshall & Simpson & cosponsored by Representative Outten, before the House for consideration.

**HB 518 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE "HAL" BELOTE HARNESS AND/OR HORSE RACING SAFETY ACT.**

Representative Atkins brought **HA 1 to HB 518**, sponsored by Representative Oberle, before the House for consideration. Representative Atkins made comments. **HA 1** was adopted by voice vote.

Representative Oberle introduced and brought **HA 2 to HB 518** before the House for consideration.

Representative Oberle made comments. **HA 2** was adopted by voice vote. Representative Atkins made comments.

The roll call on **HB 518 w/HA 1 & 2** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **HB 518 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Atkins.

Representative Atkins requested that action on **HB 519** be Deferred to a Day Certain, Tuesday, June, 27, 2006.

Representative Smith brought **Consent Agenda H**, which requires a two-thirds vote, before the House for consideration.

**SB 331 w/SA 2 – HENRY & REPRESENTATIVE EWING – An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicles and Rules of the Road. (2/3 bill) (F/N)**

**HB 481 – HOCKER & BUNTING – An Act to Amend the Charter of the Town of Millville, Chapter 217, Volume 24, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Millville", to Amend Subsection (A) of Section 31, Enumeration of Powers by Adding Authorization for Imposing "Impact Fees" for Installing, Enlarging, Improving or Expanding Public or Municipal**



Improvements and/or to Contribute to the Costs of Operations of Volunteer Fire and Paramedic Companies Providing Services Within the Town. (2/3 bill)

**HB 487** – HALL-LONG & SENATOR VAUGHN – An Act to Amend the Charter of the Town of Townsend, Chapter 241, Volume 74, Laws of Delaware, as Amended, to Increase the Length of Residency from 90 Days to One Year to Qualify to Hold Office. (2/3 bill)

Representative Smith requested that **SB 331 w/SA 2** be removed from **Consent Agenda H**.

The roll call on **Consent Agenda H** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk – 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 481** & **HB 487** were sent to the Senate for concurrence.

Representative Smith made an announcement. Representative Smith deferred to Representative Valihura. Representative Valihura made comments.

Representative Valihura moved to suspend the rules which interfere with action on **HB 508**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Valihura brought **HB 508**, jointly sponsored by Representative Maier & Senator Sokola & Representatives Spence, DiPinto, Ewing, Thornburg, Wagner & Keeley, before the House for consideration.

**HB 508** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING ON ROADWAYS LANED FOR TRAFFIC.

Representatives Valihura, Gilligan & Schwartzkopf made comments. Representative Valihura deferred to Representative Maier. Representatives Maier, Schwartzkopf, Ewing & VanSant made comments.

The roll call on **HB 508** was taken and revealed:

YES: 31.

NO: Representatives Mulrooney, Plant, Schwartzkopf, VanSant, Viola & Williams - 6.

ABSENT: Representatives Caulk, Hudson, Lavelle & Smith - 4.

Therefore, having received a constitutional majority, **HB 508** was sent to the Senate for concurrence.

Representative Valihura made comments.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought **SB 331 w/SA 2**, jointly sponsored by Senator Henry, before the House for consideration.

**SB 331** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES AND RULES OF THE ROAD. (2/3 bill) (F/N)

Representative Ewing made comments.

The roll call on **SB 331 w/SA 2** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 331 w/SA 2** was returned to the Senate.

Representative Smith deferred to Representative Maier.

Representative Maier brought **SS 1 for SB 109**, jointly sponsored by Senator Venables & Senators Amick, Blevins, Bunting, Cloutier, Connor, Copeland, Peterson, Sokola, DeLuca, Henry, Marshall, McBride, McDowell, Simpson & Sorenson & Representatives Atkins, Booth, Buckworth, Carey, Ennis, Fallon, Hall-Long, Stone & Wagner & cosponsored by Representative DiPinto, before the House for consideration.

**SB 109** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CLEAN CREDIT AND IDENTITY THEFT PROTECTION ACT. (F/N)

Representative Maier deferred to Representative Stone. Representative Stone requested that **HA 1 to SS 1 for SB 109** be stricken. Representative Stone requested that **HA 2 to SS 1 for SB 109** be stricken. Representative Maier requested that **HA 3 to SS 1 for SB 109** be stricken. Representative Stone introduced and brought **HA 4 to SS 1 for SB 109** before the House for consideration. Representative Stone made comments. **HA 4** was adopted by voice vote. Representative Stone introduced and brought **HA 5 to SS 1 for SB 109**, jointly sponsored by Representative Maier, before the House for consideration. Representative Stone made comments. **HA 5** was adopted by voice vote. Representative Stone introduced **HA 6 to SS 1 for SB 109**, jointly sponsored by Representative Maier. Representative Stone requested that **HA 6 to SS 1 for SB 109** be stricken. Representative Stone introduced and brought **HA 7 to SS 1 for SB 109**, jointly sponsored by Representative Maier, before the House for consideration. Representative Stone made comments. **HA 7** was adopted by voice vote. Representative Stone introduced and brought **HA 8 to SS 1 for SB 109**, jointly sponsored by Representative Maier, before the House for consideration. Representative Stone made comments. **HA 8** was adopted by voice vote. Representative Maier made comments.

The roll call on **SS 1 for SB 109 w/SA 1 & HA 4, 5, 7 & 8** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.



Therefore, having received a constitutional majority, **SS 1 for SB 109 w/SA 1 & HA 4, 5, 7 & 8** was returned to the Senate for concurrence on **HA 4, 5, 7 & 8**.

Representative Smith brought **Consent Agenda G** before the House for consideration and for concurrence on a Senate Amendment.

**SB 329** – COOK & REPRESENTATIVE WAGNER & SENATORS STILL, SIMPSON, ADAMS, BUCKWORTH, ENNIS, THORNBURG, OUTTEN, EWING & CAREY – An Act to Amend Title 14 of the Delaware Code Relating to Changing Boundaries.

**SB 323** – HENRY & REPRESENTATIVE EWING - An Act to Amend Title 21 of the Delaware Code Relating to Uncollectible Fees; Penalties.

**SB 343** – DELUCA & REPRESENTATIVE STONE & SENATORS BUNTING, SOKOLA, SORENSON & STILL & REPRESENTATIVES LAVELLE, CAREY, FALLON, HOCKER, HUDSON, VALIHURA, THORNBURG, KEELEY, LONGHURST, PLANT & VIOLA - An Act to Amend Title 5 of the Delaware Code and Volumes 70 and 72 of the Laws of the State of Delaware Relating to the Bank Franchise Tax. (F/N)

**HB 502** –SCHWARTZKOPF & REPRESENTATIVE EWING & SENATOR BUNTING – An Act to Amend Title 16 of the Delaware Code Relating to Mental Health. (F/N)

**SB 31 w/SA 1** – MCBRIDE & SENATORS COPELAND & SOKOLA & REPRESENTATIVES HUDSON, MULROONEY, VALIHURA & VIOLA – An Act to Amend Title 24 of the Delaware Code Relating to Professional Land Surveyors.

**HB 432 w/SA 2** – EWING & HENRY – An Act to Amend Title 21 of the Delaware Code Relating to Penalties for the Unlawful Use of a Driver's License.

The roll call on **Consent Agenda G** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk – 1.

Therefore, having received a constitutional majority, **SB 329, SB 323, SB 343 & SB 31 w/SA1** were returned to the Senate, **HB 502** was sent to the Senate for concurrence and **HB 432 w/SA 2** was sent to the Governor.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 358 w/SA 1 & SB 366 w/SA 2** and requests the concurrence of the House; **HB 419 & HB 455 w/SA 4 & 2** and is returning same to the House. The Senate wishes to inform the House that it has passed **SB 374 w/SA 1, SB 326 w/SA 1 & 2, SB 373, SB 371, SB 372 w/SA 1, SB 352 & SS 1 for SB 198 w/SA 1** and requests the concurrence of the House; **HB 425 w/HA 1 & HA 1 to HA 1, HB 260 w/HA 1, HB 405 & HB 434 w/SA 1** and is returning same to the House. The Senate wishes to inform the House that it has passed **SB 354** and requests the concurrence of the House; **HB 439** and is returning same to the House.

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

EDUCATION: **HB 471** - 1F,7M.

PUBLIC SAFETY: **HB 508** – 4M.

Representative Valihura made an announcement.

Representative Smith deferred to Representative Keeley.

Representative Keeley brought **HB 430**, jointly sponsored by Representative Stone & Representative Ennis & Senator DeLuca, before the House for consideration.

**HB 430** - AN ACT TO AMEND TITLES 5, 6 AND 11 OF THE DELAWARE CODE RELATING TO THE REGULATION OF DEBT-MANAGEMENT SERVICES. (3/5 bill)

Representative Keeley made comments. Representative Keeley requested that **HA 1 to HB 430** be stricken. Representative Keeley requested that **HA 2 to HB 430** be stricken. Representative Keeley deferred to Representative Stone. Representative Stone brought **HA 3 to HB 430** before the House for consideration. Representative Stone made comments. **HA 3** was adopted by voice vote. Representative Keeley introduced and brought **HA 4 to HB 430** before the House for consideration. Representative Keeley made comments. Representative Keeley requested and was granted privilege of the floor for John McCabe, Legislative Director, National Conference of Commissioners on Uniform State Laws. **HA 4** was adopted by voice vote. Representative Keeley introduced and brought **HA 5 to HB 430** before the House for consideration. Representative Keeley made a comment. **HA 5** was adopted by voice vote. Representative Keeley introduced and brought **HA 6 to HB 430** before the House for consideration. Mr. Speaker Spence introduced a guest. Representatives Keeley & Roy made comments. **HA 6** was adopted by voice vote. Representative Keeley made comments.

The roll call on **HB 430 w/HA 3, 4, 5 & 6** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 430 w/HA 3, 4, 5 & 6** was sent to the Senate for concurrence.

Representative Keeley made comments.

The Majority Leader moved to recess to the call of the Chair at 8:29 p.m.

Mr. Speaker Spence called the House to order at 2:21 p.m. on June 27, 2006.

The Majority Leader moved to adjourn at 2:23 p.m., thereby ending the current legislative day. The House reconvened at 2:24 p.m.

**42nd LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session  
June 27, 2006**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Helene M. Keeley, Third Representative District.

Mr. Speaker Spence 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 531** - VALIHURA & REPRESENTATIVE STONE & SENATOR BUNTING; REPRESENTATIVES ATKINS, ENNIS, HOCKER, HUDSON, LAVELLE, SCHWARTZKOPF, THORNBURG; SENATORS SIMPSON, VENABLES - SUBCOMMITTEE MANUFACTURED HOUSING - An Act to Amend Title 25 of the Delaware Code Relating to the Manufactured Home Owners and Community Owners Act. (3/5 bill)

**HB 532** - STONE; REPRESENTATIVES SPENCE, MAIER, VALIHURA - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 6 of the Delaware Code to Authorize Use of Electronic Postmarks.

**HB 533** - MULROONEY & SENATOR ADAMS; REPRESENTATIVES ENNIS, HALL-LONG, KEELEY, MARSHALL, OBERLE, SCHWARTZKOPF, SPENCE, VANSANT, VIOLA, WILLIAMS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Line of Duty Death Benefits.

**HA 1 to HS 1 for HB 450** - LAVELLE - Placed with the Bill.

**HA 2 to HS 1 for HB 450** - LAVELLE - Placed with the Bill.

**HA 1 to HB 519** - ATKINS & REPRESENTATIVE OBERLE - Placed with the Bill.

**HA 1 to HB 520** - BOOTH - Placed with the Bill.

**HA 1 to HB 521** - CAREY - Placed with the Bill.

**HA 1 to HB 522** - LAVELLE - Placed with the Bill.

**HA 1 to HB 525** - BOOTH - Placed with the Bill.

**SS 1 for SB 198 w/SA 1** - SORENSON & REPRESENTATIVE ULBRICH; SENATOR BLEVINS; REPRESENTATIVE HALL-LONG; SENATOR CLOUTIER - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 6 of the Delaware Code Relating to Radon.

**SB 326 w/SA 1 & 2** - BLEVINS & REPRESENTATIVE STONE - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Insurer Receiverships.

**SB 352** - ADAMS & REPRESENTATIVE EWING; REPRESENTATIVES LEE, ATKINS, BOOTH, CAREY, FALLON, HOCKER, SCHWARTZKOPF; SENATORS BUNTING, VENABLES, SIMPSON - EDUCATION - An Act to Authorize and Approve the Transfer of Certain Real Property from the Board of Trustees of Delaware Technical and Community College to the Delaware Technical and Community College Educational Foundation. (3/4 bill)

**SB 354** - DELUCA & SENATOR SOKOLA & REPRESENTATIVE ULBRICH & REPRESENTATIVE SPENCE; SENATORS BUNTING, SORENSON, COPELAND; REPRESENTATIVES HUDSON, MIRO, VIOLA, LEE, EWING, MAIER - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Adjudication.

**SB 358 w/SA 1** - HENRY & REPRESENTATIVE EWING - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Commercial Driver Licenses and Commercial Motor Vehicles.

**SB 366 w/SA 2** - MCDOWELL & REPRESENTATIVES SPENCE, KEELEY; SENATORS HENRY, MCBRIDE, CLOUTIER, COPELAND; REPRESENTATIVES BUCKWORTH, OBERLE, ROY, VALIHURA, GILLIGAN, JOHNSON, MCWILLIAMS, PLANT - TRANSPORTATION/LAND USE AND INFRASTRUCTURE - An Act to Amend Title 2 of the Delaware Code Relating to Transportation.

**SB 369 w/SA 1** - MCDOWELL & REPRESENTATIVE STONE; SENATORS VENABLES, CONNOR, STILL, SIMPSON; REPRESENTATIVE MAIER - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code for Purposes of Regulating Discount Medical Plans. (3/5 bill)

**SB 371** - ADAMS & SENATOR MCDOWELL; REPRESENTATIVE MARSHALL - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to the Transfer of Criminal Proceedings in Court of Common Pleas, Justice of the Peace Courts, and Family Court.

**SB 372 w/SA 1** - ADAMS & REPRESENTATIVE SMITH; SENATOR VAUGHN; REPRESENTATIVE SPENCE - JUDICIARY - An Act to Amend Title 29 of the Delaware Code Relating to the State Department of Justice.

**SB 373 - DELUCA & REPRESENTATIVE LEE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY** - An Act to Amend Chapter 13, Title 24 of the Delaware Code Relating to Regulation of Private Security Agencies.

**SB 374 w/SA 1 - DELUCA & SENATOR SOKOLA & REPRESENTATIVE GILLIGAN; SENATORS ADAMS, MCDOWELL, SORENSON, VENABLES & COOK; REPRESENTATIVES SPENCE, SMITH, VANSANT, LEE, DIPINTO, ROY - EDUCATION** - An Act Amending Title 14 of the Delaware Code Relating to Public Education Financial Accountability.

**SB 376 w/SA 1 & 2 - MCBRIDE & REPRESENTATIVES SPENCE & VALIHURA & WAGNER; SENATORS SIMPSON, HENRY, AMICK, SORENSON, BLEVINS, CLOUTIER, CONNOR; REPRESENTATIVES EWING, BOOTH, FALLON, LEE, MAIER, OUTTEN, THORNBURG - PUBLIC SAFETY** - An Act to Amend Title 21 of the Delaware Code Relating to Driving Under the Influence.

**HA 2 to SB 41 - SMITH** - Placed with the Bill.

**HA 1 to SB 317 - WAGNER** - Placed with the Bill.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 369 w/SA 1 & SB 376 w/SA 1 & 2** and requests the concurrence of the House; **HB 410 w/HA 1, 2 & 3 & SA 2, HB 475, HCR 69 & HCR 71** and is returning same to the House.

Mr. Speaker Spence made an announcement. Representative Buckworth requested that he be marked present. Representative Roy requested and was granted personal privilege of the floor to make an announcement.

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

The House reconvened at 4:55 p.m. with Representative Booth as Acting Speaker.

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

JUDICIARY: **SB 334 - 7M; SB 356 - 6M; SB 359 - 6M; SCR 41 w/SA 1 - 6M.**

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 525 - 7M.**

Representatives Johnson, Viola, Hudson, Valihura, Stone, Cathcart, Gilligan, Lee & Marshall requested that they be marked present.

Representative Smith deferred to Representative Lofink.

Representative Lofink brought **HB 497**, jointly sponsored by Representative Oberle & Senator DeLuca & Representative Viola & Senator Amick, before the House for consideration.

**HB 497 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR CERTAIN OFF-HIGHWAY VEHICLE VIOLATIONS.**

Representative Lofink brought **HA 1 to HB 497** before the House for consideration. **HA 1** was adopted by voice vote. Representative Lofink made comments.

The roll call on **HB 497 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 497 w/HA 1** was sent to the Senate for concurrence.

Representatives McWilliams, Miro, Outten, Schwartzkopf, Ulbrich, Wagner, Williams, Lavelle, Maier & Hall-Long requested that they be marked present during the roll call.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HB 449**, jointly sponsored by Senator Vaughn & Representatives Buckworth, Hudson, Stone & Wagner, before the House for consideration.

**HB 449 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO GUARDIANSHIP OF A CHILD.**

Representative Valihura brought **HA 1 to HB 449** before the House for consideration.

Representative Valihura made a comment. **HA 1** was adopted by voice vote. Representative Valihura made comments.

The roll call on **HB 449 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 449 w/HA 1** was sent to the Senate for concurrence.

Representative Smith requested and was granted personal privilege of the floor to introduce guests.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought **HB 471**, jointly sponsored by Senator Bunting & Representatives DiPinto, Maier, Stone, Valihura, Hall-Long, McWilliams, Schooley & Williams & Senators Blevins, Henry & Sokola, before the House for consideration.

**HB 471 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO A PILOT PROGRAM FOR PHYSICAL EDUCATION AND PHYSICAL ACTIVITY IN DELAWARE PUBLIC SCHOOLS. (F/N)**

Representatives Ulbrich & Buckworth made comments.

The roll call on **HB 471** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 471** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Outten.

Representative Outten introduced and brought **HR 79**, jointly sponsored by Representatives Smith, Lee, Carey, DiPinto, Ewing, Hudson, Lofink, Maier, Ulbrich, Wagner & Caulk, before the House for consideration.

**HR 79 - DESIGNATING THE ENGLISH LANGUAGE AS THE OFFICIAL LANGUAGE OF DELAWARE.**

Representatives Miro, Oberle, Keeley, Smith & Wagner made comments.

**HR 79** was adopted by voice vote.

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

HEALTH & HUMAN DEVELOPMENT: **HB 513** - 5M.

HOUSE ADMINISTRATION: **HB 530** - 5M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 517** - 3M; **SS 1/SB 151** - 3M; **SB 183** - 3M; **SB 316** - 3M.

PUBLIC SAFETY: **HB 187** - 6M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 368** and requests the concurrence of the House; **HB 486**, **HB 492**, **HB 256 w/HA 2, 5, 6 & 7**, **HB 482 w/HA 5 & 6** & **HB 414** and is returning same to the House.

143rd Delaware General Assembly  
WITHDRAWAL OF SPONSORSHIP REQUEST

I, Richard Cathcart, do hereby request that my name be removed as cosponsor of **HB 181**.

Date: June 27, 2006

Signed: Richard C. Cathcart

143rd Delaware General Assembly  
WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Vincent Lofink, do hereby request that my name be removed as cosponsor of **HB 181**.

Date: June 27, 2006

Signed: Vincent A. Lofink

June 27, 2005

**LEGISLATIVE ADVISORY #22**

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/20/06 – **HB 335 aab HA 1, HB 363, HB 374, HB 416 & HB 443**; 6/22/06 – **SB 274**; 6/27/06 – **SB 28, SB 184 aab SA 1, SB 196 aab SA 1, SB 241 aab HA 1, SB 266, SB 310 aab SA 1, SB 311, SB 312, SB 313, SB 314, SB 319 aab SA 2, SB 320, SB 322, SB 345 aab SA 1, HB 190 aab SA 2, HB 260 aab HA 1, HB 362 aab SA 1, HB 382 aab SA 1, HB 405 & HB 419**.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto made an announcement regarding **HB 181**. Representatives Smith & DiPinto made comments.

Representative Smith deferred to Representative Atkins.

Representative Atkins introduced **HB 537**, jointly sponsored by Representative Thornburg & Senator Venables & Representatives Lee, Booth, Buckworth, Carey, DiPinto, Ewing, Hocker & Outten & Senators Bunting & Vaughn.

**HB 537 - AN ACT TO AMEND TITLE 7 RELATING TO CONSERVATION.**

Mr. Acting Speaker assigned **HB 537** to the Agriculture Committee.

Representative Smith deferred to Representative Thornburg.

Representative Thornburg introduced **HB 536**, jointly sponsored by Senator Adams.

**HB 536 - AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO REGULATING THE SALE AND USE OF PESTICIDES.**

Mr. Acting Speaker assigned **HB 536** to the Agriculture Committee.

Representatives Thornburg & Smith made announcements. Mr. Acting Speaker made comments.

The Majority Leader moved to recess to the call of the Chair at 5:42 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:09 p.m. on June 28, 2006.

Mr. Speaker Spence assigned **HB 408 & HB 431** to the Appropriations Committee.

Representative Smith introduced **HB 539**, jointly sponsored by Representative VanSant & Representatives Spence, Lee, Booth, Buckworth, Carey, Hocker, Hudson, Lavelle & Valihura & cosponsored by Representatives Cathcart & Outten.

**HB 539 – AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMPENSATION COMMISSION.**

Mr. Speaker Spence assigned **HB 539** to the House Administration Committee.

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.

**43rd LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session**  
**June 28, 2006**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Plant – 1.

A prayer was offered by Representative V. George Carey, Thirty-Sixth Representative District.

Mr. Speaker Spence 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 452** - VALIHURA & REPRESENTATIVE SMITH; REPRESENTATIVE DIPINTO; SENATOR STILL - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Related to Causes of Action and Successor Liability.

**HB 534** - BOOTH & SENATOR VENABLES - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Professions and Occupations.

**SB 75 w/SA 1** - VENABLES & REPRESENTATIVE LEE - HOUSE ADMINISTRATION - An Act to Amend Chapter 288, Volume 64, Laws of Delaware, as Amended, the Charter of the Town of Laurel, as Amended, with Regard to Increasing the Limits for Authorizing General Obligation Bonds, Certificates of Indebtedness or Other Obligations by the Town Council Without the Requirement of a Public Hearing and Special Election, as Well as Increasing the Ceiling for Bonded Indebtedness from 25% to 50% of the Assessed Value of Real Property within the Limits of the Town of Laurel. (2/3 bill)

**SB 273** - PETERSON; SENATORS SOKOLA, BONINI; REPRESENTATIVES MAIER, ENNIS, GILLIGAN, KEELEY, VIOLA, WILLIAMS - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Regarding Dangerous Dogs.

**SB 286** - PETERSON & REPRESENTATIVE WILLIAMS; SENATORS BLEVINS, MARSHALL, SOKOLA, COPELAND, CLOUTIER, BONINI, BUNTING; REPRESENTATIVES PLANT, KEELEY, ENNIS - ENERGY COMMITTEE - An Act to Amend Title 26 Relating to Public Service Commission Rates.

**SB 351** - AMICK - APPROPRIATIONS - An Act to Amend Title 10 of the Delaware Code Relating to the Delaware College Investment Plan Accounts.

**SS 1 for SB 357** - PETERSON & REPRESENTATIVE SPENCE & SENATOR AMICK; SENATORS BLEVINS, SOKOLA, COPELAND, CONNOR, SORENSON, CLOUTIER, MCDOWELL; REPRESENTATIVES GILLIGAN, HALL-LONG, HUDSON, MAIER, ULBRICH, MCWILLIAMS, VIOLA, - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Flooding, Erosion and Sedimentation Control, and Stormwater Management.

**SB 367** - VENABLES - HOUSE ADMINISTRATION - An Act to Amend Volume 43, Chapter 184, Laws of Delaware as Amended Entitled "An Act Changing the Name of the Town of Seaford to the City of Seaford and Establishing a Charter Therefor", Relating to the Sale of Town Property. (2/3 bill)

**SB 368** - SORENSON & SENATOR CLOUTIER & REPRESENTATIVE MAIER; SENATORS BLEVINS, CONNOR, SIMPSON, SOKOLA; REPRESENTATIVES BUCKWORTH, SCHOOLEY, SMITH - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Testing of Pregnant Women for HIV Infection.

**SS 1 for SB 382** - MCDOWELL & SENATORS SIMPSON, SOKOLA; SENATORS MARSHALL, VENABLES, CLOUTIER, BLEVINS, STILL, SORENSON; REPRESENTATIVES ENNIS, HALL-LONG, KEELEY, PLANT, ROY, SCHOOLEY, MULROONEY, WILLIAMS, JOHNSON, VIOLA, SPENCE, EWING, OBERLE - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Providing for the Recovery and Recycling of Used Electronic Devices. (2/3 bill) (F/I)

**SB 386** - COOK & REPRESENTATIVE HALL-LONG; SENATOR MARSHALL; REPRESENTATIVE OBERLE - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Geology.

**SB 392** - COOK & REPRESENTATIVE DIPINTO; SENATORS HENRY, MCBRIDE, VAUGHN, AMICK, CLOUTIER; REPRESENTATIVES BUCKWORTH, FALLON, ULBRICH, SCHWARTZKOPF, WILLIAMS - APPROPRIATIONS - An Act Making a Supplemental Appropriation of Six Million Five Hundred Thousand Dollars for the Creation of a Public Education Classroom Instruction Fund, for the Purchase of Influenza Antivirals and to Support the Housing Development Fund. (F/N)

**HA 3 to SB 41** - HUDSON - Placed with the Bill.

**HA 1 to SB 376** - SPENCE & REPRESENTATIVE VALIHURA & REPRESENTATIVE WAGNER - Placed with the Bill.

**SJR 11** - PETERSON & REPRESENTATIVE GILLIGAN & SENATOR BLEVINS & REPRESENTATIVE HUDSON - HEALTH & HUMAN DEVELOPMENT - Directing the Secretary of the Office of Management and Budget to Dedicate the Wing of the Absalom Jones Community Center Housing the Wagstaff Day Care Center and New Castle County Head Start Classrooms in Honor of Ethel Mae Cooper.

Mr. Speaker Spence made an announcement. Representative Gilligan made a comment.



The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #84

DATE: June 28, 2006

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                  | Date      | Type | Description                                                                                                                              |
|-----------|--------------------------|-----------|------|------------------------------------------------------------------------------------------------------------------------------------------|
| H143-1928 | Spence                   | 6/17/2006 | T    | Elder & Mrs. T. L. Holsey - 20th Year –<br>cosponsors: All Representatives<br>Morning Star Institutional Church - Pastor &<br>First Lady |
| H143-1929 | Valihura                 | 6/15/2006 | T    | Dr. Mark Wagman/Volunteer of the Year/Jewish Federation                                                                                  |
| H143-1930 | Atkins                   | 6/17/2006 | T    | Town Selbyville - 50th Annual Old Timers Day Festival                                                                                    |
| H143-1931 | Atkins                   | 6/17/2006 | T    | Selbyville Police Department - 75th Anniversary                                                                                          |
| H143-1932 | Caulk                    | 6/9/2006  | M    | Ronald Edward Blessing                                                                                                                   |
| H143-1933 | Cathcart                 | 6/13/2006 | T    | Bill Hutchinson - Retirement - Appoquinimink<br>cosponsors: All Representatives<br>Schools - 10 Years                                    |
| H143-1934 | Outten                   | 7/8/2006  | T    | Roland & Jane Melvin - 60th Wedding Anniversary                                                                                          |
| H143-1935 | Keeley                   | 6/12/2006 | T    | Hiree Peoples - Father Trainor Scholarship                                                                                               |
| H143-1936 | Hudson                   | 6/10/2006 | M    | Carol Ann Maclary                                                                                                                        |
| H143-1937 | Hudson                   | 6/17/2006 | T    | Rachel Barrett & William Autman - Marriage<br>cosponsor: Rep. Stone                                                                      |
| H143-1938 | Wagner                   | 6/17/2006 | T    | Dr. Ronald Thomas - 39 Years - Teacher                                                                                                   |
| H143-1939 | Atkins                   | 6/17/2006 | T    | Town of Millsboro - Historical Marker Placement                                                                                          |
| H143-1940 | Atkins                   | 6/17/2006 | T    | Millsboro Women's Civic Club/Arranging Historical Marker                                                                                 |
| H143-1941 | Wagner                   | 6/15/2006 | T    | Bernard Nicholas Yanos - Eagle Scout                                                                                                     |
| H143-1942 | Stone                    | 6/15/2006 | T    | Nicholas James Gregory - Eagle Scout                                                                                                     |
| H143-1943 | Stone                    | 6/15/2006 | T    | Christopher William Hartung - Eagle Scout                                                                                                |
| H143-1944 | Stone                    | 6/15/2006 | T    | Jonathan Cloud McIlvaine - Eagle Scout                                                                                                   |
| H143-1945 | Williams                 | 6/8/2006  | T    | Sharon G. Tatman                                                                                                                         |
| H143-1946 | Buckworth                | 6/8/2006  | M    | Minnielee Henrietta Thompson                                                                                                             |
| H143-1947 | Roy                      | 6/30/2006 | T    | Sandra Sarjeant/Retirement/Health & Social Services                                                                                      |
| H143-1948 | Spence                   | 6/5/2006  | T    | Matthew Ford - Graduation - St. Elizabeth High                                                                                           |
| H143-1949 | Thornburg                | 6/17/2006 | T    | Sergeant Major Ralph Rossi, Jr./Retirement/National Guard                                                                                |
| H143-1950 | Hudson                   | 6/13/2006 | M    | Mary Jane Seel                                                                                                                           |
| H143-1951 | Outten                   | 6/18/2006 | M    | Roy M. Marker                                                                                                                            |
| H143-1952 | DiPinto &<br>Rep. Spence | 4/27/2006 | T    | Dennis Rochford - Man of the Year - Ports of Philadelphia<br>cosponsors: All Representatives                                             |

HOUSE TRIBUTE ANNOUNCEMENT #85

DATE: June 28, 2006

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   | Date      | Type | Description                                                                                                                                     |
|-----------|-----------|-----------|------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| H143-1953 | Plant     | 6/21/2006 | T    | Desmond Cook - Student Recognition Award<br>cosponsor: Rep. Buckworth                                                                           |
| H143-1954 | Mulrooney | 6/21/2006 | T    | Kayla Velasquez - Student Recognition Award<br>cosponsor: Rep. Buckworth                                                                        |
| H143-1955 | Wagner    | 6/21/2006 | T    | Thomas Bailey - Student Recognition Award<br>cosponsor: Rep. Buckworth                                                                          |
| H143-1956 | Ennis     | 6/21/2006 | T    | Lewis Todd - Student Recognition Award<br>cosponsor: Rep. Buckworth                                                                             |
| H143-1957 | Carey     | 6/21/2006 | T    | Darrin Joyner - Student Recognition Award<br>cosponsor: Rep. Buckworth                                                                          |
| H143-1958 | Lee       | 6/21/2006 | T    | Andrew Hearn - Student Recognition Award<br>cosponsor: Rep. Buckworth                                                                           |
| H143-1959 | Maier     | 6/24/2006 | T    | Charles & Betty Grant - 40th Wedding Anniversary                                                                                                |
| H143-1960 | Wagner    | 6/24/2006 | T    | Jordana Woodruff & Ryan Naftzinger – Marriage                                                                                                   |
| H143-1961 | Atkins    | 6/21/2006 | T    | Odyssey of the Mind Team/Indian River/World Champions                                                                                           |
| H143-1962 | Booth     | 6/20/2006 | T    | William Bryan - Little League Volunteer of the<br>Year<br>cosponsors: Reps. Atkins, Carey,<br>Ewing, Fallon, Hocker, Lee, Outten & Schwartzkopf |
| H143-1963 | Lofink    | 6/21/2006 | T    | Caravel Academy Girls Softball Team - State Champions                                                                                           |
| H143-1964 | Lofink    | 6/21/2006 | T    | Caravel Academy Boys Baseball Team - State Champions                                                                                            |
| H143-1965 | Outten    | 6/17/2006 | M    | William E. Bullock                                                                                                                              |



|           |                                 |           |   |                                                                     |
|-----------|---------------------------------|-----------|---|---------------------------------------------------------------------|
| H143-1966 | Hall-Long                       | 6/23/2006 | T | Andy Burger - Retirement - DelDOT                                   |
|           | cosponsors: All Representatives |           |   |                                                                     |
| H143-1967 | Buckworth                       | 6/24/2006 | T | Jack Newman - 80th Birthday                                         |
| H143-1968 | Carey                           | 4/10/2006 | T | Justice Randy Holland/Honorary Membership<br>American Inns of Court |
| H143-1969 | Ewing                           | 6/25/2006 | T | Reverend Gary Tulak - Retirement                                    |
| H143-1970 | Miro                            | 6/24/2006 | T | Florian Gargula - Retirement                                        |
| H143-1971 | Outten                          | 6/20/2006 | M | Sarah Merle Roth                                                    |
| H143-1972 | Wagner                          | 7/22/2006 | T | Allison Olchowski & John Shevock - Marriage                         |

T- Tribute

M - Memoriam

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

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 392, SB 386, SB 286, SB 75 w/SA 1, SB 367 & SB 273** and requests the concurrence of the House; **HB 498 w/HA 1** and is returning same to the House. The Senate wishes to inform the House that it has passed **SB 351, SS 1 for SB 357 & SJR 11** and requests the concurrence of the House; **HB 442, HB 447 & HB 426 w/SA 2** and is returning same to the House; **SS 1 for SB 382** and requests the concurrence of the House.

Representative Hall-Long requested that she be marked present.

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

AGRICULTURE: **HB 536** - 1F,4M; **HB 537** - 5M.

HEALTH & HUMAN DEVELOPMENT: **HB 503** - 5M; **SB 285** - 5M.

HOUSING & COMMUNITY AFFAIRS: **HB 529** - 6M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **SB 373** - 3M.

PUBLIC SAFETY: **HB 514** - 5M; **SB 376 w/SA 1 & 2** - 6M.

SUBCOMMITTEE MANUFACTURED HOUSING: **HB 531** - 1F,4M.

HOUSE ADMINISTRATION: **HB 539** - 4M.

The Majority Whip moved to recess for caucus at 2:23 p.m.

Representative Oberle requested that he be marked present.

The House reconvened at 4:55 pm. with Representative Oberle as Acting Speaker.

Representatives Fallon, Cathcart, DiPinto & Schwartzkopf 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 267 & SB 340 w/SA 1** and requests the concurrence of the House.

#### Delaware General Assembly

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, Catherine L. Cloutier, do hereby request that my name be removed as cosponsor of **HB 359**.

Date: June 27, 2006

Signed: Catherine Cloutier

Mr. Acting Speaker assigned **HB 235** to the Appropriations Committee.

Mr. Acting Speaker reassigned **SS 1/SB 382** to the Telecommunication Internet & Technology Committee.

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

APPROPRIATIONS: **HS 2/HB 84** - 6M; **HB 262** - 6M; **SB 392** - 6F.

CORRECTIONS: **SB 300** - 4M; **SB 336 w/SA 1** - 4M.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with action on **SB 392**. The motion was seconded by Representative Smith and adopted by voice vote.

Representative DiPinto brought **SB 392**, jointly sponsored by Senator Cook & Senators Henry, McBride, Vaughn, Amick, Cloutier & McDowell & Representatives Buckworth, Fallon, Ulbrich, Schwartzkopf & Williams & cosponsored by Senator DeLuca, before the House for consideration.

**SB 392** - AN ACT MAKING A SUPPLEMENTAL APPROPRIATION OF SIX MILLION FIVE HUNDRED THOUSAND DOLLARS FOR THE CREATION OF A PUBLIC EDUCATION CLASSROOM INSTRUCTION FUND, FOR THE PURCHASE OF INFLUENZA ANTIVIRALS AND TO SUPPORT THE HOUSING DEVELOPMENT FUND. (F/N)

Representative DiPinto made comments.

The roll call on **SB 392** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 392** was returned to the Senate.

Representatives Hocker, Keeley, Longhurst, Miro, Stone, Ulbrich, Valihura, Viola, Williams, Buckworth, Maier & Hudson requested that they be marked present during the roll call.

Representative Smith deferred to Representative Lofink.

Representative Lofink brought **HB 407**, jointly sponsored by Representative Spence & Representative Oberle & Senator Bunting & cosponsored by Representatives Keeley, Outten, Stone & Thornburg, before the House for consideration.

**HB 407 - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LINE OF DUTY DEATH BENEFITS. (F/N)**

Representative Lofink brought **HA 1 to HB 407** before the House for consideration. **HA 1** was adopted by voice vote. Representative Lofink made comments.

The roll call on **HB 407 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 407 w/HA 1** was sent to the Senate for concurrence.

Representative Spence requested and was granted personal privilege of the floor to introduce a guest. Representative Lofink an announcement. Representative Ewing requested and was granted personal privilege of the floor to introduce a guest.

Mr. Acting Speaker introduced a guest.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto brought **SB 290 w/SA 1**, jointly sponsored by Senator Marshall, before the House for consideration.

**SB 290 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO LIENS OF TAXES AND OTHER CHARGES.**

Representative DiPinto made comments.

The roll call on **SB 290 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **SB 290 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought **HB 417**, jointly sponsored by Representative Schwartzkopf & Senator Vaughn & Representatives Spence, Smith, Lee, Buckworth, VanSant & Ennis, before the House for consideration.

**HB 417 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.**

Representative Ewing made comments. Representative Valihura brought **HA 1 to HB 417** before the House for consideration. Representatives Valihura, Ewing & Marshall made comments. Representative Valihura requested and was granted privilege of the floor for Steven P. Wood, Deputy Attorney General. Representatives Marshall, Valihura, Ewing & Johnson made comments. **HA 1** was defeated by voice vote. Representatives Hall-Long, Ewing & McWilliams made comments.

The roll call on **HB 417** was taken and revealed:

YES: 38.

NO: Representatives Johnson & Valihura - 2.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 417** was sent to the Senate for concurrence.

Representative Smith moved to suspend the rules which interfere with action on **HB 539**. The motion was properly seconded and adopted by voice vote.

Representative Smith brought **HB 539**, jointly sponsored by Representative VanSant & Representatives Spence, Lee, Booth, Buckworth, Carey, Ewing, Hocker, Hudson, Lavelle, Lofink, Maier, Miro, Stone, Thornburg, Ulbrich, Valihura & Wagner & cosponsored by Representatives Cathcart & Outten, before the House for consideration.

**HB 539 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMPENSATION COMMISSION.**

Representatives Smith, Gilligan & DiPinto made comments.

The roll call on **HB 539** was taken and revealed:

YES: 37.

NO: Representatives Schwartzkopf, Williams & Oberle - 3.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 539** was sent to the Senate for concurrence.

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

APPROPRIATIONS: **HB 235 - 4F.**

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 532 - 7M; HB 533 - 3F,5M; SB 146 w/SA 1 - 3F,4M.**

HOUSE ADMINISTRATION: **HB 510 - 3M.**

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **SB 273 - 7M.**

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 484 - 4M.**

Mr. Acting Speaker assigned **SB 146 w/SA 1** to the Appropriations Committee.

Representative Smith moved to lift **HB 8 w/HA 1** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Smith brought **HB 8 w/HA 1**, jointly sponsored by Senator Vaughn & Senator Venables, before the House for consideration.

**HB 8 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE DISPOSAL OF YARD WASTE IN THE CHERRY ISLAND LANDFILL AND IN OTHER LANDFILLS, AND RAISING THE ELEVATION OF THE CHERRY ISLAND LANDFILL.**

Representatives Smith, Hudson, McWilliams, Ulbrich & Smith made comments.

The roll call on **HB 8 w/HA 1** was taken and revealed:

YES: 21.

NO: Representatives Caulk, DiPinto, Hall-Long, Johnson, Keeley, Longhurst, M Marshall, McWilliams, Mulrooney, Schooley, Schwartzkopf, Ulbrich, VanSant, Viola, Williams & Oberle - 16.

NOT VOTING: Representatives Roy, Spence & Valihura - 3.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 8 w/HA 1** was sent to the Senate for concurrence.

Representative Smith brought **Consent Agenda J**, which requires a two-thirds vote, before the House for consideration and for concurrence on Senate Amendments.

**HB 530 – SCHWARTZKOPF & SENATOR BUNTING - An Act to Amend Chapter 197, Volume 54 of the Laws of Delaware, as Amended, Entitled "An Act Revising the Prior Charter of the City of Rehoboth Beach and Establishing a New Charter Therefor and Prescribing the Powers and Duties of the Commissioners of Rehoboth Beach" Relating to the City of Rehoboth Beach. (F/I) (2/3 bill)**

**HB 451 – VALIHURA & REPRESENTATIVES SMITH & REPRESENTATIVE HOCKER & REPRESENTATIVE LAVELLE & SENATOR VENABLES; REPRESENTATIVES DIPINTO, MAIER & ULBRICH - An Act to Amend Titles 9 and 22 of the Delaware Code Enabling New Castle and Sussex Counties and Municipalities Located in Sussex County to Utilize Tax Increment Financing and Special Development Districts to Fund Costs Related to the Impacts of Development and Restating That the Act Applies to Towns and Cities Throughout the State with Populations in Excess of 50,000 People. (3/5 bill)**

**HB 410 w/HA 1, 2 & 3 & SA 2 – LAVELLE & REPRESENTATIVE HUDSON & REPRESENTATIVE ENNIS & REPRESENTATIVE HALL-LONG & SENATOR BLEVINS & SENATOR SOKOLA – An Act to Amend Title 15 of the Delaware Code Dealing with Municipal Elections. (2/3 bill)**

**HB 426 w/SA 2 – HOCKER & SENATOR BUNTING - An Act to Amend the Charter of the Town of Bethany Beach, Chapter 295, Volume 65, Laws of Delaware as Amended to Allow the Town to Recover Its Costs and Reasonable Attorneys Fees if It is the Prevailing Party in Any Action to Enforce Compliance with a Town Ordinance or to Correct or Abate a Nuisance; to Amend Section 15 of Chapter 295, Volume 65, Laws of Delaware, as Amended to Alter the Term of Office for Alderman and Assistant Alderman from One (1) Year to Two (2) Years, to Permit the Appointment of More Than One (1) Assistant Alderman and to Permit Reasonable Fines to be Set by Town Ordinance; and to Authorize the Town to Adopt, by Reference, Any State Motor Vehicle Statute or Corresponding Penalty, Including Future Amendments Thereto. (2/3 bill)**

**HB 434 w/SA 1 – EWING & SENATOR ADAMS - An Act to Amend Chapter 237, Volume 51, Entitled "An Act to Reincorporate the Town of Bridgeville" Relating to the Election of the Commissioners of Bridgeville Upon the Establishment of Election Districts by Ordinance. (2/3 bill)**

**HB 455 w/SA 2 & 4 – EWING & SENATOR VENABLES - An Act to Amend Title 7 of the Delaware Code Relating to Environmental Control and Title 30 of the Delaware Code Relating to State Taxes. (F/I) (3/5 bill)**

Representative Smith requested that **HB 410 w/HA 1, 2 & 3 & SA 2 & HB 451** be removed from **Consent Agenda J**.

The roll call on **Consent Agenda J** was taken and revealed:

YES: 40.

ABSENT: Representative Plant – 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 530** was sent to the Senate for concurrence and **HB 426 w/SA 2, HB 434 w/SA 1 & HB 455 w/SA 2 & 4** were sent to the Governor.

Representative Smith deferred to Representative Lavelle.

Representative Lavelle brought **HB 410 w/HA 1, 2 & 3 & SA 2**, jointly sponsored by Representative Hudson & Representative Ennis & Representative Hall-Long & Senator Blevins & Senator Sokola, before the House for concurrence on **SA 2**.

**HB 410 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE DEALING WITH MUNICIPAL ELECTIONS. (2/3 bill)**

Representatives Lavelle & Valihura made comments.

The roll call on **HB 410 w/HA 1, 2 & 3 & SA 2** was taken and revealed:

YES: 31.

NO: Representatives Atkins, Booth, Carey, Caulk, Hocker, Lee, Outten & Thornburg - 8.

ABSENT: Representatives Plant & Ulbrich - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House,

**HB 410 w/HA 1, 2 & 3 & SA 2** was sent to the Governor.

The Majority Leader moved to recess for caucus and dinner at 6:00 p.m.

Mr. Speaker Spence resumed the Chair.

The House reconvened at 7:09 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 377, SB 388, SB 389, SB 361, SB 337 w/SA 2, SB 383, SB 379 & SB 395 w/SA 1** and requests the concurrence of the House.

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

HEALTH & HUMAN DEVELOPMENT: **HB 528 - 5M; SB 275 w/SA 1 - 6M; SB 368 - 6M; SJR 11 - 6M.**

JUDICIARY: **HS 1/HB 452 - 5M.**

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HB 451**, jointly sponsored by Representative Smith & Representative Hocker & Representative Lavelle & Senator Venables & Representatives DiPinto, Maier & Ulbrich, before the House for consideration.

**HB 451 - AN ACT TO AMEND TITLES 9 AND 22 OF THE DELAWARE CODE ENABLING NEW CASTLE AND SUSSEX COUNTIES AND MUNICIPALITIES LOCATED IN SUSSEX COUNTY TO UTILIZE TAX INCREMENT FINANCING AND SPECIAL DEVELOPMENT DISTRICTS TO FUND COSTS RELATED TO THE IMPACTS OF DEVELOPMENT AND RESTATING THAT THE ACT APPLIES TO TOWNS AND CITIES THROUGHOUT THE STATE WITH POPULATIONS IN EXCESS OF 50,000 PEOPLE. (3/5 bill)**

Representatives Valihura & Gilligan made comments.

The roll call on **HB 451** was taken and revealed:

YES: 38.

NO: Representative Caulk - 1.

ABSENT: Representatives Ennis & Plant - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 451** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Lavelle.

Representative Lavelle brought **HS 1 for HB 450**, jointly sponsored by Representative Valihura & Senator Peterson & Senator Copeland & Representatives Spence, Lee, Atkins, Buckworth, Carey, Cathcart, Ewing, Hocker, Hudson, Lofink, Maier, Miro, Outten, Stone, Ulbrich & Wagner & Senators Blevins, Bunting, Sokola, Sorenson, Cloutier, Connor & Simpson, before the House for consideration.

**HB 450 - AN ACT TO AMEND TITLE 10, CHAPTER 81 OF THE DELAWARE CODE BY ENLARGING THE STATUTE OF LIMITATIONS FOR SUITS FOR DAMAGES DUE TO PERSONAL INJURIES THAT WERE CAUSED BY SEXUAL ABUSE OF A CHILD BY AN ADULT. (F/N)**

Representative Lavelle requested that **HA 1 to HS 1 for HB 450** be stricken.

Representative Lavelle requested that **HA 2 to HS 1 for HB 450** be stricken.

Representative Hudson introduced and brought **HA 3 to HS 1 for HB 450** before the House for consideration. Representative Hudson made comments. Representative Hudson moved to place **HA 3** on the Speaker's Table. The motion was seconded by Representative Lavelle and adopted by voice vote.

Representative Smith introduced and brought **HA 4 to HS 1 for HB 450** before the House for consideration.

Representative Smith made comments. Representatives Smith, Lavelle & Marshall made comments.

Representative Smith requested and was granted privilege of the floor for John Brady, House Attorney.

Representatives Smith & Marshall made comments. **HA 4** was adopted by voice vote. Representative Lavelle made comments. Representative Lavelle introduced and brought **HA 5 to HS 1 for HB 450** before the House for consideration. Representatives Lavelle & Hudson made comments. **HA 5** was adopted by voice vote. Representatives Lavelle & Valihura made comments.

The roll call on **HS 1 for HB 450 w/HA 4 & 5** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HS 1 for HB 450 w/HA 4 & 5** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **HB 397**, jointly sponsored by Senator Marshall, before the House for consideration.

**HB 397 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO ASSESSMENTS OF INTEREST AND PENALTY. (3/5 bill) (F/N)**

Representative Hudson made comments.

The roll call on **HB 397** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 397** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Hudson.

Representative Hudson brought **HB 398**, jointly sponsored by Senator Marshall, before the House for consideration.

**HB 398** - AN ACT TO AMEND TITLES 30 AND 6 OF THE DELAWARE CODE RELATING TO TAXATION. (3/5 bill)

Representative Hudson made a comment.

The roll call on **HB 398** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 398** was sent to the Senate for concurrence.

Representative Smith brought the following prefiled **Consent Calendar #31** before the House for consideration.

**HCR 73** – OBERLE & SENATOR MARSHALL; REPRESENTATIVES HUDSON, MULROONEY, VALIHURA; VIOLA; SENATORS BONINI, BUNTING, COPELAND, SOKOLA – Respectfully Requesting that the Governor and the Delaware State Housing Authority Retain a Consultant to Study and Make Recommendations Regarding the Future of Affordable Housing Opportunities in Delaware.

**HCR 74** – OBERLE & SENATOR MARSHALL; REPRESENTATIVES HUDSON, MULROONEY, VALIHURA, VIOLA; SENATORS BONINI, BUNTING, COPELAND, SOKOLA – Respectfully Requesting that the City of Wilmington’s Department of Licenses and Inspections and the Wilmington City Council Waive the Vacant Property Registration Fee in Its Entirety for Nonprofit Organizations that are Engaged in the Business of Affordable Housing.

**SCR 41 w/SA 1** – SOKOLA & REPRESENTATIVE VALIHURA; REPRESENTATIVE MIRO – Urging the President of the United States to Demand That the Chinese Government Allow an International Investigation of All Labor Camps, Prisons, Hospitals, and Related Facilities in China where Falun Gong Practitioners are Being Detained.

Representative Smith requested that **SCR 41 w/SA 1** be removed from **Consent Calendar #31**.

**Consent Calendar #31** was adopted by voice vote and **HCR 73** & **HCR 74** were sent to the Senate for concurrence.

Representative Smith moved to place **SCR 41 w/SA 1** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

**SCR 41** - URGING THE PRESIDENT OF THE UNITED STATES TO DEMAND THAT THE CHINESE GOVERNMENT ALLOW AN INTERNATIONAL INVESTIGATION OF ALL LABOR CAMPS, PRISONS, HOSPITALS, AND RELATED FACILITIES IN CHINA WHERE FALUN GONG PRACTITIONERS ARE BEING DETAINED.

Representative Smith deferred to Representative Atkins.

Representative Atkins moved to suspend the rules which interfere with action on **HB 537**. The motion was seconded by Representative Ewing and adopted by voice vote.

Representative Atkins brought **HB 537**, jointly sponsored by Representative Thornburg & Senator Venables & Representatives Lee, Booth, Buckworth, Carey, DiPinto, Ewing, Hocker & Outten & Senators Bunting & Vaughn, before the House for consideration.

**HB 537** - AN ACT TO AMEND TITLE 7 RELATING TO CONSERVATION.

Representative Ewing introduced and brought **HA 1** to **HB 537** before the House for consideration.

Representative Ewing made a comment. **HA 1** was adopted by voice vote. Representative Atkins made comments.

The roll call on **HB 537 w/HA 1** was taken and revealed:

YES: 21.

NO: Representatives Gilligan, Hall-Long, Johnson, Keeley, Longhurst, Marshall, McWilliams, Miro, Mulrooney, Schooley, Stone, VanSant, Viola & Williams - 14.

NOT VOTING: Representatives Ennis, Fallon, Schwartzkopf, Thornburg & Wagner - 5.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 537 w/HA 1** was sent to the Senate for concurrence.

The Majority Leader moved to recess for caucus at 8:00 p.m.

The House reconvened at 8:30 p.m.

Mr. Speaker Spence introduced a guest.

Representative Smith deferred to Representative Valihura.

Representative Valihura moved to suspend the rules which interfere with action on **HB 529**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Valihura brought **HB 529**, jointly sponsored by Senator McDowell & Senator Bunting, before the House for consideration.



**HB 529 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE.**

Representative Valihura made comments.

The roll call on **HB 529** was taken and revealed:

YES: 40.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 529** was sent to the Senate for concurrence.

Representative Smith moved to restore **HB 537 w/HA 1** and to rescind the roll call. The motion was seconded by Representative Lee and passed by voice vote.

Representative Smith made an announcement.

Representative Smith brought **HB 537 w/HA 1**, jointly sponsored by Representative Thornburg & Senator Venables & Representatives Lee, Booth, Buckworth, Carey, DiPinto, Ewing, Hocker & Outten & Senators Bunting & Vaughn, before the House for consideration.

**HB 537 - AN ACT TO AMEND TITLE 7 RELATING TO CONSERVATION.**

The roll call on **HB 537 w/HA 1** was taken and revealed:

YES: 21.

NO: Representatives Cathcart, Ennis, Gilligan, Hall-Long, Johnson, Keeley, Longhurst, M Marshall, McWilliams, Miro, Mulrooney, Roy, Schooley, Schwartzkopf, Stone, VanSant, Viola & Williams - 18.

NOT VOTING: Representative Thornburg - 1.

ABSENT: Representative Plant - 1.

Therefore, having received a constitutional majority, **HB 537 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Booth.

Representative Booth introduced **HJR 33**, jointly sponsored by Senator Venables & Representatives Atkins & Hocker.

**HJR 33 - REQUIRING THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO ISSUE PERMITS TO SHOOT DEER DURING THE GROWING SEASON AND SUMMER MONTHS BASED UPON THEIR CROP DAMAGE INFORMATION.**

Mr. Speaker Spence assigned **HJR 33** to the Agriculture Committee.

Representative Smith brought **Consent Agenda I** before the House for consideration.

**SB 276 w/SA 1 – BLEVINS & REPRESENTATIVE VANSANT & SENATOR CONNOR – An Act to Amend Title 16 of the Delaware Code Relating to Health Information.**

**SB 297 – MCDOWELL & REPRESENTATIVE MAIER & SENATOR MCBRIDE & SENATOR STILL & SENATOR HENRY & REPRESENTATIVE DIPINTO & SENATORS MARSHALL, SOKOLA, PETERSON, COOK, VENABLES, COPELAND, CLOUTIER, CONNOR, BONINI & SIMPSON & REPRESENTATIVES WILLIAMS, PLANT, MCWILLIAMS, VANSANT, LONGHURST, MULROONEY, SCHOOLEY, VIOLA, ENNIS, VALIHURA, SPENCE, ROY & OBERLE – An Act to Amend Title 16 of the Delaware Code Relating to Health and Safety and the Prescription Drug Payment Assistance Program. (F/N)**

**SB 289 w/SA 2 – BUNTING & REPRESENTATIVE ULBRICH & SENATORS STILL, SOENSON & BONINI & REPRESENTATIVES ATKINS, BUCKWORTH, DIPINTO, HUDSON, MAIER, STONE, VALIHURA, HALL-LONG, LONGHURST, MCWILLIAMS & SCHOOLEY – An Act to Amend Title 14 of the Delaware Code Relating to the Creation of a Statewide Health Advisory Council.**

**HB 513 – OBERLE & SENATOR MARSHALL & REPRESENTATIVES HUDSON, MULROONEY, VALIHURA & VIOLA & SENATORS BONINI, BUNTING, COPELAND & SOKOLA – An Act to Amend Title 16 of the Delaware Code Relating to the Delaware Health Resources Board.**

**SB 328 – BLEVINS & REPRESENTATIVE SMITH & SENATORS PETERSON & MCBRIDE & REPRESENTATIVES KEELEY, LAVELLE, CATHCART, OBERLE, HUDSON, ULBRICH & DIPINTO – An Act to Amend Title 21 of the Delaware Code Relating to Abandoned Vehicles.**

The roll call on **Consent Agenda I** was taken and revealed:

YES: 39.

ABSENT: Representatives Fallon & Plant – 2.

Therefore, having received a constitutional majority, **SB 276 w/SA 1, SB 297, SB 289 w/SA 2 & SB 328** were returned to the Senate and **HB 513** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Schooley.

Representative Schooley brought **HB 334**, jointly sponsored by Senator DeLuca & Representatives Buckworth, Ennis, Ewing, Fallon, Hall-Long, Hocker, Johnson, Maier, McWilliams, Miro, Mulrooney, Outten, Plant, Ulbrich, VanSant, Viola, Wagner & Williams & Senators Blevins, Connor, Copeland, McDowell, Simpson, Sokola, Sorenson, Vaughn & Venables, before the House for consideration.

**HB 334 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO IDENTITY THEFT PASSPORTS. (F/N)**

Representative Schooley requested that **HA 1 to HB 334** be stricken. Representative Schooley made comments.



The roll call on **HB 334** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Fallon & Plant - 3.

Therefore, having received a constitutional majority, **HB 334** was sent to the Senate for concurrence.

Representative Smith deferred to Representative DiPinto. Representative DiPinto made an announcement.

Representative DiPinto introduced **HB 543**, jointly sponsored by Senator DeLuca.

**HB 543** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMMISSION ON ITALIAN HERITAGE CULTURE.

Mr. Speaker Spence assigned **HB 543** to the Appropriations Committee.

Representative Smith deferred to Representative Valihura.

Representative Valihura introduced **HB 540**, jointly sponsored by Senator Sorenson.

**HB 540** - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE.

Mr. Speaker Spence assigned **HB 540** to the Judiciary Committee.

Representative Valihura made an announcement.

The Majority Leader moved to recess to the call of the Chair at 8:56 p.m.

Mr. Acting Speaker Booth called the House to order at 2:15 p.m. on June 29, 2006.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 20 w/SA 1**, **HB 366 w/HA 1**, **HB 392**, **HB 502**, **HB 487**, **HS 1 for HB 134 w/SA 1**, **HB 430 w/HA 3, 4, 5 & 6** & **HB 355** and is returning same to the House.

Delaware General Assembly

WITHDRAWAL OF SPONSORSHIP REQUEST

I, J. Benjamin Ewing, do hereby request that my name be removed as cosponsor of **HB 467**.

Date: June 28, 2006

Signed: J. Benjamin Ewing

Delaware General Assembly

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Gerald A. Buckworth, do hereby request that my name be removed as cosponsor of **HB 467**.

Date: June 28, 2006

Signed: Gerald A. Buckworth

The Majority Leader moved to adjourn at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

**44th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session**

**June 29, 2006**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Pamela S. Maier, Twenty-First Representative District.

Mr. 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:

**HS 1 for HB 505** - WAGNER & SENATOR PETERSON & SENATOR SOKOLA - TELECOMMUNICATION INTERNET & TECHNOLOGY - An Act to Amend Title 29 of the Delaware Code Relating to the Department of Technology and Information.

**HS 1 for HB 509** - WAGNER & SENATOR SOKOLA - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Fines, Costs, Penalties and Forfeitures. (2/3 bill)

**HB 538** - STONE & SENATOR BLEVINS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Wills and Trusts.

**HB 541** - MAIER & REPRESENTATIVE WAGNER & SENATOR BLEVINS; REPRESENTATIVES BUCKWORTH, FALLON, MIRO, STONE, ULBRICH - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to the Insurance Code and Pharmacy Benefit Manager Practices.

**HA 1 to HS 1 for HB 505** - MARSHALL - Placed with the Bill.

**HA 1 to HS 1 for HB 509** - WAGNER - Placed with the Bill.

**HJR 34** - ULBRICH & SENATOR SORENSON & REPRESENTATIVE SMITH & REPRESENTATIVE HUDSON & REPRESENTATIVE VALIHURA - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - Requiring the Delaware Solid Waste Authority and the Department of Natural Resources and Environmental Control to Develop a Statewide Composting Plan.

**SB 267** - CONNOR & REPRESENTATIVE OBERLE; SENATOR CLOUTIER; REPRESENTATIVES EWING, MAIER, THORNBURG, ULBRICH - JUDICIARY - An Act to Amend Title 6 of the Delaware Code Relating to Prohibiting the Advertising and Conducting of Certain Live Musical Performances or Productions.

**SB 337 w/SA 2** - BLEVINS & REPRESENTATIVE HUDSON - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to Parents and Children in the Family Court of the State of Delaware.

**SB 340 w/SA 1** - STILL & REPRESENTATIVE STONE; SENATORS CONNOR, COPELAND, HENRY, SOKOLA, SORENSON; REPRESENTATIVES ENNIS, HOCKER, KEELEY, MARSHALL, SMITH, SPENCE - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Military Deployment.

**SB 361** - BLEVINS; SENATOR SORENSON; REPRESENTATIVES HUDSON, MCWILLIAMS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Sex Offenses.

**SB 377** - BUNTING & REPRESENTATIVE HOCKER; SENATORS ADAMS, SIMPSON; REPRESENTATIVES SCHWARTZKOPF, BOOTH, CAREY - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Beach Preservation.

**SB 379** - MARSHALL & REPRESENTATIVE HALL-LONG - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Professional Land Surveyors. (2/3 bill)

**SB 383** - MARSHALL & REPRESENTATIVE HALL-LONG - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Examining Board of Physical Therapists and Athletic Trainers.

**SB 388** - BUNTING & REPRESENTATIVE VALIHURA & REPRESENTATIVE STONE; REPRESENTATIVES ENNIS, HOCKER, HUDSON, LAVELLE, SCHWARTZKOPF, THORNBURG; SENATORS SIMPSON, VENABLES, CONNOR - SUBCOMMITTEE MANUFACTURED HOUSING - An Act to Amend Title 25 of the Delaware Code Relating to the Manufactured Home Owners and Community Owners Act.

**SB 389** - ADAMS & REPRESENTATIVE EWING ; REPRESENTATIVE GILLIGAN - HOUSE ADMINISTRATION - An Act Amending Title 23 of the Delaware Code Relating to Pilotage. (3/5 bill)

**SB 395 w/SA 1** - COOK & REPRESENTATIVE DIPINTO & REPRESENTATIVE WAGNER; SENATORS MCBRIDE, HENRY, VAUGHN, AMICK, CLOUTIER, STILL; REPRESENTATIVES BUCKWORTH, FALLON, ULBRICH, SCHWARTZKOPF, WILLIAMS - APPROPRIATIONS - An Act to Amend Title 29 of the Delaware Code Regarding Employee Disability Benefits.

**HA 1 to SB 374** - SMITH - Placed with the Bill.

Representative Smith requested and was granted privilege of the floor for Pam Price, Director of Research and Constituent Relations, and the 2006 Legislative Fellows. Representative Smith made comments and presented a House Tribute to Thomas Friedman. Representative Maier made comments and presented a House Tribute to Shannon Connolly. Mr. Acting Speaker and Representative Thornburg made comments and presented a House Tribute to Hilary Bell. Representative Gilligan made comments and presented a House Tribute to Garth Spencer. Mary Margaret Williams, minority Chief of Staff and Representative Keeley made comments. Representatives Ewing, Valihura and Atkins made comments and presented a House Tribute to Sanskriti Inamdar. Representative Miro made comments and presented a House Tribute to Melissa Murphy. Representatives Stone, Lavelle and Valihura made comments and presented a House Tribute to Jonathan Kirch. Representatives Ennis & McWilliams requested and were granted personal privilege of the floor to make comments. Representative Wagner made comments.

Representative Smith deferred to Representative Valihura.

Representative Valihura requested and was granted privilege of the floor for himself and Representative Marshall to make comments and to introduce Chief Justice Myron T. Steele, Supreme Court, who addressed the House. Representatives Smith, Wagner, Valihura & Marshall made comments. Representative Valihura requested and was granted privilege of the floor for Resident Judge T. Henley Graves, Superior Court, Sussex County, Resident Judge Richard R. Cooch, Supreme Court, New Castle County, Resident Judge William L. Witham, Jr., Superior Court, Kent County and Resident Judge M. Jane Brady, Superior Court, New Castle County.

Representative Valihura moved to suspend the rules which interfere with lifting **HR 67** from the Speaker's Table. The motion was seconded by Representative Marshall and adopted by voice vote.

Representative Valihura brought **HR 67**, jointly sponsored by Representative Marshall on behalf of All Representatives, before the House for consideration.

**HR 67** - CONGRATULATING THE DELAWARE JUDICIARY ON BEING RANKED NUMBER 1 IN THE NATION FOR THE FIFTH YEAR IN A ROW.

**HR 67** was adopted by voice vote.

Representative Valihura moved to suspend the rules which interfere with lifting **HR 73** from the Speaker's Table. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Valihura brought **HR 73**, jointly sponsored by Representative Marshall on behalf of All Representatives, before the House for consideration.

**HR 73** - CONGRATULATING CHIEF JUSTICE MYRON T. STEELE, CHANCELLOR WILLIAM B. CHANDLER, III, JUSTICE JACK B. JACOBS AND VICE-CHANCELLOR LEO E. STRINE, JR. ON THEIR NATIONAL RECOGNITION AS JUDGES AND LAWYERS.

**HR 73** was adopted by voice vote.

Representative Lee made a comment.

Representatives Outten, Schwartzkopf & Williams requested that they be marked present.

Representative Williams requested and was granted personal privilege of the floor to make an announcement. Representatives Plant, Viola & Ulbrich requested that they be marked present.

Representative Atkins introduced a guest. Representatives Spence & Mulrooney requested that they be marked present.

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

HOUSING & COMMUNITY AFFAIRS: **SS 1/SB 198 w/SA 1 - 6M.**

PUBLIC SAFETY: **SB 358 w/SA 1 - 4M.**

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 500 w/HA 1 & HB 7 w/HA 1** and is returning same to the House.

June 29, 2006

#### LEGISLATIVE ADVISORY #23

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/28/06 – **SB 62 aab HA 2 & 4, SB 270 aab SA 1 & 2, SB 321 aab SA 1 & 3, HB 414, HB 432 aab SA 2, HB 439, HB 447, HB 475, HB 482 aab HA 5 & 6, HB 486, HB 492 & HB 498 aab HA 1.**

The Majority Whip moved to recess for caucus at 3:02 p.m.

Representative Oberle requested that he be marked present.

The House reconvened at 6:47 p.m. with Representative Oberle as Acting Speaker.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 385, SB 370, SB 339, SB 390 w/SA 1, SB 398, SB 402, SB 403 & SB 394** and requests the concurrence of the House.

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

EDUCATION: **SB 374 w/SA 1 - 7M.**

HOUSE ADMINISTRATION: **HB 490 - 3U.**

JUDICIARY: **HB 473 - 5M; SB 371 - 6M; SB 372 w/SA 1 - 5M.**

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **SB 377 - 6M.**

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 494 - 3M; SB 379 - 3M; SB 383 - 3M; SB 386 - 3M.**

Representative Miro requested that he be marked present.

Representative Ewing introduced and brought **HR 85**, jointly sponsored by Representatives Lee, Atkins, Booth, Carey, Fallon & Hocker, before the House for consideration.

**HR 85 - DIRECTING THE STATE VETERINARIAN TO INVESTIGATE USES OF CHEMICAL TREATED SALT LICKS TO CONTROL THE DEER POPULATION.**

Representative Ewing moved to place **HR 85** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought **SB 19**, sponsored by Senator Vaughn & Representative Ennis & cosponsored by Senator Simpson, before the House for consideration.

**SB 19 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL CONSTRUCTION.**

Representative Ennis brought **HA 1 to SB 19** before the House for consideration.

Representatives Ennis, Cathcart & Stone made comments. Representative Cathcart requested privilege of the floor for Ron Smith, House Attorney. Representatives Cathcart & Ennis made comments.

Representative Cathcart requested that he be marked present. Representative Cathcart requested and was granted privilege of the floor for Dr. Kevin Carson, superintendent, Woodbridge School District, and President, Chief School Officers Association. Representatives Cathcart & Ennis made comments.

Representative Cathcart rose on a point of order. Mr. Acting Speaker concurred. Representatives Wagner, Lavelle, Booth & Hall-Long made comments. Representative Stone requested and was granted privilege of the floor for Stephen R. Speed, Mayor, City of Dover and Vice-President, League of Local Governments. Representatives Stone, Cathcart & Ennis made comments. Representative Ennis moved to place **HA 1** on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote. Representative Cathcart moved to place **SB 19** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Smith deferred to Representative Wagner.

Representative Wagner moved to suspend the rules which interfere with action on **HS 1 for HB 509**. The motion was properly seconded and adopted by voice vote.

Representative Wagner brought **HS 1 for HB 509**, jointly sponsored by Senator Sokola, before the House for consideration.

**HB 509 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FINES, COSTS, PENALTIES AND FORFEITURES. (2/3 bill)**

Representative Wagner brought **HA 1 to HS 1 for HB 509** before the House for consideration. Representative Wagner made a comment. **HA 1** was adopted by voice vote. Representatives Wagner & Keeley made comments.

The roll call on **HS 1 for HB 509 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 509 w/HA 1** was sent to the Senate for concurrence.

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

Mr. Acting Speaker appointed Representative Buckworth as Acting Speaker.

Representative Smith brought **Consent Agenda L**, which requires a three-fifths vote, before the House for consideration and for concurrence on Senate Amendments.

**HB 20 w/SA 1 – ROY & SENATOR MCBRIDE** – An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**HS 1 for HB 134 w/SA 1 – MIRO & SENATOR BLEVINS & REPRESENTATIVES SPENCE, LEE, BUCKWORTH, CAREY, DIPINTO, EWING, HUDSON, MAIER, ULBRICH, WAGNER & HALL-LONG & SENATORS PETERSON & SORENSON** – An Act to Amend Title 10 of the Delaware Code Relating to Limitations on Causes of Actions Against Medical Personnel Providing Volunteer Medical Services During a State of Emergency.

**SB 89 w/SA 1 – MCBRIDE & SENATORS SIMPSON, VENABLES & BUNTING & REPRESENTATIVES BOOTH, HOCKER & MCWILLIAMS** – An Act to Amend Title 7 of the Delaware Code Relating to the Civil and Administrative Penalties for Violating Chapter 60.

**SS 1 for SB 151 – BLEVINS & REPRESENTATIVE KEELEY** - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Medical Practice.

**SB 183 – BLEVINS & REPRESENTATIVE ULBRICH & REPRESENTATIVES HALL-LONG & MAIER** – An Act to Amend Chapter 37, Title 24 of the Delaware Code Relating to Speech/Language Pathologists, Audiologists and Hearing Aid Dispensers.

**SB 316 – PETERSON** – An Act to Amend Title 29 of the Delaware Code Relating to the Division of Professional Regulation and the Administrative Procedures Act.

**SB 373 – DELUCA & REPRESENTATIVE LEE** – An Act to Amend Chapter 13, Title 24 of the Delaware Code Relating to Regulation of Private Security Agencies.

**HB 531 – VALIHURA & REPRESENTATIVE STONE & SENATOR BUNTING & REPRESENTATIVES ATKINS, ENNIS, HOCKER, HUDSON, LAVELLE, SCHWARTZKOPF & THORNBURG & SENATORS SIMPSON & VENABLES** – An Act to Amend Title 25 of the Delaware Code Relating to the Manufactured Home Owners and Community Owners Act. (3/5 bill)

Representative Smith requested that **HB 20 w/SA 1, HS 1/HB 134 w/SA 1 & HB 531** be removed from **Consent Agenda L**.

The roll call on **Consent Agenda L** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 89 w/SA 1, SS 1/SB 151, SB 183, SB 316 & SB 373** were returned to the Senate.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HB 531**, jointly sponsored by Representative Stone & Senator Bunting & Representatives Ennis, Hocker, Hudson, Lavelle, Schwartzkopf & Thornburg & Senators Simpson & Venables & cosponsored by Representative Atkins, before the House for consideration.

**HB 531 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE MANUFACTURED HOME OWNERS AND COMMUNITY OWNERS ACT.** (3/5 bill)

Representative Valihura made comments.

The roll call on **HB 531** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 531** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Miro.

Representative Stone made comments regarding **HB 531**.

Representative Miro brought **HS 1 for HB 134 w/SA 1**, jointly sponsored by Senator Blevins & Representatives Spence, Lee, Buckworth, Carey, DiPinto, Ewing, Hudson, Maier, Ulbrich, Wagner & Hall-Long & Senators Peterson & Sorenson, before the House for concurrence on **SA 1**.

**HB 134 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO LIMITATIONS ON CAUSES OF ACTIONS AGAINST MEDICAL PERSONNEL PROVIDING VOLUNTEER MEDICAL SERVICES DURING A STATE OF EMERGENCY.**

Representative Miro introduced and brought **HA 1 to HS 1 for HB 134** before the House for consideration. Representative Miro made comments. **HA 1** was adopted by voice vote.

The roll call on **HS 1 for HB 134 w/SA 1 & HA 1** was taken and revealed:

YES: 31.

NO: Representatives Mulrooney, Plant, Viola & Williams - 4.

NOT VOTING: Representatives Ennis, Johnson, Keeley, McWilliams, Oberle & Schooley - 6.

Therefore, having received a constitutional majority, **HS 1 for HB 134 w/SA 1 & HA 1** was sent to the Senate for concurrence on **HA 1**.

Representative Smith deferred to Representative Keeley.

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

Representative Smith brought **Consent Agenda K** before the House for consideration.

**HB 297** – ENNIS & REPRESENTATIVE LEE & REPRESENTATIVE EWING & SENATOR VAUGHN & REPRESENTATIVES BUCKWORTH, CAREY, CAULK, GEORGE, HALL-LONG, JOHNSON, KEELEY, LONGHURST, MCWILLIAMS, MULROONEY, OBERLE, OUTTEN, PLANT, SCHOOLEY, SPENCE, THORNBURG, ULBRICH, VANSANT & VIOLA – An Act to Amend Titles 9 and 22 Relating to Emergency Communication Systems.

**HB 438** – HUDSON & SENATOR BLEVINS & REPRESENTATIVES DIPINTO, ENNIS, EWING, HOCKER, PLANT, SPENCE, STONE & WAGNER – An Act to Amend Title 18 of the Delaware Code to Create an Arbitration Procedure for Disputes Between Insurance Carriers and Health Care Providers.

**HB 462** – WAGNER & SENATOR MCDOWELL & REPRESENTATIVES SPENCE, BUCKWORTH, DIPINTO, STONE & SCHOOLEY – An Act to Amend Title 14 of the Delaware Code Creating a Delaware Higher Education Facilities Authority.

**HB 464** – LEE & REPRESENTATIVE ENNIS & SENATOR BUNTING – An Act to Amend Title 18 of the Delaware Code Relating to Life Insurance.

**HB 514** – EWING & SENATOR HENRY & REPRESENTATIVES BOOTH, BUCKWORTH, CATHCART, HOCKER, OUTTEN & THORNBURG – An Act to Amend Chapter 47, Title 21 of the Delaware Code Relating to Medical Standards Pertaining to School Bus Drivers.

**HB 515** – KEELEY & SENATOR BLEVINS – An Act to Amend Title 11 of the Delaware Code Relating to a Pilot Program for Continuous Remote Alcohol Monitoring.

**HB 517** – VALIHURA & SENATOR COPELAND & REPRESENTATIVE VIOLA & SENATORS BUNTING & AMICK – An Act to Amend Titles 24 and 29 of the Delaware Code Relating to Civil Administrative Procedures.

**HB 532** – STONE & REPRESENTATIVES SPENCE, MAIER & VALIHURA – An Act to Amend Title 6 of the Delaware Code to Authorize Use of Electronic Postmarks.

**HB 533** – MULROONEY & SENATOR ADAMS & REPRESENTATIVES ENNIS, HALL-LONG, KEELEY, MARSHALL, OBERLE, SCHWARTZKOPF, SPENCE, VANSANT, VIOLA & WILLIAMS – An Act to Amend Title 18 of the Delaware Code Relating to Line of Duty Death Benefits. (F/N)

**HB 536** – THORNBURG & SENATOR ADAMS – An Act to Amend Title 3 of the Delaware Code Relating to Regulating the Sale and Use of Pesticides.

Representative Smith requested that **HB 297, HB 462 & HB 532** be removed from **Consent Agenda K**.

The roll call on **Consent Agenda K** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 438, HB 464, HB 514, HB 515, HB 517, HB 533 & HB 536** were sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 462**, jointly sponsored by Senator McDowell & Representatives Spence, Buckworth, DiPinto, Stone & Schooley, before the House for consideration.

**HB 462** - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE CREATING A DELAWARE HIGHER EDUCATION FACILITIES AUTHORITY.

Representative Wagner made comments. Representative Roy introduced and brought **HA 1 to HB 462** before the House for consideration. Representatives Roy & Wagner made comments. Representative Wagner requested and was granted privilege of the floor for Brian Shirey representing Delaware Technical and Community College. Representative Wagner made comments. **HA 1** was adopted by voice vote. Representative Cathcart 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 Smith deferred to Representative Stone.

Representative Stone brought **HB 532**, jointly sponsored by Representatives Spence, Maier & Valihura, before the House for consideration.

**HB 532** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE TO AUTHORIZE USE OF ELECTRONIC POSTMARKS.

Mr. Speaker Spence appointed Representative Booth as Acting Speaker.



Representative Stone made comments. Representative Spence introduced and brought **HA 1 to HB 532** before the House for consideration. Representatives Spence, Schwartzkopf & Stone made comments. **HA 1** was adopted by voice vote. Representatives Marshall & Stone made comments.

The roll call on **HB 532 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 532 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Valihura.

Representative Valihura moved to suspend the rules which interfere with action on **HS 1 for HB 452**. The motion was properly seconded and adopted by voice vote.

Representative Valihura brought **HS 1 for HB 452**, jointly sponsored by Representative Smith & Representative DiPinto & Senator Still, before the House for consideration.

**HB 452 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATED TO CAUSES OF ACTION AND SUCCESSOR LIABILITY.**

Representative Valihura introduced and brought **HA 1 to HB 452** before the House for consideration. Representative Valihura made comments. **HA 1** was adopted by voice vote. Representative Valihura made comments. Representative Marshall announced that she will not be voting on **HS 1 for HB 452 w/HA 1** because of a possible conflict of interest. Representatives Oberle, Valihura & Wagner made comments. Representative Wagner requested and was granted privilege of the floor for Robert Jacobs representing Delaware Trial Lawyers and the American Association of Trial Lawyers. Representatives Wagner, Valihura, Roy & Mulrooney made comments.

Representative Valihura moved to place **HS 1 for HB 452 w/HA 1** on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith deferred to Representative Keeley.

Representative Keeley brought **HB 235**, jointly sponsored by Representative Maier & Senator Blevins & Representatives Atkins, Booth, Carey, Caulk, Ennis, Ewing, Fallon, George, Hall-Long, Hocker, Hudson, Johnson, Longhurst, McWilliams, Miro, Mulrooney, Outten, Schooley, Spence, Stone, Ulbrich, Viola, Wagner & Williams & Senators Amick, Cloutier, Connor, Henry, Marshall, McDowell, Peterson, Simpson, Sokola & Vaughn, before the House for consideration.

**HB 235 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTHY CHILDREN PROGRAM. (F/N)**

Representative Keeley made comments.

The roll call on **HB 235** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **HB 235** was sent to the Senate for concurrence.

The Majority Leader moved to recess at 8:48 p.m.

The House reconvened at 9:19 p.m.

Representative Smith deferred to Representative Spence.

Representative Spence brought **HB 429**, jointly sponsored by Senator McBride & Representatives Buckworth, Carey, DiPinto, Ewing, Hocker, Lavelle, Lofink, Ulbrich & Valihura & Senators Sorenson, Amick & Simpson, before the House for consideration.

**HB 429 - AN ACT TO AMEND TITLE 4, DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS, COMMISSIONER AUTHORITY, ENFORCEMENT AND FUNDING.**

Representative Spence brought **HA 1 to HB 429** before the House for consideration. Representative Spence made a comment. **HA 1** was adopted by voice vote. Representative Spence made comments.

The roll call on **HB 429 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Lavelle & McWilliams - 3.

Therefore, having received a constitutional majority, **HB 429 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich moved to suspend the rules which interfere with action on **HB 496**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Ulbrich brought **HB 496**, jointly sponsored by Representative Smith & Senator DeLuca & Senator Sokola & Representatives Gilligan, Johnson, Lofink, Maier, Schooley, Spence & Viola & Senators Amick, Cook, Peterson & Sorenson & cosponsored by Representatives Keeley & Longhurst & Senator Connor, before the House for consideration.

**HB 496 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO EMPLOYMENT CONTRACTS.**

Representatives Ulbrich & Marshall made comments.

The roll call on **HB 496** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Lavelle - 2.



Therefore, having received a constitutional majority, **HB 496** was sent to the Senate for concurrence. Representative Smith requested and was granted personal privilege of the floor to introduce guests. Mr. Acting Speaker introduced a guest.

Representative Smith deferred to Representative Schwartzkopf.

Representative Schwartzkopf brought **HB 503**, jointly sponsored by Representative Ewing & Senator Bunting, before the House for consideration.

**HB 503** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO BUILDING AND PLUMBING. (F/N) (3/5 bill)

Representative Ewing brought **HA 1 to HB 503** before the House for consideration. Representative Ewing made a comment. **HA 1** was adopted by voice vote. Representative Schwartzkopf introduced and brought **HA 2 to HB 503** before the House for consideration. **HA 2** was adopted by voice vote.

The roll call on **HB 503 w/HA 1 & 2** was taken and revealed:

YES: 38.

ABSENT: Representatives Caulk, Lavelle & Smith - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 503 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Spence.

Representative Spence brought **SB 376 w/SA 1 & 2**, jointly sponsored by Senator McBride & Representative Valihura & Representative Wagner & Senators Simpson, Henry, Amick, Sorenson, Blevins, Cloutier & Connor & Representatives Ewing, Booth, Fallon, Lee & Outten & cosponsored by Senator Sokola & Representatives Thornburg & Maier, before the House for consideration.

**SB 376** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE.

Representative Spence made a comment. Representative Spence brought **HA 1 to SB 376**, jointly sponsored by Representative Valihura & Representative Wagner, before the House for consideration. Representative Spence made comments. **HA 1** was adopted by voice vote. Representative Spence made comments.

The roll call on **SB 376 w/SA 1 & 2 & HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Lavelle - 2.

Therefore, having received a constitutional majority, **SB 376 w/SA 1 & 2 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Lee deferred to Representative Oberle.

Representative Oberle brought **SB 41 w/HA 1**, jointly sponsored by Senator McBride & Senators Bonini, Copeland, Peterson & Sokola & Representatives Hudson, Mulrooney, Valihura & Viola, before the House for consideration.

**SB 41** - AN ACT TO AMEND TITLES 29, 31, AND 6 OF THE DELAWARE CODE RENAMING THE OFFICE OF HUMAN RELATIONS, AND RELATING TO THE STATE HUMAN RELATIONS COMMISSION, EQUAL ACCOMMODATIONS, AND FAIR HOUSING.

Representative Smith requested that **HA 1 to SB 41** be stricken. Representative Smith brought **HA 2 to SB 41** before the House for consideration. Representatives Smith & Oberle made comments. **HA 2** was adopted by voice vote. Representative Oberle deferred to Representative Hudson. Representative Hudson brought **HA 3 to SB 41** before the House for consideration. Representative Hudson made a comment. **HA 3** was adopted by voice vote. Representative Oberle made comments.

The roll call on **SB 41 w/HA 2 & 3** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Lavelle - 2.

Therefore, having received a constitutional majority, **SB 41 w/HA 2 & 3** was returned to the Senate for concurrence on **HA 2 & 3**.

Representative Smith deferred to Representative Roy.

Representative Roy brought **HB 262**, jointly sponsored by Senator Sokola, before the House for consideration.

**HB 262** - AN ACT AWARDING SPECIAL PENSION BENEFITS TO ALICE ALPER AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. (F/N)

Representative Roy brought **HA 1 to HB 262** before the House for consideration. Representative Roy made comments. **HA 1** was adopted by voice vote. Representative Roy made comments.

The roll call on **HB 262 w/HA 1** was taken and revealed:

YES: 17.

NO: Representatives Booth, Ennis, Gilligan, Hocker, Lee, Maier, McWilliams, Miro, Mulrooney, Plant, Schwartzkopf, Stone, Ulbrich, VanSant & Viola – 15.

NOT VOTING: Representatives Hudson, Keeley, Schooley, Smith & Wagner - 5.

ABSENT: Representatives Caulk, Lavelle, Marshall & Valihura - 4.

Therefore, not having received a constitutional majority, **HB 262 w/HA 1** was declared defeated.

Representative Smith deferred to Representative Maier.

Representative Maier brought **SB 295 w/SA 1**, jointly sponsored by Senator Blevins & Senator Sokola & Representative Stone, before the House for consideration.

**SB 295 - AN ACT TO AMEND TITLE 16 AND TITLE 18 OF THE DELAWARE CODE RELATING TO MANAGED CARE ORGANIZATIONS. (3/5 bill)**

Representative Maier made comments.

The roll call on **SB 295 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Lavelle - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **SB 295 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Keeley.

Representative Keeley brought **SB 60**, jointly sponsored by Senator Henry & Senator Marshall & Representatives George, Hall-Long & Plant, before the House for consideration.

**SB 60 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO ESTABLISH A STERILE NEEDLE AND SYRINGE EXCHANGE PILOT PROGRAM TO PREVENT AIDS AND OTHER DISEASES. (F/N)**

Mr. Speaker Spence resumed the Chair.

Representative Keeley deferred to Representative Ulbrich. Representative Ulbrich requested that **HA 1 to SB 60** be stricken. Representative Ulbrich made comments. Representative Smith introduced **HA 2 to SB 60**. Representative Smith requested that **HA 2 to SB 60** be stricken. Representative Atkins introduced and brought **HA 3 to SB 60** before the House for consideration. Representatives Atkins, Keeley & Williams made comments.

The roll call on **HA 3 to SB 60** was taken and revealed:

YES: Representatives Atkins, Booth, Buckworth, Carey, Cathcart, Ewing, Fallon, Hocker, Hudson, Lee, Outten, Roy, Smith, Stone, Thornburg & Valihura - 16.

NO: 17.

NOT VOTING: Representatives DiPinto, Lofink, Oberle, Wagner & Spence - 5.

ABSENT: Representatives Caulk, Lavelle & Miro - 3.

Therefore, not having received a constitutional majority, **HA 3 to SB 60** was declared defeated.

Representative Atkins introduced and brought **HA 4 to SB 60** before the House for consideration.

Representatives Atkins, Keeley, Smith, Wagner, Atkins, Keeley, Hall-Long, Schwartzkopf, Atkins, DiPinto & Ulbrich made comments. Representative Atkins requested that **HA 4 to SB 60** be stricken.

Representative Atkins introduced and brought **HA 5 to SB 60** before the House for consideration.

Representatives Atkins, Keeley & Williams made comments.

The roll call on **HA 5 to SB 60** was taken and revealed:

YES: Representatives Atkins, Booth, Buckworth, Carey, Cathcart, Ewing, Fallon, Hocker, Hudson, Lee, Lofink, Outten, Roy, Smith, Stone & Valihura - 16.

NO: 22.

ABSENT: Representatives Caulk, Lavelle & Wagner - 3.

Therefore, not having received a constitutional majority, **HA 5 to SB 60** was declared defeated.

Representative Atkins introduced and brought **HA 6 to SB 60** before the House for consideration.

Representatives Atkins, Keeley, Williams, Johnson, Ennis, Schwartzkopf, Ewing & Atkins made comments.

The roll call on **HA 6 to SB 60** was taken and revealed:

YES: Representatives Atkins, Booth, Buckworth, Carey, Cathcart, Ewing, Fallon, Hocker, Hudson, Lee, Outten, Roy, Smith, Valihura & Wagner - 15.

NO: 24.

ABSENT: Representatives Caulk & Lavelle - 2.

Therefore, not having received a constitutional majority, **HA 6 to SB 60** was declared defeated.

Representatives Keeley & Ewing made comments. Representative Keeley requested and was granted privilege of the floor for Dr. Paul Silverman, Associate Deputy Director, Division of Public Health. Representatives Ewing & Oberle made comments. Representative Oberle rose on a point of order.

Representative Smith made a comment. Mr. Speaker did not concur. Representatives Smith, Atkins, Keeley, Maier, Atkins, Schwartzkopf, Ewing, Stone, Ewing, Atkins, Keeley, Smith, Hall-Long, Ewing & Hudson made comments.

The roll call on **SB 60** was taken and revealed:

YES: 23.

NO: Representatives Atkins, Booth, Buckworth, Carey, Ewing, Hocker, Hudson, Lee, Lofink, Oberle, Outten, Roy, Smith, Stone & Thornburg - 15.

NOT VOTING: Representative Cathcart - 1.

ABSENT: Representatives Caulk & Lavelle - 2.

Therefore, having received a constitutional majority, **SB 60** was returned to the Senate.

Representatives Valihura & Smith made announcements.

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

APPROPRIATIONS: **SB 395 w/SA 1** - 4F.

HOUSE ADMINISTRATION: **SB 389** - 3M.

SUBCOMMITTEE MANUFACTURED HOUSING: **SB 388** - 3F,2M.

TELECOMMUNICATION INTERNET & TECHNOLOGY: **HS 1 for HB 505** - 4M.

The Majority Leader moved to recess to the call of the Chair at 11:20 p.m.

Mr. Speaker Spence called the House to order at 4:04 p.m. on June 30, 2006.

Mr. Speaker Spence assigned **HB 473** 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 **HB 485 w/HA 1 & 2 & SA 1** and is returning same to the House. The Senate wishes to inform the House that it has passed **SB 397** and requests the concurrence of the House; **HB 367 w/HA 1 & SA 4 & 5** and is returning the same to the House. The Senate wishes to inform the House that it has passed **HB 266, HB 334, HB 530 & HB 454** and is returning same to the House. The Senate wishes to inform the House that it has passed **SCR 46, SCR 44 & SCR 45** and requests the concurrence of the House; **HCR 72, HCR 73, HCR 74 & HCR 70** and is returning same to the House.

The Majority Leader moved to adjourn at 4:05 p.m., thereby ending the current legislative day. The House reconvened at 4:06 p.m.

**45th LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY - Second Session  
June 30, 2006**

The Chief Clerk called the roll:

Members Present: 41.

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

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

The following prefiled legislation was introduced:

**HB 544** - OUTTEN; REPRESENTATIVES SMITH, EWING - APPROPRIATIONS - An Act to Amend Title 29 of the Delaware Code Relating to Fiscal Regulations of the State and the Creation of a General Fund Account for Disaster Relief.

**HB 545** - DIPINTO & SENATOR HENRY - REVENUE & FINANCE - An Act Proposing an Amendment to Article VIII, § 1 of the Delaware Constitution of 1897, as Amended, Relating to Revenue and Taxation and the Uniformity of Taxes. (2/3 bill)

**HB 546** - LAVELLE & REPRESENTATIVE SMITH - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to the State Employees' Pension Plan.

**HB 547** - SMITH & SENATOR BLEVINS - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to General Elections.

**HA 1 to HB 534** - BOOTH - Placed with the Bill.

**SB 339** - DELUCA; REPRESENTATIVES DIPINTO, MAIER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Composition of the Delaware Health Information Network.

**SB 370** - BUNTING & REPRESENTATIVE HUDSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 24, Chapter 29 of the Delaware Code Relating to the Delaware Real Estate Commission.

**SB 385** - COPELAND & REPRESENTATIVE ULBRICH - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Medical Practice Act.

**SB 390 w/SA 1** - SOKOLA & REPRESENTATIVE ROY & REPRESENTATIVE MIRO - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Related to Health and Safety and Explosive Materials.

**SB 394** - SORENSON & REPRESENTATIVE MIRO; SENATORS AMICK, BUNTING, MCDOWELL; REPRESENTATIVES MAIER, MARSHALL, OBERLE, SCHOOLEY, SPENCE, VALIHURA - JUDICIARY - An Act Authorizing Family Court to Grant Extended Jurisdiction Over Marilu Sandoval Ramirez and Elvira Chilel Niz.

**SB 397** - VENABLES & REPRESENTATIVE HOCKER; REPRESENTATIVES ATKINS, BUCKWORTH, CAREY, EWING, HUDSON, LEE, MAIER, OUTTEN, STONE, THORNBURG, ULBRICH; SENATORS ADAMS, BONINI, BUNTING, COPELAND - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to State Resource Maps.

**SB 398** - COOK & REPRESENTATIVE SMITH - HOUSE ADMINISTRATION - An Act to Amend Chapter 51 of Title 29 of the Delaware Code Relating to Leave of Absence for Military Service.

**SB 402** - MCDOWELL & REPRESENTATIVE DIPINTO; SENATORS BLEVINS, CLOUTIER, COPELAND, HENRY, SOKOLA, STILL; REPRESENTATIVES BUCKWORTH, ENNIS, KEELEY,

MCWILLIAMS, MULROONEY, ROY, ULBRICH, VALIHURA, WILLIAMS - ENERGY COMMITTEE  
- An Act to Amend Title 26 of the Delaware Code Related to Renewable Energy Portfolio Standards.  
SB 403 - PETERSON & REPRESENTATIVE SPENCE; REPRESENTATIVES KEELEY, PLANT  
- POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Professions and Occupations.

HA 1 to HA 1 to SB 19 - WAGNER - Placed with the Bill.  
HA 2 to HA 1 to SB 19 - WAGNER - Placed with the Bill.  
HA 2 to SB 19 - MIRO & REPRESENTATIVE ULBRICH - Placed with the Bill.  
HA 3 to SB 374 - WAGNER - Placed with the Bill.

Representative Fallon made comments.  
Representative Smith deferred to Representative Lee.

Representative Lee requested and was granted privilege of the floor to present a House Tribute to Judge William J. Hopkins, Jr., Justice of the Peace, Sussex County on the occasion of the 40th anniversary of his appointment to the Court. Representative Lee made comments and introduced guests. Judge Hopkins addressed the House. Representatives Lee, Ewing & Fallon made comments. Representative Maier introduced guests. Representative Booth & Mr. Speaker Spence made comments.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #86

DATE: June 30, 2006

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   | Date      | Type | Description                                                                                                                                                                                                                                                                                                                         |
|-----------|-----------|-----------|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| H143-1973 | Buckworth | 6/25/2006 | T    | Reverend W. LeRoy Jones - 50 Years Ordained Ministry                                                                                                                                                                                                                                                                                |
| H143-1974 | Outten    | 8/12/2006 | T    | Town of Felton - 150th Anniversary                                                                                                                                                                                                                                                                                                  |
| H143-1975 | Maier     | 6/24/2006 | T    | Ann Marchoni - Retirement - Christina Schools                                                                                                                                                                                                                                                                                       |
| H143-1976 | Wagner    | 6/20/2006 | M    | Roy Sudler, Sr.                                                                                                                                                                                                                                                                                                                     |
| H143-1977 | Gilligan  | 6/29/2006 | T    | Garth Spencer - Outstanding Performance –<br>cosponsors: Reps. Ennis, Hall-Long, Legislative Fellow<br>Johnson, Keeley, Longhurst, Marshall, McWilliams, Mulrooney, Plant,<br>Schooley, Schwartzkopf, VanSant, Viola & Williams                                                                                                     |
| H143-1978 | Miro      | 6/29/2006 | T    | Melissa Murphy - Outstanding Performance<br>cosponsors: Reps. Atkins, Booth, - Legislative Fellow<br>Buckworth, Carey, Ewing, Fallon, Hocker, Hudson, Johnson, Keeley, Lavelle,<br>Lee, Lofink, Longhurst, Maier, Marshall, McWilliams, Mulrooney, Oberle, Plant,<br>Schwartzkopf, Spence, Stone, Ulbrich, Viola ,Wagner & Williams |
| H143-1979 | Booth     | 6/29/2006 | T    | Hilary Bell - Outstanding Performance –<br>cosponsors: Reps. Atkins, Carey, Legislative Fellow<br>Caulk, DiPinto, Ennis, Hall-Long, Hocker, Hudson, Keeley, Lofink, Longhurst,<br>McWilliams, Miro, Mulrooney, Oberle, Outten, Plant, Roy, Schooley, Stone,<br>Thornburg, Ulbrich, Valihura, VanSant, Viola & Wagner                |

HOUSE TRIBUTE ANNOUNCEMENT #87

DATE: June 30, 2006

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  | Date      | Type | Description                                                                                                                                                                                                                                                                     |
|-----------|----------|-----------|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| H143-1980 | Smith    | 6/29/2006 | T    | Thomas Friedman - Outstanding<br>cosponsors: Reps. Atkins, Carey, Performance - Legislative Fellow<br>Cathcart, Caulk, Ennis, Gilligan, Hudson, Johnson, Lavelle, Lee, Maier,<br>Mulrooney, Outten, Plant, Roy, Schooley, Schwartzkopf, Spence, Stone, Ulbrich, VanSant & Viola |
| H143-1981 | Maier    | 6/29/2006 | T    | Shannon Connolly - Outstanding<br>cosponsors: Reps. Booth, Cathcart, Performance - Legislative Fellow<br>Caulk, Hall-Long, Marshall, McWilliams, Miro, Mulrooney, Schooley, Ulbrich & Wagner                                                                                    |
| H143-1982 | Stone    | 6/29/2006 | T    | Jonathan Kirch - Outstanding Performance –<br>cosponsors: Reps. Carey, Ennis, Legislative Fellow<br>Fallon, Hocker, Hudson, Johnson, Keeley, Lavelle, Longhurst, Plant, Schwartzkopf, Thornburg,<br>Valihura & Viola                                                            |
| H143-1983 | Valihura | 6/29/2006 | T    | Mithu Inamdar - Outstanding Performance –<br>cosponsors: Reps. Atkins, Legislative Fellow<br>Buckworth, Ewing, Hudson, Johnson, Keeley, Lavelle, Marshall, Outten, Stone & Wagner                                                                                               |
| H143-1984 | Spence   | 6/28/2006 | T    | M. Eileen Schmitt, MD & St. Clare Medical<br>cosponsors: All Representatives Outreach Van - Commitment to Helping<br>Others                                                                                                                                                     |
| H143-1985 | Valihura | 6/25/2006 | M    | Frank Kolling, Jr.<br>cosponsors: Reps. Lavelle, McWilliams & Smith                                                                                                                                                                                                             |

H143-1986 Booth 6/29/2006 T Robert Stickles - Retirement - Sussex  
cosponsors: All Representatives County Administrator

T- Tribute

M - Memoriam

Representatives Cathcart, Schwartzkopf, Hall-Long, Buckworth & DiPinto requested that they be marked present.

The Majority Leader moved to recess for caucus at 4:24 p.m.

The House reconvened at 6:50 p.m. with Representative Buckworth as Acting Speaker.

The Reading Clerk read the following communication into the record:

Delaware General Assembly

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Richard Cathcart, do hereby request that my name be removed as cosponsor of **SCR 44**.

Date: June 30, 2006

Signed: Richard C. Cathcart

Representatives Caulk, Miro, Valihura, Johnson & Oberle requested that they be marked present.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **SB 333**, jointly sponsored by Senator Adams & Senator Vaughn & Representative Spence, before the House for consideration.

**SB 333 - AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 11 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO CERTIFICATION OF QUESTIONS OF LAW TO THE SUPREME COURT. (2/3 bill)**

Representative Valihura made comments.

The roll call on **SB 333** was taken and revealed:

YES: 39.

ABSENT: Representatives Spence & Williams - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 333** was returned to the Senate.

Representatives Gilligan, Keeley, Lavelle, Marshall, Ulbrich, Stone, McWilliams, Ennis & Plant requested that they be marked present during the roll call.

Representative Smith deferred to Representative Booth.

Representative Booth requested and was granted privilege of the floor to present a House Tribute to Robert L. Stickles, Administrator, Sussex County on the occasion of his retirement. Representative Booth introduced a guest. Mr. Stickles addressed the House. Representatives Oberle, Atkins, Gilligan, Ewing, Hocker, Miro, Spence, Carey & Ewing made comments. Mr. Acting Speaker & Representatives Booth & Spence introduced guests. Representative Smith made an announcement. Representative VanSant requested and was granted personal privilege of the floor to introduce a guest.

Representative Smith deferred to Representative Spence.

Representative Spence brought **HB 494**, jointly sponsored by Representative Oberle & Representative Schwartzkopf & Senator McBride & Representatives Atkins, Ewing, VanSant & Ennis & Senator Cloutier, before the House for consideration.

**HB 494 - AN ACT TO AMEND CHAPTER 13, TITLE 24 OF THE DELAWARE CODE RELATING TO REGULATION OF PRIVATE SECURITY AGENCIES.**

Representative Spence made comments.

The roll call on **HB 494** was taken and revealed:

YES: 40.

ABSENT: Representative Marshall - 1.

Therefore, having received a constitutional majority, **HB 494** was sent to the Senate for concurrence.

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

Representative Smith deferred to Representative Valihura.

Representative Valihura moved to suspend the rules which interfere with action on **SB 388**. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Valihura brought **SB 388**, jointly sponsored by Senator Bunting & Representative Stone & Representatives Ennis, Hocker, Hudson, Lavelle, Schwartzkopf & Thornburg & Senators Simpson & Venables & cosponsored by Senator Connor, before the House for consideration.

**SB 388 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE MANUFACTURED HOME OWNERS AND COMMUNITY OWNERS ACT.**

Representative Valihura made comments.

The roll call on **SB 388** was taken and revealed:

YES: 39.

ABSENT: Representatives Lee, Spence - 2.

Therefore, having received a constitutional majority, **SB 388** was returned to the Senate.

Representative Smith moved to suspend the rules which interfere with action on **Consent Agenda**

**Q.** The motion was seconded by Representative Booth and adopted by voice vote.

Representative Smith brought **Consent Agenda Q**, which requires a two-thirds vote, before the House for consideration.

**SB 75 w/SA 1 – VENABLES & REPRESENTATIVE LEE** - An Act to Amend Chapter 288, Volume 64, Laws of Delaware, as Amended, the Charter of the Town of Laurel, as Amended, with Regard to Increasing the Limits for Authorizing General Obligation Bonds, Certificates of Indebtedness or Other Obligations by the Town Council Without the Requirement of a Public Hearing and Special Election, as Well as Increasing the Ceiling for Bonded Indebtedness from 25% to 50% of the Assessed Value of Real Property Within the Limits of the Town of Laurel. (2/3 bill)

**SB 367 – VENABLES** - An Act to Amend Volume 43, Chapter 184, Laws of Delaware as Amended Entitled "An Act Changing the Name of the Town of Seaford to the City of Seaford and Establishing a Charter Therefor", Relating to the Sale of Town Property. (2/3 bill)

The roll call on **Consent Agenda Q** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 75 w/SA 1 & SB 367** were returned to the Senate.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence assigned **SCR 44** to the Policy Analysis & Government Accountability Committee.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart moved to suspend the rules which interfere with lifting **SB 19** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart brought **SB 19**, sponsored by Senator Vaughn & Representative Ennis & cosponsored by Senator Simpson, before the House for consideration.

**SB 19 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL CONSTRUCTION.** (2/3 bill)

Representative Cathcart made comments. Representative Ennis moved to lift **HA 1 to SB 19** from the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Ennis brought **HA 1 to SB 19** before the House for consideration. Representative Ennis made comments. Representative Wagner requested that **HA 1 to HA 1 to SB 19** be stricken.

Representative Wagner requested that **HA 2 to HA 1 to SB 19** be stricken. **HA 1** was adopted by voice vote. Representative Cathcart deferred to Representative Miro. Representative Miro requested that **HA 2 to SB 19** be stricken. Representative Ennis introduced and brought **HA 3 to SB 19** before the House for consideration. Representative Ennis made comments. **HA 3** was adopted by voice vote. Representative Cathcart introduced and brought **HA 4 to SB 19** before the House for consideration. Representative Cathcart made comments. **HA 4** was adopted by voice vote.

The roll call on **SB 19 w/HA 1, 3 & 4** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 19 w/HA 1, 3 & 4** was returned to the Senate for concurrence on **HA 1, 3 & 4**.

Representative Smith moved to suspend the rules which interfere with action on **Consent Agenda O**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **Consent Agenda O**, which requires a two-thirds vote, before the House for consideration and for concurrence on Senate Amendments.

**HB 367 w/HA 1 & SA 4 & 5 – BUCKWORTH & SENATOR VAUGHN & REPRESENTATIVES OUTTEN, STONE, WAGNER, ENNIS, HALL-LONG & CAULK & SENATOR STILL** - An Act to Amend Title 9 of the Delaware Code Relating to the General Powers of the Government of Kent County.

**HB 485 w/HA 1 & 2 & SA 1 – SPENCE & REPRESENTATIVE EWING & REPRESENTATIVE ULBRICH & SENATOR DELUCA & SENATOR SOKOLA & REPRESENTATIVES SMITH, LEE, CAREY, FALLON, HUDSON, LAVELLE, MAIER, MIRO, STONE, VALIHURA & WAGNER** - An Act to Amend Title 11 of the Delaware Code Relating to Crimes and Criminal Procedure.

**HB 510 – ATKINS & SENATOR BUNTING** - 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", Section 26.A., Supplemental Assessment, Subsection (b), to Bring the Supplemental Assessment Quarterly Periods in Line with the Town's Fiscal Year of July 1 to June 30. (2/3 bill)

**SB 379 – MARSHALL & REPRESENTATIVE HALL-LONG** - An Act to Amend Title 24 of the Delaware Code Relating to Professional Land Surveyors. (2/3 bill)

**SB 389 – ADAMS & REPRESENTATIVE EWING; REPRESENTATIVE GILLIGAN** - An Act Amending Title 23 of the Delaware Code Relating to Pilotage. (3/5 bill)

**SB 386 – COOK & REPRESENTATIVE HALL-LONG & SENATOR MARSHALL & REPRESENTATIVE OBERLE** - An Act to Amend Title 24 of the Delaware Code Relating to Geology.

**SB 359 – VAUGHN & REPRESENTATIVE VALIHURA** - An Act to Amend Title 29 of the Delaware Code Relating to the Department of Justice.

Representative Smith requested that **HB 367 w/HA 1 & SA 4 & 5** be removed from **Consent Agenda O**.

The roll call on **Consent Agenda O** was taken and revealed:



YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 485 w/HA 1 & 2 & SA 1** was sent to the Governor, **HB 510** was sent to the Senate for concurrence and **SB 379, SB 389, SB 386 & SB 359** were returned to the Senate.

Representatives Miro & Cathcart requested and were granted personal privilege of the floor to introduce guests. Representative Booth made comments. Representative Oberle introduced a guest. Representative VanSant made a comment. Mr. Speaker Spence introduced a guest.

The Majority Leader moved to recess for caucus and dinner at 7:47 p.m.

The House reconvened at 8:58 p.m. with Representative Oberle as Acting Speaker.

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

APPROPRIATIONS: **HB 97** - 4M.

EDUCATION: **SB 352** - 7M.

HOUSE ADMINISTRATION: **HB 547** - 4M.

JUDICIARY: **SB 337 w/SA 2** - 5M; **SB 354** - 6M; **SB 361** - 5M; **SB 394** - 5M.

Representative Smith moved to suspend the rules which interfere with action on **HB 547**. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Smith brought **HB 547**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 547** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO GENERAL ELECTIONS.

Representative Smith made comments.

The roll call on **HB 547** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & Williams - 2.

Therefore, having received a constitutional majority, **HB 547** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth brought **HB 367 w/HA 1 & SA 4 & 5**, jointly sponsored by Senator Vaughn & Representatives Outten, Stone, Wagner, Ennis, Hall-Long & Caulk & Senators Still & Simpson, before the House for concurrence on **SA 4 & 5**.

**HB 367** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE GENERAL POWERS OF THE GOVERNMENT OF KENT COUNTY.

Representatives Lavelle, Cathcart, Miro, Buckworth & Ennis made comments.

The roll call on **HB 367 w/HA 1 & SA 4 & 5** was taken and revealed:

YES: 39.

NO: Representative Roy - 1.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **HB 367 w/HA 1 & SA 4 & 5** was sent to the Governor.

Representative Cathcart made comments regarding **HB 367**.

Mr. Speaker Spence resumed the Chair.

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

Representative Roy moved to suspend the rules which interfere with introduction of and action on **HB 535**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Roy introduced and brought **HB 535**, jointly sponsored by Senator Venables & Representatives Carey, Lofink, Oberle, Ennis, Keeley, Cathcart, Lavelle, Miro, Stone & Mulrooney & Senators Blevins, Cook, DeLuca, Connor & Simpson, before the House for consideration.

**HB 535** - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2007; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; DEAUTHORIZING AND REAUTHORIZING CERTAIN FUNDS OF THE TRANSPORTATION TRUST FUND; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. (3/4 bill)

Representative Roy moved to place **HB 535** on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Mr. Speaker Spence introduced a guest.

Representative Smith brought **Consent Agenda N** before the House for consideration.

**SB 99 w/SA 2** – BLEVINS & REPRESENTATIVE WAGNER - An Act to Amend Title 11 of the Delaware Code Relating to Criminal Background Checks for Public and Private School Employees.

**HB 528** – HOCKER & SENATOR BUNTING & REPRESENTATIVES ATKINS, BUCKWORTH, CAREY, CATHCART, EWING, HUDSON, LOFINK & MIRO - An Act to Amend Title 16 of the Delaware Code Relating to Powers and Duties of the Department of Health and Social Services. (F/N)

**SB 277** – MARSHALL & REPRESENTATIVE HUDSON - An Act to Amend Title 30 of the Delaware Code Relating to Taxation.

**SB 285** – BLEVINS & REPRESENTATIVE MARSHALL & REPRESENTATIVE MAIER & SENATORS HENRY, SORENSON, CLOUTIER & CONNOR - An Act to Amend Title 16 of the Delaware Code Relating to Access of the Child Death, Near Death, and Still Birth Commission to Protected Health Information and Other Records and Information.

**SB 300** – ADAMS & SENATOR VAUGHN & REPRESENTATIVE LEE - An Act to Amend Titles 10 and 11 of the Delaware Code Relating to Probation Before Adjudication or Judgment.

**SB 334** – VAUGHN & REPRESENTATIVE EWING - An Act to Amend Title 11 of the Delaware Code Relating to Statutes of Limitations.

**SB 371** – ADAMS & SENATOR MCDOWELL & REPRESENTATIVE MARSHALL - An Act to Amend Title 10 of the Delaware Code Relating to the Transfer of Criminal Proceedings in Court of Common Pleas, Justice of the Peace Courts, and Family Court.

**SB 356** – DELUCA & REPRESENTATIVE VALIHURA - An Act to Amend Title 10 of the Delaware Code Relating to Evidence of Juvenile Adjudications.

Representative Smith requested that **SB 99 w/SA 2** & **HB 528** be removed from **Consent Agenda N**.

The roll call on **Consent Agenda N** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **SB 277**, **SB 285**, **SB 300**, **SB 334**, **SB 371** & **SB 356** were returned to the Senate.

Representative Smith deferred to Representative Hocker.

Representative Hocker brought **HB 528**, jointly sponsored by Senator Bunting & Representatives Atkins, Buckworth, Carey, Cathcart, Ewing, Hudson, Lofink & Miro, before the House for consideration.

**HB 528** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (F/N)

Representative Hocker introduced and brought **HA 1** to **HB 528** before the House for consideration. Representative Hocker made a comment. **HA 1** was adopted by voice vote. Representative Hocker made comments.

The roll call on **HB 528 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **HB 528 w/HA 1** was sent to the Senate for concurrence.

Representative Smith brought **SB 99 w/SA 2**, sponsored by Senator Blevins & Representative Wagner, before the House for consideration.

**SB 99** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL BACKGROUND CHECKS FOR PUBLIC AND PRIVATE SCHOOL EMPLOYEES.

Representative Smith moved to place **SB 99 w/SA 2** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Mr. Speaker Spence introduced guests.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought **SS 1 for SB 198 w/SA 1**, jointly sponsored by Senator Sorenson & Senator Blevins & Representative Hall-Long & cosponsored by Senator Cloutier, before the House for consideration.

**SB 198** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO RADON.

Representative Ulbrich made comments.

The roll call on **SS 1 for SB 198 w/SA 1** was taken and revealed:

YES: 39.

NOT VOTING: Representative DiPinto - 1.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **SS 1 for SB 198 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought **SB 374 w/SA 1**, jointly sponsored by Senator DeLuca & Senator Sokola & Representative Gilligan & Representative Maier & Representative Wagner & Senators Adams, McDowell, Sorenson, Venables & Cook & Representatives Spence, Smith, VanSant, Lee, DiPinto, Roy & Schooley, before the House for consideration.

**SB 374 - AN ACT AMENDING TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC EDUCATION FINANCIAL ACCOUNTABILITY.**

Representative Smith requested that **HA 1 to SB 374** be stricken. Representative Smith introduced and brought **HA 2 to SB 374** before the House for consideration. Representative Smith made comments. **HA 2** was adopted by voice vote. Representatives Ulbrich & Wagner made comments. Representative Wagner brought **HA 3 to SB 374** before the House for consideration. **HA 3** was adopted by voice vote. Representative Ulbrich made comments.

The roll call on **SB 374 w/SA 1 & HA 2 & 3** was taken and revealed:

YES: 36.

NO: Representatives Booth, Lavelle, Valihura - 3.

ABSENT: Representatives Caulk & Schwartzkopf - 2.

Therefore, having received a constitutional majority, **SB 374 w/SA 1 & HA 2 & 3** was returned to the Senate for concurrence on **HA 2 & 3**.

Representative Smith deferred to Representative Atkins.

Representative Atkins brought **SB 336 w/SA 1**, jointly sponsored by Senator Vaughn, before the House for consideration.

**SB 336 - AN ACT TO AMEND TITLE 11, CHAPTER 43, RELATING TO DEPARTMENT OF CORRECTION RECORDS.**

Representatives Atkins, Johnson & Oberle made comments. Representative Atkins requested and was granted privilege of the floor for Steven P. Wood, Deputy Attorney General. Representatives Oberle, Maier, Smith, Ennis, Oberle & Maier made comments.

The roll call on **SB 336 w/SA 1** was taken and revealed:

YES: 31.

NO: Representatives Hall-Long, Johnson, Keeley, Maier, Marshall, Oberle, Plant & Schooley - 8.

NOT VOTING: Representative Wagner - 1.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **SB 336 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Marshall.

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

Representative Marshall brought **SB 251 w/SA 1**, jointly sponsored by Senator Sokola & Senator Sorenson & Representative Maier & Senators Amick, Blevins, Cloutier, Cook, Connor, DeLuca, Henry, McBride, Peterson, Venables, Marshall & McDowell & Representatives Buckworth, Carey, Cathcart, Caulk, DiPinto, Ennis, Ewing, Fallon, Gilligan, Hall-Long, Johnson, Keeley, Lee, Lofink, Longhurst, McWilliams, Miro, Mulrooney, Oberle, Plant, Roy, Schwartzkopf, Schooley, Spence, Stone, Ulbrich, Valihura, VanSant, Viola, Wagner & Williams, before the House for consideration.

**SB 251 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FULL-DAY KINDERGARTEN. (F/N)**

Representative Marshall made comments regarding **SB 251**. Representative Booth brought **HA 1 to SB 251** before the House for consideration. Representative Booth made comments. **HA 1** was adopted by voice vote. Representative Smith made comments. Representative Smith introduced and brought **HA 2 to SB 251** before the House for consideration. Representative Smith made comments. **HA 2** was adopted by voice vote. Representatives Lavelle & Marshall made comments.

The roll call on **SB 251 w/SA 1 & HA 1 & 2** was taken and revealed:

YES: 39.

NO: Representative Hocker - 1.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **SB 251 w/SA 1 & HA 1 & 2** was returned to the Senate for concurrence on **HA 1 & 2**.

Representative Marshall made comments regarding **SB 251**. Representatives Ennis & Booth requested and were granted personal privilege of the floor to introduce guests. Mr. Speaker Spence introduced guests.

Representative Smith brought **SB 372 w/SA 1**, jointly sponsored by Senator Adams & Senator Vaughn & Representative Spence, before the House for consideration.

**SB 372 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE DEPARTMENT OF JUSTICE.**

Representative Smith made comments. Representative Smith introduced and brought **HA 1 to SB 372** before the House for consideration. Representative Smith made comments. Representative Smith requested and was granted privilege of the floor for Steven P. Wood, Deputy Attorney General. Representatives Smith, Stone, Valihura & Smith made comments.

The roll call on **HA 1 to SB 372** was taken and revealed:

YES: 39.

NO: Representative Valihura - 1.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **HA 1 to SB 372** was adopted.

The roll call on **SB 372 w/SA 1 & HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **SB 372 w/SA 1 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Smith deferred to Representative Carey.

Representative Carey introduced and brought **HR 88**, sponsored on behalf of All Representatives, before the House for consideration.

**HR 88 - RECOGNIZING STATE REPRESENTATIVE GERALD A. BUCKWORTH FOR 26 YEARS OF FINE LEGISLATIVE SERVICE AND WISHING HIM WELL ON RETIREMENT.**

WHEREAS, Representative Gerald A. Buckworth, after 26 years of service to the citizens of the 34th District and the State of Delaware, is retiring at the end of this year's legislative term; and

WHEREAS, Representative Buckworth began his legislative career in 1980 after being convinced by then-Governor Pete duPont to run for office in a Democratic-controlled district; and

WHEREAS, Representative Buckworth, a Delaware educator for 33 years, served as a teacher, coach and principal in the Caesar Rodney School District; and

WHEREAS, during his legislative tenure, Representative Buckworth spent many hours as a long-time member and Chairman of the Delaware Family Law Commission, an organization created by the General Assembly which was responsible for permanently evaluating Family Court procedures;

WHEREAS, Representative Buckworth, in his service to the Family Law Commission, sponsored legislative initiatives aimed at making public policy improvements on issues which included adoption, child support and divorce; and

WHEREAS, after serving as House Majority Whip for five years, he was appointed to the important budget writing committee, Joint Finance, where, as a ranking member, worked hard to control state spending and return money back to the taxpayers of Delaware when possible; and

WHEREAS, in 1994, Representative Buckworth suffered a personal setback, losing both of his kidneys to a degenerative disease, and then surviving on dialysis for six months until his wife, Vicki, donated one of her kidneys to him; and

WHEREAS, as an organ recipient, Representative Buckworth has been an active proponent of legislation to increase the availability of human organs and tissue in the First State; and

WHEREAS, Representative Buckworth's gentle, fun-loving demeanor and his genuine concern for people will be sorely missed by his colleagues, House staff and the many friends he's made over the years; and

WHEREAS, Representative Buckworth will hopefully enjoy his newly-acquired free time, relaxing with his children and grandchildren, as well as continuing to work on improving his golf game;

NOW THEREFORE:

BE IT RESOLVED by the House of Representatives of the 143rd General Assembly of the State of Delaware that Representative Gerald Buckworth be recognized for his 26 fine years of legislative service; and

BE IT FURTHER RESOLVED that that Representative Buckworth, with his wife Vicki, enjoy retirement, while making sure he is anywhere *but* Legislative Hall at midnight on a future June 30th; and

BE IT FURTHER RESOLVED that Representative Buckworth know in his heart how loved and respected he will remain by the members of this chamber; and

BE IT FURTHER RESOLVED that a suitable prepared copy be presented to Representative Buckworth on this June 30, 2006.

Representative Carey made comments.

**HR 88** was adopted by voice vote.

Representatives Carey, Maier, Ewing, Gilligan, Wagner & Ulbrich made comments. Mr. Speaker Spence & Representatives Smith, Lee, Gilligan & VanSant presented a gift to Representative Buckworth. Representative Buckworth made comments.

Representative Gilligan introduced and brought **HR 92**, jointly sponsored by Representative Lee & Representative Smith & Representative Spence & Representatives Ennis, Hall-Long, Johnson, Keeley, Longhurst, Marshall, McWilliams, Mulrooney, Plant, Schooley, Schwartzkopf, Viola & Williams, before the House for consideration.

**HR 92 - HONORING REPRESENTATIVE JOHN F. VAN SANT, REPRESENTATIVE OF THE 13TH DISTRICT, UPON HIS RETIREMENT FROM THE DELAWARE HOUSE OF REPRESENTATIVES.**

WHEREAS, Representative John F. Van Sant has announced his retirement from the House of Representatives after serving as a Representative for 24 years; and

WHEREAS, Representative John F. Van Sant was born in Wilmington and graduated from Wilmington High School and is on the Wilmington High School Wall of Fame; and

WHEREAS, upon his graduation he enlisted in the United States Coast Guard and upon his discharge has been a member of V.F.W. Post 3257 and American Legion Post 27; and

WHEREAS, he became a Delaware State Police Officer, started the State Police Diving Team and proudly served 20 years in the Delaware State Police retiring in 1973 with the rank of Lieutenant; and

WHEREAS, he became an instructor in the Criminal Justice Program at Delaware Technical and Community College instructing criminal justice students for 29 years, many of whom became police officers throughout the State of Delaware; and

WHEREAS, he was an amateur boxer, a sport for which he has always carried a great passion, supporting the Elsmere Boxing Club and the boxers who trained there, some of whom went on to become professional boxers; and

WHEREAS, he has greatly supported the Center for Therapeutic and Educational Riding, an equine center south of Odessa which has brought great joy for many sick youth throughout the State of Delaware; and

WHEREAS, he first ran for the House in 1980 against Donald Van Sciver in what became known as the "Battle of the Vans" losing by 597 votes. Never the defeatist he came back in 1982 for "Round Two" winning the seat by 258 votes. "Round Three" in 1984, resulted in a victory by 1,440 votes and in 1986, brought with the "Final Round" a "Knock-Out Punch" which concluded the "Battle of the Vans" with a 1,666 vote victory and he has retained his seat ever since; and

WHEREAS, he has proudly served as Minority Whip of this Chamber since 1995; and

WHEREAS, he has been a timeless advocate for his constituents forming a coalition of nearby communities to defeat the expansion of the Chessie Railroad piggyback operation for the citizens of Elsmere and surrounding communities and serving many years as co-Chair of the Little Millcreek Abatement Committee; and

WHEREAS, he has sponsored and supported legislation promoting public safety during his 24 year tenure in the House, up to and including this last Session as a prime sponsor of House Bill No. 256 strengthening the Graduated Driver's License requirements for young drivers in Delaware; and

WHEREAS, the above accomplishments were achieved with a leadership style of openness, honesty and integrity that was the essence of his service to the people of the State of Delaware; and

WHEREAS, through the years he has had the love and support of his dear wife Anita; and

WHEREAS, he is the proud father of three children, John, Jr., Stephanie and Kimberly and proud grandfather to his seven grandchildren; and

WHEREAS, the Delaware House of Representatives is truly fortunate to have had such an exceptional member and Leader who has served this legislative body and the State of Delaware with the utmost professionalism and dedication.

NOW THEREFORE:

BE IT RESOLVED that the House of Representatives of the 143rd General Assembly of the State of Delaware congratulates John F. Van Sant on his 24 years as a member of the House and wishes him well in his retirement.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be presented to Representative John F. Van Sant

Representative Gilligan made comments. **HR 92** was adopted by voice vote.

Representative Gilligan requested and was granted privilege of the floor for David Tiberi, representing the Elsmere Boxing Club, who presented a gift to Representative VanSant. Mr. Speaker Spence & Representatives Smith, Lee & Gilligan presented a gift to Representative VanSant. Representative VanSant made comments. Representative Ennis requested and was granted personal privilege of the floor to make comments. Representative VanSant made comments. Representative Williams requested and was granted personal privilege of the floor to make comments. Representatives Keeley, Hudson, Atkins, Ulbrich, Ewing & VanSant made comments.

Representative Smith deferred to Representative Ewing.

Representative Ewing introduced and brought **HR 87**, sponsored on behalf of All Representatives, before the House for consideration.

Representative Ewing made comments.

**HR 87 - BIDDING A FOND FAREWELL TO OUR COLLEAGUE AND FRIEND, TINA FALLON, AS SHE RETIRES FROM THE DELAWARE GENERAL ASSEMBLY AFTER 28 YEARS OF DEDICATED PUBLIC SERVICE AS THE STATE REPRESENTATIVE FROM THE 39TH DISTRICT.**

**HR 87** was read into the record by Representative Smith:

WHEREAS, in 1978 Tina Fallon defeated incumbent Thomas Temple to become the first woman elected to the House of Representatives from the 39th District; and

WHEREAS, after completing her first legislative session, Representative Fallon was awarded the honor of "Rookie of the Year" by the Delaware State News; and

WHEREAS, Representative Fallon was a pioneer in Sussex County politics, as no woman had ever held a House seat representing a Sussex County district until her victory; and

WHEREAS, Representative Fallon is by far one of the most active State Representatives when it comes to community involvement; her dedication to improving her district and the lives of those in it is well illustrated in the many organizations she has belonged to and worked hard for, which include the Seaford

Business Professional Women, the Seaford Historical Society, the Greater Seaford Chamber of Commerce, the Seaford Education Association, the Nanticoke Memorial Hospital Association and the Rotary Club; and

WHEREAS, as a former teacher and Chair of the House Education Committee, Representative Fallon knew how critical basic classroom supplies, such as textbooks, were to a child's educational success, which is why she was the prime sponsor of the landmark Education Equalization Funding Act, which improved the quality of education for thousands for Delaware's children; and

WHEREAS, as Chair of the House Tourism Committee, Representative Fallon has shown herself to be a strong leader for the State's tourism industry by sponsoring key initiatives that increased the promotion of tourism in the great State of Delaware, from funding raised through the State lodging tax and efforts to develop a tourism marketing plan to service as a highly visible spokesperson for our tourism industry; and

WHEREAS, Representative Fallon's hard work and dedication to this vital commerce industry earned her the Governor's Travel and Tourism Person of the Year Award in 1998; and

WHEREAS, Representative Fallon is the recipient of many prestigious awards and honors which include the National Republican Legislators Association's Legislator of the Year Award, the Distinguished Service Award from the Delaware State Bar Association, the Alumni Award for Education and the Second Mile Award for Education from the University of Delaware; and

WHEREAS, Representative Fallon is a shining example of what it means to be a truly remarkable representative, as she is always accessible to her constituents, with an open ear to listen to their concerns and a deep commitment to their well being, always ready to act on their behalf; and

WHEREAS, Representative Fallon's commitment to the health, welfare and economic well being of the community is well renowned, for, as a member of the Joint Finance Committee, Representative Fallon was instrumental in earmarking funding for the Western Sussex Boys and Girls Club, the Seaford Police Department and the Volunteer Fire Department, in addition to fighting hard and receiving the funding to build a marina in the economically depressed Town of Blades, creating new jobs and a much needed economic revitalization; and

WHEREAS, when it comes to utilizing legislative staff, there is no greater master than Representative Tina Fallon, for she will not hesitate to enlist the help of any staffer she sees in passing, on any issue, on any given day; and

WHEREAS, her sunny disposition, stylish flair and upbeat attitude will be deeply missed by her colleagues and staff of the Delaware General Assembly; and

WHEREAS, Representative Tina Fallon will go down in history as one of the great trailblazers for women in politics in Delaware.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 143rd General Assembly of the State of Delaware that we hereby thank Representative Tina Fallon for her 28 years of distinguished public service to the citizens of Delaware.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be presented to Representative Tina Fallon on this day, June 30, 2006.

Representative Smith made comments.

**HR 87** was adopted by voice vote.

Representative Fallon made comments. Mr. Speaker Spence & Representatives Smith, Lee, Gilligan & VanSant presented a gift to Representative Fallon. Representatives Smith, Fallon, Cathcart, Wagner, Oberle, Gilligan, Ewing, Ulbrich & Smith made comments.

Representative Smith deferred to Representative Carey.

Representative Carey introduced and brought **HR 91**, sponsored on behalf of All Representatives, before the House for consideration.

**HR 91 - RESOLUTION HONORING REPRESENTATIVE G. WALLACE CAULK FOR HIS FAITHFUL TWENTY-TWO YEARS OF PUBLIC SERVICE.**

WHEREAS, Representative G. Wallace Caulk, Jr. was elected to the 33rd District in the House of Representatives in 1984 and has served that district and the State faithfully for 22 years; and

WHEREAS, Representative Caulk has served as a leader of the Delaware agriculture community for decades, both through his leadership of the House Agriculture Committee and as Executive Director of the Delaware Farm Bureau; and

WHEREAS, Representative Caulk was named one of the National Legislators of the Year by the National Republican Legislators Association in 2001 for his work on Agricultural Land Preservation, school finance reform and other notable initiatives; and

WHEREAS, Representative Caulk has been a strong voice and has provided excellent constituent services for the citizens of the 33rd District and Kent County for nearly three decades; and

WHEREAS, Representative Caulk's wisdom, independence and friendship will be sorely missed by many in Legislative Hall upon his retirement from this Chamber.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 143rd General Assembly of the State of Delaware that Representative G. Wallace Caulk, Jr. be recognized for his 22 years of legislative services.



BE IT FURTHER RESOLVED that the House of Representatives wish Representative Caulk and his wife, Barbara, many years of health and happiness upon his retirement.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be presented to Representative Caulk on this June 30, 2006.

Representatives Carey, Smith, VanSant & McWilliams made comments.

**HR 91** was adopted by voice vote.

The Majority Leader moved to adjourn the Second Session of the 143rd General Assembly at 12:00 midnight.

Mr. Speaker Spence called the House to order at 12:00 a.m. on July 1, 2006.

**1st LEGISLATIVE DAY – 143rd GENERAL ASSEMBLY – First Special Session  
July 1, 2006**

The Reading Clerk read the following communication into the record:

TO: The Members of the 143rd General Assembly  
FROM: John C. Carney, Jr., Lieutenant Governor of the State of Delaware  
Terry R. Spence, Speaker of the House of Representatives  
SUBJECT: Special Session  
DATE: July 01, 2006

Pursuant to the provisions of Article II, Section 4 of the Constitution of the State of Delaware of 1897, as amended, we hereby declare the 143rd General Assembly of the State of Delaware in Special Session.

John C. Carney, Jr., Lieutenant Governor  
and President of the Senate  
Terry R. Spence  
Speaker of the House of Representatives

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Caulk - 1.

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

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

Mr. Speaker Spence announced that the minutes of the previous legislative day are available in the Office of the Chief Clerk.

Representative Stone requested that she be marked present.

Representative Smith deferred to Representative Oberle.

Representative Oberle introduced and brought **HR 86**, sponsored on behalf of All Representatives, before the House for consideration.

**HR 86 – COMMENDING ROGER ROY FOR HIS 30 YEARS OF SERVICE TO THE CITIZENS OF THE STATE OF DELAWARE.**

WHEREAS, Roger Roy was born on December 17, 1940 in a far-off land known as Biddeford, Maine; and

WHEREAS, Roger Roy chose to undertake the arduous journey to the First State, and to call Delaware his home; and

WHEREAS, Roger Roy was able to overcome the handicap of having a unique command of the English language to successfully win a State House seat in 1976; and

WHEREAS, as Chairman of the influential Joint Bond Bill Committee, Rep. Roy has been responsible for crafting Delaware's annual capital spending plan; and

WHEREAS, Roger Roy's leadership has been instrumental in the Committee's sound financial management, which has helped Delaware earn and maintain the highest bond rating possible; and

WHEREAS, Roger Roy has helped protect children by authoring of Delaware's version of Megan's Law, which requires notification to area residents when a convicted sex offender moves into a community; and

WHEREAS, Rep. Roy was also the author of pro-active legislation requiring registered sex offenders to have their status indicated with a special designation on their driver's license; and

WHEREAS, after many years of attempting to pass legislation that would allow for Sunday liquor sales in Delaware, Rep. Roy successfully sponsored such a bill in 2003; and

WHEREAS, Sunday liquor sales have been credited with generating increased state revenue and offering consumers greater choice; and

WHEREAS, Rep. Roy's long-experience and expertise in the areas of transportation, electric utilities, and capital financing have been invaluable to this General Assembly.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 143rd General Assembly of the State of Delaware that we hereby commend Roger P. Roy for his unwavering dedication to his official duties during the past three decades.

BE IT FURTHER RESOVLED that we extend our heartfelt appreciation to Roger Roy for his commitment to public service which has been exemplified throughout his distinguished and lengthy career.

BE IT FURTHER RESOLVED that a properly prepared copy of this Resolution be presented to Roger Roy for suitable display in his home, lest he forget his colleagues who will be forced to work doubly-hard to fill the void his departure will create.

Representatives Oberle, Gilligan, Cathcart & Oberle made comments. **HR 86** was adopted by voice vote. Representatives Atkins, Lofink, Miro, Stone, Ulbrich, Carey, Keeley & Lavelle made comments. Mr. Speaker Spence & Representatives Smith, Lee, Gilligan & VanSant presented a gift to Representative Roy. Representative Roy made comments. Mr. Speaker Spence granted privilege of the floor to former Representative Philip Corrozi.

The Majority Leader moved to recess at 12:50 a.m.

The House reconvened at 1:10 a.m.

Representative Roy introduced **HR 20A**, jointly sponsored by Representative VanSant & Representative Fallon & Representative Buckworth.

**HR 20A – ESTABLISHING “RETIREE” LICENSE PLATES.**

WHEREAS, any person, upon their election to the General Assembly, is eligible for a legislative license plate; and

WEHREAS, any legislator with a legislative license plate is known throughout the State by the initials upon that license plate; and

WHEREAS, a legislative license plate becomes an identifying mark to all police agencies statewide; and

WHEREAS, any legislator with a legislative license plate is believed to have immunity from the posted speed limits while traveling on legislative business; and

WHEREAS, all legislator’s minds are always working on legislative business as they travel across this State and others; and

WHEREAS, many legislators retired from the “State Police” have been elected to the General Assembly; and

WHEREAS, those members have the advantage of this identifying license plate into perpetuity.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 143rd General Assembly of the State of Delaware that it shall be known that retired legislators, in an effort to maintain the motoring style to which they’ve become accustomed, will be issued a “Retired Legislator License Plate”.

BE IT FURTHER RESOLVED that the “Retired Legislator License Plate” will be proudly displayed on the rear bumper, while the license plate of the “Retired Police” will be placed on the front bumper.

Representative Roy made comments.

**HR 20A** was adopted by voice vote.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules that would interfere with introduction of and action on **SJR 13**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative DiPinto introduced and brought **SJR 13**, jointly sponsored by Senator Cook & Senators Amick, Cloutier, Henry, McBride & Vaughn & Representatives Buckworth, Fallon, Schwartzkopf, Ulbrich & Williams, before the House for consideration.

**SJR 13 – THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2006.**

Representative DiPinto made comments.

The roll call on **SJR 13** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk – 1.

Therefore, having received a constitutional majority, **SJR 13** was returned to the Senate.

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

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules that would interfere with introduction of and action on **SJR 12**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative DiPinto introduced and brought **SJR 12**, jointly sponsored by Senator Cook & Senators Amick, Cloutier, Henry, McBride & Vaughn & Representatives Buckworth, Fallon, Schwartzkopf, Ulbrich & Williams, before the House for consideration.

**SJR 12 – THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2007.**

Representative DiPinto made comments.

The roll call on **SJR 12** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk – 1.

Therefore, having received a constitutional majority, **SJR 12** was returned to the Senate.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules that would interfere with introduction of and action on **SB 350**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative DiPinto introduced and brought **SB 350**, jointly sponsored by Senator Cook & Senators Henry, McBride, Vaughn, Amick & Cloutier & Representatives Buckworth, Fallon, Ulbrich, Schwartzkopf & Williams, before the House for consideration.

**SB 350 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2007; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.**

Representatives DiPinto, Hudson & Gilligan made comments. Representatives Wagner & Roy announced that they will not be voting on **SB 350** because of a possible conflict of interest. Representatives Lavelle & DiPinto made comments.

The roll call on **SB 350** was taken and revealed:

YES: 26.

NO: Representatives Atkins, Booth, Carey, Cathcart, Hocker, Hudson, Lavelle, Lofink, Oberle, Outten, Stone & Valihura - 12.

NOT VOTING: Representatives Roy, Wagner - 2.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **SB 350** was returned to the Senate.

Representative Smith made an announcement.

Representative Smith read the following communication into the record:

#### MEMORANDUM

TO: Representative Terry Spence  
Representative Wayne Smith  
Representative Biff Lee  
Representative Bob Gilligan  
Representative John Van Sant  
FROM: Representative Joe DiPinto  
DATE: June 30, 2006

This is a thank you note.

Now that the House has acted upon the critical money bills, I'd like to express my sincere thanks to the House Leadership and to my esteemed colleagues for the support and encouragement given to me and to the other members of the Joint Finance Committee. You have given us your trust and the authority to act on your behalf to fashion a budget and a grants bill which are both balanced and affordable. We are grateful for that trust.

Because of many demands and some costs beyond our control, our budget now exceeds \$3 billion. The work done by the Joint Finance Committee to achieve a balanced budget, within the 98% revenue limits was often tedious and sometimes contentious – but exceptional. The House members of the team – our beloved Tina Fallon and Gerry Buckworth; our security team of Dennis Williams and Pete Schwartzkopf and our conscience, Stephanie Ulbrich – were worthy of the jobs given to them. It has been an honor to be associated with them.

I can't thank you all enough...

And by the way, this seems to be the appropriate time to announce that I will not seek re-election this November. Pat and I have decided to renew acquaintance and I have embarked upon a study entitled "The Characteristics and Qualities of Exceptional Feline Companions", as we seek to replace the late Francis Albert (also known as Old Blue Eyes) who went to his maker several months ago.

As I take my leave, consider the following thoughts:

- "If you don't know where you are going, any road will take you there" – Lewis Carroll
  - "Good judgment comes from experience, and experience – well, that comes from poor judgment" – A.A. Milne
  - "If the only tool you have is a hammer, every problem looks like a nail" – unknown
- and, because you will always be assailed by criticism, remember the words of Kenneth Tynan, "A critic is a man who knows the way but can't drive the car".

Bless you all.

Representatives DiPinto, Smith, Buckworth, Keeley, Gilligan, Williams, Ulbrich, Schwartzkopf & DiPinto made comments.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with lifting **HB 535** from the Speaker's Table. The motion was properly seconded by and adopted by voice vote.

Representative Roy brought **HB 535**, jointly sponsored by Senator Venables & Representatives Carey, Lofink, Oberle, Ennis, Keeley, Cathcart, Lavelle, Miro, Stone & Mulrooney & Senators Blevins, Cook, DeLuca, Connor & Simpson, before the House for consideration.

**HB 535 - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2007; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL**

FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; DEAUTHORIZING AND REAUTHORIZING CERTAIN FUNDS OF THE TRANSPORTATION TRUST FUND; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. (3/4 bill)

The Reading Clerk read the following communication into the record:

**DEBT LIMIT STATEMENT FOR FISCAL YEAR 2007**

This Debt Limit Statement is to be attached to the Fiscal Year 2007 Bond and Capital Improvement Act as required by §7422, Title 29, Delaware Code.

- |      |                                                                                                                                                                                                                                                                    |                           |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| (2)  | Estimated Net General Fund revenue for the Fiscal year ending June 30, 2007 as per the joint resolution of the House and Senate which will be signed by the Governor in connection with the adoption of the annual Budget Appropriation Bill for that fiscal year. | <u>\$ 3,276.7 million</u> |
| (2)  | Multiply by 5%                                                                                                                                                                                                                                                     | X .05                     |
| (3)  | Maximum aggregate principal amount of tax-supported obligations which may be authorized by the State in the fiscal year ending June 30, 2007.                                                                                                                      | \$ 163.8 million          |
| (8)  | Less: Aggregate principal amount of previously authorized tax-supported obligations subject to debt limit.                                                                                                                                                         | <u>\$ 0 million</u>       |
| (9)  | AVAILABLE DEBT LIMIT prior to appended legislation (Line 3 minus Line 4).                                                                                                                                                                                          | \$ 163.8 million          |
| (10) | Less: Aggregate principal amount of new tax-supported obligations subject to debt limit to be authorized pursuant to appended legislation.                                                                                                                         | <u>\$ 0 million</u>       |
| (11) | REMAINING DEBT LIMIT (Line 5 minus Line 6).                                                                                                                                                                                                                        | <u>\$ 163.8 million</u>   |
- Richard S. Cordrey  
June 30, 2006

Representative Roy made comments.

The roll call on **HB 535** was taken and revealed:

YES: 39.

NO: Representative Lavelle - 1.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **HB 535** was sent to the Senate for concurrence.

Representatives Lavelle, Roy & Oberle made comments regarding **HB 535**.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto brought **HB 490**, jointly sponsored by Senator McDowell & Representatives Spence, Booth, Buckworth, Ewing, Hudson, Maier, Miro, Oberle, Ulbrich, Valihura, Wagner, Ennis, Hall-Long & Plant & Senators Henry & Sorenson, before the House for consideration.

**HB 490 - AN ACT TO AMEND CHAPTER 4, TITLE 29 OF THE DELAWARE CODE RELATING TO BUILDINGS AND GROUNDS, TO PROMOTE CULTURE AND THE ARTS IN STATE BUILDINGS. (F/N)**

Representative DiPinto made comments.

The roll call on **HB 490** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **HB 490** was sent to the Senate for concurrence.

Representative Smith moved to suspend the rules which interfere with action on **Consent Agenda M**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **Consent Agenda M** before the House for consideration.

**SB 377 – BUNTING & REPRESENTATIVE HOCKER & SENATORS ADAMS & SIMPSON & REPRESENTATIVES SCHWARTZKOPF, BOOTH & CAREY - An Act to Amend Title 7 of the Delaware Code Relating to Beach Preservation.**

**SB 383 – MARSHALL & REPRESENTATIVE HALL-LONG - An Act to Amend Title 24 of the Delaware Code Relating to the Examining Board of Physical Therapists and Athletic Trainers**

**SB 358 w/SA 1 – HENRY & REPRESENTATIVE EWING - An Act to Amend Title 21 of the Delaware Code Relating to Commercial Driver Licenses and Commercial Motor Vehicles.**

**SJR 11 – PETERSON & REPRESENTATIVE GILLIGAN & SENATOR BLEVINS & REPRESENTATIVE HUDSON - Directing the Secretary of the Office of Management and Budget to**

Dedicate the Wing of the Absalom Jones Community Center Housing the Wagstaff Day Care Center and New Castle County Head Start Classrooms in Honor of Ethel Mae Cooper.

**SB 395 w/SA 1 – COOK & REPRESENTATIVE DIPINTO & REPRESENTATIVE WAGNER**  
- An Act to Amend Title 29 of the Delaware Code Regarding Employee Disability Benefits.

**SB 273 – PETERSON & SENATORS SOKOLA, BONINI & REPRESENTATIVES MAIER, ENNIS, GILLIGAN, KEELEY, VIOLA & WILLIAMS** – An Act to Amend Title 7 of the Delaware Code Regarding Dangerous Dogs.

**SB 385 – COPELAND & REPRESENTATIVE ULBRICH** - An Act to Amend Title 24 of the Delaware Code Relating to the Medical Practice Act.

**SB 390 w/SA 1 – SOKOLA & REPRESENTATIVE ROY & REPRESENTATIVE MIRO** - An Act to Amend Title 16 of the Delaware Code Related to Health and Safety and Explosive Materials.

**SB 394 – SORENSON & REPRESENTATIVE MIRO & SENATORS AMICK, BUNTING & MCDOWELL & REPRESENTATIVES MAIER, MARSHALL, OBERLE, SCHOOLEY, SPENCE & VALIHURA** - An Act Authorizing Family Court to Grant Extended Jurisdiction over Marilu Sandoval Ramirez and Elvira Chilel Niz.

Representative Smith requested that **SB 273** be removed from **Consent Agenda M**.

The roll call on **Consent Agenda M** was taken and revealed:

YES: 40.

ABSENT: Representative Caulk - 1.

Therefore, having received a constitutional majority, **SB 377, SB 383, SB 358 w/SA 1, SJR 11, SB 395 w/SA 1, SB 385, SB 390 w/SA 1 & SB 394** were returned to the Senate.

Representative Smith brought **SB 273**, sponsored by Senator Peterson & Senators Sokola & Bonini & Representatives Maier, Ennis, Gilligan, Keeley, Viola & Williams, before the House for consideration.

**SB 273 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE REGARDING DANGEROUS DOGS.**

Representative Smith moved to place **SB 273** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **Consent Calendar #32** before the House for consideration.

**HR 81 – MAIER & REPRESENTATIVE HUDSON** -Commending the Brady Kohn Foundation, Community Blood Services and the Christiana Health Care System for Their Efforts in Creating the First Free Public Umbilical Cord Blood Bank in Delaware.

**HR 82 – STONE** - Establishing the Grocery Store Beer Sales Task Force to Study the Feasibility of Beer Sales in Grocery Stores.

**HR 83 - WAGNER** - Establishing a Task Force to Review Charter Schools in Delaware.

**HR 84 – SPENCE & REPRESENTATIVE DIPINTO & REPRESENTATIVE VANSANT** - Establishing a Speakers Task Force on Innovative Sentencing Methods for the State of Delaware.

**HCR 75 – WAGNER & SENATOR SOKOLA** - Establishing a Task Force to Review Charter Schools in Delaware.

**SCR 44 – VENABLES & REPRESENTATIVE ATKINS & SENATORS ADAMS, BONINI, BUNTING & COPELAND & REPRESENTATIVES BUCKWORTH, CAREY, CATHCART, EWING, HOCKER, HUDSON, LEE, MAIER, OUTTEN, STONE, THORNBURG & ULBRICH** - A Resolution Creating A Land Protection Oversight Committee

**SCR 45 – MCDOWELL & REPRESENTATIVE SPENCE & SENATORS HENRY, COPELAND, SOKOLA, CLOUTIER & MARSHALL & REPRESENTATIVES DIPINTO, MCWILLIAMS, PLANT, JOHNSON, KEELEY & BUCKWORTH** - Establishing a Blue Ribbon Task Force to Investigate and Make Recommendations Thereto as to the Feasibility of Developing a Sustainable Energy Utility Within the State of Delaware.

**SCR 46 – MCDOWELL & REPRESENTATIVE DIPINTO** - Resolving that the City of Wilmington is Urged to Conduct a Phase II Site Assessment of the Bancroft Mill Property.

Representative Smith requested that **HR 82 & SCR 44** be removed from **Consent Calendar #32**.

Mr. Speaker Spence requested that **SCR 47** be placed on **Consent Calendar #32**.

**SCR 47 – CLOUTIER & REPRESENTATIVE SPENCE** -Congratulating John and Grace Modica on the Celebration of Their Fiftieth Wedding Anniversary.

Representative Smith deferred to Representative Oberle.

Representative Oberle introduced **HR 89**, jointly sponsored by Representative Cathcart & Representative Lofink.

**HR 89 - ESTABLISHMENT OF A TASK FORCE TO REVIEW SERVICE NEEDS FOR ADULTS ON THE AUTISM SPECTRUM.**

Representative Oberle requested that **HR 89** be placed on **Consent Calendar #32**.

Representative Smith deferred to Representative Stone.

Representative Stone introduced **HR 94**.

**HR 94 - CREATING THE HEALTH INSURANCE ENTITIES TASK FORCE.**

Representative Stone requested that **HR 94** be placed on **Consent Calendar #32**. Representative Smith requested that **HR 94** be removed from **Consent Calendar #32**.

Representative Smith requested that **Consent Calendar #32** be placed on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

The Majority Leader moved to recess for caucus at 2:13 a.m.

The House reconvened at 2:55 a.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 401 w/SA 1 & SA 3, SB 365, SB 400, SB 396, SB 346 SCR 47, SB 350, SJR 12, SJR 13, SB 318 w/SA 1 & SB 380** and requests the concurrence of the House. The Senate wishes to inform the House that it has passed and requests the concurrence of the House; **HB 471, HB 510, HB 328 w/HA 1, HB 441, HB 529, HB 200, HB 429 w/HA 1, HB 95 w/HA 2, HB 515, HB 235, HB 531 & HB 404 w/HA 1 & 2 & SA 1** and is returning same to the House.

Representative Smith introduced **HR 93**, sponsored by Representative Maier & Representative Spence.

**HR 93- ESTABLISHING A SPEAKERS TASK FORCE TO STUDY MENTAL HEALTH ISSUES FOR THE CITIZENS OF THE STATE OF DELAWARE.**

Representative Smith requested that **HR 93** be placed on **Consent Calendar #32**.

Representative Smith brought **Consent Calendar #32** before the House

**HR 81 – MAIER & REPRESENTATIVE HUDSON** -Commending the Brady Kohn Foundation, Community Blood Services and the Christiana Health Care System for Their Efforts in Creating the First Free Public Umbilical Cord Blood Bank in Delaware.

**HR 83 - WAGNER** - Establishing Task Force to Review Charter Schools in Delaware.

**HR 84 – SPENCE & REPRESENTATIVE DIPINTO & REPRESENTATIVE VANSANT** - Establishing a Speakers Task Force on Innovative Sentencing Methods for the State of Delaware.

**HCR 75 – WAGNER & SENATOR SOKOLA** - Establishing a Task Force to Review Charter Schools in Delaware.

**SCR 45 – MCDOWELL & REPRESENTATIVE SPENCE & SENATORS HENRY, COPELAND, SOKOLA, CLOUTIER & MARSHALL & REPRESENTATIVES DIPINTO, MCWILLIAMS, PLANT, JOHNSON, KEELEY & BUCKWORTH** - Establishing a Blue Ribbon Task Force to Investigate and Make Recommendations Thereto as to the Feasibility of Developing a Sustainable Energy Utility Within the State of Delaware.

**SCR 46 – MCDOWELL & REPRESENTATIVE DIPINTO** - Resolving That the City of Wilmington is Urged to Conduct a Phase II Site Assessment of the Bancroft Mill Property.

**SCR 47 – CLOUTIER & REPRESENTATIVE SPENCE** - Congratulating John and Grace Modica on the Celebration of Their Fiftieth Wedding Anniversary

**HR 89 – OBERLE & REPRESENTATIVE CATHCART & REPRESENTATIVE LOFINK** - Establishment of a Task Force to Review Service Needs for Adults on the Autism Spectrum.

**HR 93 – MAIER & REPRESENTATIVE SPENCE** - Establishing a Speakers Task Force to Study Mental Health Issues for the Citizens of the State of Delaware.

**Consent Calendar #32** was adopted by voice and **HR 81, HR 83, HR 84, HR 89 & HR 93** were declared passed, **HCR 75** was sent to the Senate for concurrence and **SCR 45, SCR 46 & SCR 47** were returned to the Senate.

Representative Smith deferred to Representative Stone.

Representative Stone brought **HR 82** before the House for consideration.

**HR 82 - ESTABLISHING THE GROCERY STORE BEER SALES TASK FORCE TO STUDY THE FEASIBILITY OF BEER SALES IN GROCERY STORES.**

Representative Stone made comments. Representative Marshall introduced and brought **HA 1 to HR 82** before the House for consideration. Representatives Marshall & Stone made comments. **HA 1** was adopted by voice vote.

**HR 82 w/HA 1** was adopted by voice vote.

Representative Smith deferred to Representative Stone.

Representative Stone brought **HR 94** before the House for consideration.

**HR 94 - CREATING THE HEALTH INSURANCE ENTITIES TASK FORCE.**

Representative Stone made comments.

**HR 94** was adopted by voice vote.

Representative Smith deferred to Representative Valihura.

Representative Valihura moved to suspend the rules which interfere with action on **SB 337 w/SA 2**. The motion was seconded by Representative Stone and adopted by voice vote.

Representative Valihura brought **SB 337 w/SA 2**, sponsored by Senator Blevins & Representative Hudson, before the House for consideration.

**SB 337 – AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTS AND CHILDREN IN THE FAMILY COURT OF THE STATE OF DELAWARE.**

Representative Valihura made a comment.



Representative Marshall brought **HA 1 to SB 337** before the House for consideration. Representative Marshall made comments. Representative Valihura requested and was granted privilege of the floor for Steven P. Wood, Deputy Attorney General. Representatives Valihura & Marshall made comments. **HA 1** was defeated by voice vote.

The roll call on **SB 337 w/SA 2** was taken and revealed:

YES: 35.

NO: Representatives Johnson, Keeley, Plant & Williams - 4.

ABSENT: Representatives Caulk & VanSant - 2.

Therefore, having received a constitutional majority, **SB 337 w/SA 2** was returned to the Senate.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on **SB 400**. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative DiPinto introduced and brought **SB 400**, jointly sponsored by Senator Cook & Senators Henry, McBride, Vaughn, Amick & Cloutier & Representatives Buckworth, Fallon, Ulbrich, Schwartzkopf & Williams, before the House for consideration.

**SB 400 - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2007; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2007 APPROPRIATIONS ACT; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (3/4 bill)**

Representative DiPinto made comments.

The roll call on **SB 400** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & VanSant - 2.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **SB 400** was returned to the Senate.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on **SB 396**. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative DiPinto introduced and brought **SB 396**, jointly sponsored by Senator Cook & Representative Oberle & All Senators & All Representatives, before the House for consideration.

**SB 396 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS. (F/N)**

Representative DiPinto made comments.

The roll call on **SB 396** was taken and revealed:

YES: 39.

ABSENT: Representatives Caulk & VanSant - 2.

Therefore, having received a constitutional majority, **SB 396** was returned to the Senate.

Representative Smith deferred to Representative Gilligan.

Representative Gilligan requested and was granted personal privilege of the floor to introduce a guest and to make comments. Mr. Speaker Spence introduced a guest.

Representative Smith deferred to Representative Hocker.

Representative Hocker moved to suspend the rules which interfere with action on **SB 397**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Hocker brought **SB 397**, jointly sponsored by Senator Venables & Representatives Atkins, Buckworth, Carey, Ewing, Hudson, Lee, Maier, Outten, Stone, Thornburg & Ulbrich & Senators Adams, Bonini, Bunting & Copeland, before the House for consideration.

**SB 397 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO STATE RESOURCE MAPS.**

Representative Hocker made comments. Representative Valihura introduced and brought **HA 1 to SB 397** before the House for consideration. Representatives Valihura, Hocker & Valihura made comments.

The roll call on **HA 1 to SB 397** was taken and revealed:

YES: Representatives Ennis, Gilligan, Hudson, Keeley, Longhurst, Marshall, McWilliams, Mulrooney, Oberle, Roy, Schooley, Valihura & Viola - 13.

NO: 21.

NOT VOTING: Representatives Hall-Long, Johnson, Lavelle & Schwartzkopf - 4.

ABSENT: Representatives Caulk, Plant & VanSant - 3.

Therefore, not having received a constitutional majority, **HA 1 to SB 397** was declared defeated.

The roll call on **SB 397** was taken and revealed:

YES: 21.

NO: Representatives Ennis, Gilligan, Hudson, Keeley, Longhurst, Marshall, McWilliams, Mulrooney, Oberle, Roy, Schooley, Valihura, Viola & Williams - 14.

NOT VOTING: Representatives Hall-Long, Johnson & Schwartzkopf - 3.

ABSENT: Representatives Caulk, Plant & VanSant - 3.

Therefore, having received a constitutional majority, **SB 397** was returned to the Senate.

Representative Smith made an announcement.

Representative Smith requested that **SB 318 w/SA 1, SB 401 w/SA 1 & 3, SB 365, HB 543 & HB 545** be added to **Consent Agenda R**.

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

APPROPRIATIONS: **HB 543** - 4F.

JUDICIARY: **SB 327** - 5M.

REVENUE & FINANCE: **HB 545** - 7M.

Representative Smith moved to suspend the rules which interfere with action on **Consent Agenda R**. The motion was properly seconded and adopted by voice vote.

Representative Smith brought **Consent Agenda R**, which requires a three-fourths vote, before the House for consideration.

**SB 368** – SORENSON & SENATOR CLOUTIER & REPRESENTATIVE MAIER & SENATORS BLEVINS, CONNOR, SIMPSON & SOKOLA & REPRESENTATIVES BUCKWORTH, SCHOOLEY & SMITH - An Act to Amend Title 16 of the Delaware Code Relating to Testing of Pregnant Women for HIV Infection.

**SB 275 w/SA 1** – BLEVINS & REPRESENTATIVE MAIER & SENATORS HENRY, PETERSON & CONNOR - An Act to Amend Title 29 of the Delaware Code Relating to the Division of Services for Aging and Adults with Physical Disabilities and Title 31 of the Delaware Code Relating to the Delaware Commission for the Blind.

**SB 278** – MARSHALL & REPRESENTATIVE HUDSON - An Act to Amend Title 30 of the Delaware Code Relating to Taxation.

**SB 352** – ADAMS & REPRESENTATIVE EWING & REPRESENTATIVES LEE, ATKINS, BOOTH, CAREY, FALLON, HOCKER & SCHWARTZKOPF & SENATORS BUNTING, VENABLES & SIMPSON - An Act to Authorize and Approve the Transfer of Certain Real Property from the Board of Trustees of Delaware Technical and Community College to the Delaware Technical and Community College Educational Foundation. (3/4 bill)

**SB 318 w/SA 1** – MARSHALL & REPRESENTATIVE OBERLE - An Act to Amend Titles 16 and 29 of the Delaware Code Relating to Health and Safety and State Government. (F/N)

**SB 401 w/SA 1 & 3** – MCDOWELL & REPRESENTATIVE OBERLE & SENATORS CLOUTIER, CONNOR, MARSHALL, MCBRIDE & PETERSON & REPRESENTATIVES DIPINTO, ENNIS, GILLIGAN, JOHNSON, LOFINK, LONGHURST, MULROONEY, SPENCE & VIOLA - An Act to Amend Title 9 of the Delaware Code Relating to Sewers. (F/N)

**SB 365** – MARSHALL & REPRESENTATIVE HALL-LONG - An Act to Amend Title 24, of the Delaware Code Relating to the Board of Mental Health and Chemical Dependency Professionals.

**HB 543** – DIPINTO & SENATOR DELUCA - An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Commission on Italian Heritage Culture.

**HB 545** – DIPINTO & SENATOR HENRY - An Act Proposing an Amendment to Article VIII, § 1 of the Delaware Constitution of 1897, as Amended, Relating to Revenue and Taxation and the Uniformity of Taxes. (F/N)

The roll call on **Consent Agenda R** was taken and revealed:

YES: 35.

ABSENT: Representatives Caulk, Gilligan, Lavelle, Plant, Roy & VanSant - 6.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **SB 368, SB 275 w/SA 1, SB 278, SB 352, SB 318 w/SA 1, SB 401 w/SA 1 & 3 & SB 365** were returned to the Senate and **HB 543 & HB 545** were sent to the Senate for concurrence.

Representative Smith moved to suspend the rules which interfere with action on **Consent Agenda P**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **Consent Agenda P** before the House for consideration.

**SB 166 w/SA 1** – SENATOR VAUGHN & REPRESENTATIVE WAGNER & REPRESENTATIVE KEELEY & REPRESENTATIVE OBERLE – An Act to Amend Title 10 of the Delaware Code Relating to Service of Process.

**SS 1 for SB 357** – PETERSON & REPRESENTATIVE SPENCE & SENATORS BLEVINS, SOKOLA, COPELAND, CONNOR, SORENSON & CLOUTIER & REPRESENTATIVES GILLIGAN, HALL-LONG, HUDSON, MAIER, ULBRICH, MCWILLIAMS & VIOLA – An Act to Amend Title 7 of the Delaware Code Relating to Flooding, Erosion and Sedimentation Control, and Stormwater Management.

**SB 286** – PETERSON & REPRESENTATIVE WILLIAMS & SENATORS BLEVINS, MARSHALL, SOKOLA, COPELAND & CLOUTIER & REPRESENTATIVE PLANT – An Act to Amend Title 26 of the Delaware Code Relating to Public Service Commission Rates.

**SB 354** – DELUCA & SENATOR SOKOLA & REPRESENTATIVE ULBRICH & REPRESENTATIVE SPENCE & SENATORS BUNTING, SORENSON & COPELAND & REPRESENTATIVES HUDSON, MIRO, VIOLA, LEE, EWING & MAIER - An Act to Amend Title 10 of the Delaware Code Relating to Adjudication.

**SCR 39 – BLEVINS & REPRESENTATIVE MAIER & REPRESENTATIVE STONE –**  
Establishing the Health Service Corporation Task Force.

**SB 339 – DELUCA & REPRESENTATIVES DIPINTO & MAIER -** An Act to Amend Title 16 of the Delaware Code Relating to the Composition of the Delaware Health Information Network.

**SB 398 – COOK & REPRESENTATIVE SMITH -** An Act to Amend Chapter 51 of Title 29 of the Delaware Code Relating to Leave of Absence for Military Service.

**SB 403 – PETERSON & REPRESENTATIVE SPENCE & REPRESENTATIVES KEELEY & PLANT -** An Act to Amend Title 24 of the Delaware Code Relating to Professions and Occupations.

**SB 370 – BUNTING & REPRESENTATIVE HUDSON -** An Act to Amend Title 24, Chapter 29 of the Delaware Code Relating to the Delaware Real Estate Commission.

**SB 361 – BLEVINS & SENATOR SORENSON & REPRESENTATIVES HUDSON & MCWILLIAMS -** An Act to Amend Title 11 of the Delaware Code Relating to Sex Offenses.

Representative Smith requested that **SB 166 w/SA 1, SB 286 & SCR 39** be removed from **Consent Agenda P**.

The roll call on **Consent Agenda P** was taken and revealed:

YES: 34.

NOT VOTING: Representative Lavelle - 1.

ABSENT: Representatives Caulk, Gilligan, Plant, Roy, VanSant & Wagner - 6.

Therefore, having received a constitutional majority, **SS 1/SB 357, SB 354, SB 339, SB 398, SB 403, SB 370 & SB 361** were returned to the Senate.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on **SB 346**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Oberle introduced and brought **SB 346**, jointly sponsored by Senator Marshall & Senators Bunting, Sokola, Bonini & Copeland & Representatives Mulrooney, Viola, Hudson & Valihura, before the House for consideration.

**SB 346 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACY. (2/3 bill)**

Representative Oberle introduced and brought **HA 1 to SB 346** before the House for consideration. Representative Oberle made comments. **HA 1** was adopted by voice vote.

The roll call on **SB 346 w/HA 1** was taken and revealed:

YES: 31.

NOT VOTING: Representative Ennis - 1.

ABSENT: Representatives Caulk, Gilligan, Lavelle, Plant, Roy, VanSant, Viola, Wagner & Williams - 9.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 346 w/HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Smith brought **SB 166 w/SA 1**, sponsored by Senator Vaughn & Representative Wagner & Representative Keeley & Representative Oberle, before the House for consideration.

**SB 166 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO SERVICE OF PROCESS.**

Representative Smith moved to place **SB 166 w/SA 1** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **SB 286**, sponsored by Senator Peterson & Representative Williams & Senators Blevins, Marshall, Sokola, Copeland & Cloutier & Representative Plant, before the House for consideration.

**SB 286 - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO PUBLIC SERVICE COMMISSION RATES.**

Representative Smith moved to place **SB 286** on the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Smith brought **SCR 39**, sponsored by Senator Blevins & Representative Maier & Representative Stone, before the House for consideration.

**SCR 39 - ESTABLISHING THE HEALTH SERVICE CORPORATION TASK FORCE.**

Representative Smith moved to place **SCR 39** on the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

The Majority Leader moved to recess at 4:14 a.m.

The House reconvened at 4:27 a.m.

Representative Smith moved to restore **SB 401 w/SA 1 & 3** and to rescind the roll call. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Smith brought **SB 401 w/SA 1 & 3**, sponsored by Senator McDowell & Representative Oberle & Senators Cloutier, Connor, Marshall, McBride & Peterson & Representatives DiPinto, Ennis, Gilligan, Johnson, Lofink, Longhurst, Mulrooney, Spence & Viola, before the House for consideration.

**SB 401 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SEWERS.**

Representative Smith moved to place **SB 401 w/SA 1 & 3** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **HS 1 for HB 450 w/HA 4 & 5 & SA 2**, sponsored by Representative Lavelle & Representative Valihura & Senator Peterson & Senator Copeland & Representatives Spence, Lee, Atkins, Buckworth, Carey, Cathcart, Ewing, Hocker, Hudson, Lofink, Maier, Miro, Outten, Stone, Ulbrich & Wagner & Senators Blevins, Bunting, Sokola, Sorenson, Cloutier, Connor & Simpson, before the House for concurrence on **SA 2**.

**HB 450 - AN ACT TO AMEND TITLE 10, CHAPTER 81 OF THE DELAWARE CODE BY ENLARGING THE STATUTE OF LIMITATIONS FOR SUITS FOR DAMAGES DUE TO PERSONAL INJURIES THAT WERE CAUSED BY SEXUAL ABUSE OF A CHILD BY AN ADULT. (F/N)**

Representative Smith moved to place **HS 1 FOR HB 450 w/HA 4 & 5 & SA 2** on the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

Mr. Speaker Spence appointed Representative Booth as Acting Speaker.

Representative Spence brought **HB 404 w/HA 1 & 2 & SA 1**, jointly sponsored by Senator McBride & Representative Valihura & Senator Cloutier & Representatives Atkins, Carey, Ewing, Fallon, Gilligan, Hocker, Lee, Lofink, Oberle, Outten & Stone & Senators Adams, DeLuca & Still & cosponsored by Representative Smith & Senator McDowell, before the House for concurrence on **SA 1**.

**HB 404 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (F/N)**

Representative Spence made comments.

The roll call on **HB 404 w/HA 1 & 2 & SA 1** was taken and revealed:

YES: 30.

ABSENT: Representatives Caulk, Gilligan, Lavelle, Longhurst, Plant, Roy, Schooley, VanSant, Viola, Wagner & Williams - 11.

Therefore, having received a constitutional majority, **HB 404 w/HA 1 & 2 & SA 1** was sent to the Governor.

Representative Smith brought **HB 418 w/SA 1**, jointly sponsored by Representative Buckworth & Representatives Spence, Lee, Carey, Cathcart, Ewing, Maier, Outten, Stone, Hall-Long, Marshall, Plant, Schooley & Schwartzkopf & Senators Adams, DeLuca, Cook, Henry, Vaughn, Venables, Sorenson, Connor & Simpson, before the House for concurrence on **SA 1**.

**HB 418 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS.**

Mr. Speaker Spence resumed the Chair.

Representative Buckworth made comments.

The roll call on **HB 418 w/SA 1** was taken and revealed:

YES: 29.

ABSENT: Representatives Caulk, Fallon, Gilligan, Lavelle, Longhurst, Plant, Roy, Schooley, VanSant, Viola, Wagner, Williams - 12.

Therefore, having received a constitutional majority, **HB 418 w/SA 1** was sent to the Governor.

Representative Smith moved to lift **SB 401 w/SA 1 & 3** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Smith brought **SB 401 w/SA 1 & 3**, sponsored by Senator McDowell & Representative Oberle & Senators Cloutier, Connor, Marshall, McBride & Peterson & Representatives DiPinto, Ennis, Gilligan, Johnson, Lofink, Longhurst, Mulrooney, Spence & Viola, before the House for consideration.

**SB 401 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SEWERS.**

Representative Smith deferred to Representative Oberle.

Representative Oberle made comments.

The roll call on **SB 401 w/SA 1 & 3** was taken and revealed:

YES: 27.

ABSENT: Representatives Buckworth, Caulk, Ewing, Fallon, Gilligan, Lavelle, Longhurst, Plant, Roy, Schooley, VanSant, Viola, Wagner & Williams - 14.

Therefore, having received a constitutional majority, **SB 401 w/SA 1 & 3** was returned to the Senate.

Mr. Speaker Spence & Representative Smith made comments.

The Majority Leader moved to recess to the call of the Chair at 4:50 a.m.

COMMUNICATIONS RECEIVED AFTER JULY 1, 2006

The Senate wishes to inform the House that it has passed **HCR 27** and is returning same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Richard Cathcart, do hereby request that my name be removed as cosponsor of **SCR 44**.

Date: June 30, 2006

Signed: Richard C. Cathcart

The Senate wishes to inform the House that it has passed **HS1/HB 450 w/SA 2, HB 491, HB 535, HB 418 w/SA 1, HS 1/HB 118, HB 372, HS 1/HB 388 w/HA 1, HB 397, HB 398, HS 1/HB 509 w/HA 1, HS 1/HB 412, HB 415, HB 424, HB 445, HB 446 w/HA 1 & 2, HB 494, HB 536 & HB 547** and is returning same to the House. The Senate wishes to inform the House that it has defeated **HB 310** and is returning same to the House.

July 5, 2006

LEGISLATIVE ADVISORY #24

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/29/06 – **HB 425 aab HA 1 aab HA 1 to HA 1; 6/30/06 – SB 31 aab SA 1, SS 1/SB 109 aab SA 1 & HA 4, 5, 7 & 8, SB 276 aab SA 1, SB 289 aab SA 2, SB 290 aab SA 1, SB 323, SB 328, SB 329, SB 343, SB 392, HB 266, HB 334, HB 355, HB 366 aab HA 1, HB 392, HB 410 aab HA 1, 2 & 3 & SA 2, HB 426 aab SA 2, HB 434 aab SA 1, HB 442, HB 455 aab SA 2 & 4, HB 487, HB 500 aab HA 1 & HB 502; 7/1/06 – SB 350, SB 395 aab SA 1, SB 400, HB 535, SJR 12 & SJR 13.**

July 7, 2006

LEGISLATIVE ADVISORY #25

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/30/06 – **HB 7 aab HA 1; 7/6/06 – SB 19 aab HA 1, 3 & 4, SB 41 aab HA 2 & 3, SB 89 aab SA 1, SS 1/SB 151, SB 183, SS 1/SB 198 aab SA 1, SB 285, SB 295 aab SA 1, SB 297, SB 300, SB 316, SB 331 aab SA 2, SB 334, SB 336 aab SA 1, SB 356, SB 359, SB 371, SB 373, SB 379, SB 386, SB 388, HB 200, HB 256 aab HA 2, 5, 6 & 7, HB 441, HB 454, HB 472 aab HA 1 & 2, HB 515, HB 531 & HB 530.** This legislation is a constitutional amendment and does not require the Governor's signature: **SB 333.**

July 10, 2006

TO THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE 143RD  
GENERAL ASSEMBLY:

Pursuant to Article III, Section 18 of the Delaware Constitution, I am vetoing **House Bill No. 529**, by returning it to the Delaware House of Representatives without my signature for reconsideration.

**House Bill No. 529** would put in place new requirements for the Division of Weights and Measures ("DWM") in passing upon the accuracy of landlord-maintained metering systems for utilities. The bill directs that, in passing on the adequacy of a landlord-maintained metering system, DWM would be required to apply certain standards that **House Bill No. 529** describes as "nationally recognized", including those promulgated by the American Water Works Association, the Association of Plumbing and Mechanical Officials and the National Institute of Standards and Technology.

The intention of **House Bill No. 529** appears laudable, *i.e.*, to prevent unscrupulous landlords from profiteering on the resale of common utilities to their tenants. Unfortunately, there is little evidence to establish that **House Bill No. 529** will efficiently advance that goal. Moreover, because the bill was introduced and debated very late in the session, there has not been adequate time for DWM to assess its potential impact. At present, DWM staff is not familiar with all the requirements of the proposed standards and how they would be applied with respect to meters covered by the bill. The two most prominent questions raised but not yet answered are whether the standards referred to in the bill are in fact "nationally recognized" and appropriate for use by DWM, and what additional resources DWM would require in order to be able to adopt and effectively apply such standards. I am confident that staff from DWM can work constructively with proponents of the **House Bill No. 529** to ensure that these questions are carefully addressed and that the General Assembly can take up the issue of what standards are to be applied to landlord-maintained meters in the next General Assembly. Because I believe that **House Bill No. 529** is vague with respect to the standards chosen for utility metering and was adopted without consideration of the ability and cost for State officers to administer those standards, I have vetoed **House Bill No. 529**.

Very truly yours,  
Ruth Ann Minner  
Governor

July 11, 2006

LEGISLATIVE ADVISORY #26

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/10/06 – **SJR 11, SB 275 aab SA 1, SB 277, SB 318 aab SA 1, SB 337 aab SA 2, SB 339, SB 354, SB 358 aab SA 1, SB 361, SB 365, SB 367, SB 370, SB 372 aab SA 1 & HA 1, SB 376 aab SA 1 & 2 & HA 1, SB 383, SB 385, SB 389, SB 390 aab SA 1, SB 394, SB 396 & SB 401 aab SA 1 & 3.** Governor Ruth Ann Minner vetoed the following legislation on the date indicated: 7/10/06 – **SB 75.**

July 12, 2006

LEGISLATIVE ADVISORY #27

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/10/06 – **HB 95 aab HA 2, HS 1/HB 118, HB 235, HB 367 aab HA 1 & SA 4 & 5, HB 372, HS 1/HB 388 aab HA 1, HB 397, HB 398, HS 1/HB 412, HB 415, HB 418 aab SA 1, HB 424, HB 429 aab HA 1, HB 445, HB 446 aab HA 1 & 2, HB 471, HB 485 aab HA 1 & 2 & SA 1, HB 491, HB 494, HS 1/HB 509 aab HA 1, HB 510, HB 536 & HB 547**. Governor Ruth Ann Minner vetoed the following legislation on the date indicated: 7/10/06 – **HB 529**.

July 14, 2006

Ms. JoAnn M. Hedrick  
Chief Clerk of the House  
House of Representatives  
State of Delaware  
Legislative Hall  
Room H129  
Dover, Delaware 19901

Dear Ms. Hedrick:

Thank you for contacting me regarding a resolution that the Delaware State House of Representatives recently passed that expresses support for S. 3128, the National Uniformity for Food Act. I always appreciate your bringing this resolution to my attention.

Under current law, the Food and Drug Administration can set federal standards for food safety, but states may also pass their own regulations on food safety and labeling. For example, California voters passed a proposition in 1986 that requires a warning on foods containing chemicals known to cause cancer or birth defects, while Alaska requires manufacturers to identify salmon that is farm-raised. According to some people, the various state requirements are confusing for consumers and difficult for food companies to deal with, since they must follow regulations that vary from state to state. Others argue that states should have the ability to require additional food safety measures if they feel that federal regulations are not sufficient.

In an effort to ensure that food that is shipped throughout the country has the same protections and labeling in each state, Senator Richard Burr (R-NC) introduced S. 3128 on May 25, 2006. The legislation would bar states from setting or enforcing regulations that differ from federal guidelines. However, the bill would allow states to petition the Secretary of Health and Human Services for an exemption that would allow them to continue with their own protections. Additionally, under the legislation if the Food and Drug Administration has not set standards in an area, a state could set its own adulteration or tolerance standards without federal approval. I have heard from several supporters of S. 3128 who argue that the legislation would minimize consumer confusion about varying state regulations that govern warning labels and protective inspections. Moreover, many people believe the measure would ensure that all food in the U.S. has the same protections and standards. However, a number of environmental groups, consumer rights organizations, and state officials have raised concerns about S. 3128. Many critics believe the legislation would pre-empt state food labeling requirements that are more stringent than federal standards, ultimately hurting consumers. In addition, many people believe that the exemption process, though a good idea, would be burdensome for states and unlikely to result in protections for states that have already passed food safety legislation. Finally, many opponents contend that the legislation is far-reaching, and would affect state regulations dealing with issues other than food labeling, such as restaurant sanitation.

At this time, S. 3128 is pending before the Senate Health, Education, Labor, and Pensions Committee. The House passed a nearly identical bill, H.R. 4167, by a vote of 283 to 139 on March 8, 2006. It is my hope that hearings will be held by the Senate Health, Education, Labor, and Pensions Committee, providing both proponents and opponents of the measure with an opportunity to discuss its merits. In the meantime, should the full Senate consider S. 3128 or H.R. 4167, I will certainly keep your views in mind.

Thank you again for contacting me about this important matter. Please do not hesitate to contact me in the future regarding this or other matters of importance to you.

With warmest personal regards, I am

Sincerely yours,  
Thomas R. Carper  
United States Senator  
July 24, 2006

LEGISLATIVE ADVISORY #28

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/17/06 – **SB 60, SB 398 & HB 430 aab HA 3, 4, 5 & 6; 7/20/06 – SB 278, SB 352, SS 1/SB 357, SB 368, SB 377 & SB 403**. Governor Ruth Ann Minner vetoed the following legislation on the date indicated: 7/17/06 – **SB 397**.

July 26, 2006

LEGISLATIVE ADVISORY #29

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/26/06 – **HB 328 aab HA 1 & HB 404 aab HA 1 & 2 & SA 1**.

The Senate wishes to inform the House that it has passed **HB 481** and is returning same to the House.

September 11, 2006



## LEGISLATIVE ADVISORY #30

Governor Ruth Ann Minner signed the following legislation on the date indicated: 8/17/06 – **SB 374 aab SA 1 & HA 2 & 3; 9/7/06 – SB 251 aab SA 1 & HA 1 & 2 & HB 481.**

HOUSE TRIBUTE ANNOUNCEMENT #88

DATE: November 6, 2006

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>Date</u> | <u>Type</u> | <u>Description</u>                                                                 |
|---------------|---------------------------------------|-------------|-------------|------------------------------------------------------------------------------------|
| H143-1987     | Hocker                                | 5/21/2006   | M           | Kathleen Cella                                                                     |
| H143-1988     | Marshall                              | 6/12/2006   | T           | David Schley - Graduation - Friends High School                                    |
| H143-1989     | Wagner                                | 6/11/2006   | T           | Rachel Stephens & Michael Kuester – Marriage                                       |
| H143-1990     | Wagner                                | 6/26/2006   | M           | Roger Arnell, Sr.                                                                  |
| H143-1991     | Cathcart                              | 6/1/2006    | T           | Candida & Russell McBride/50th Wedding Anniversary                                 |
| H143-1992     | Hocker                                | 5/8/2006    | T           | Dan & Helen Selskis - 60th Wedding Anniversary                                     |
| H143-1993     | Hocker                                | 6/23/2006   | T           | Gerald & Dorothy Booth/ 60th Wedding Anniversary                                   |
| H143-1994     | Hocker                                | 4/14/2006   | T           | Don & Helen Vaughan - 50th Wedding Anniversary                                     |
| H143-1995     | Buckworth                             | 6/27/2006   | M           | Lillian M. Wallace                                                                 |
| H143-1996     | Williams                              | 6/27/2006   | M           | Evelyn Sills                                                                       |
|               | cosponsors: All Representatives       |             |             |                                                                                    |
| H143-1997     | Smith                                 | 6/30/2006   | T           | Daniel Bockover - President - Council of Civic Organizations of Brandywine Hundred |
| H143-1998     | Ulbrich                               | 6/26/2006   | M           | Juanita Swan                                                                       |
| H143-1999     | Carey                                 | 7/1/2006    | T           | Milford VFW - 60th Anniversary                                                     |
| H143-2000     | Lee                                   | 6/30/2006   | T           | Honorable William Hopkins, Jr. - 40 Years of Service - JP Court                    |
| H143-2001     | Hudson                                | 6/24/2006   | M           | Elena Rizzo                                                                        |
| H143-2002     | Hocker                                | 6/10/2006   | T           | Frances Hudson - 100th Birthday                                                    |
| H143-2003     | Viola                                 | 6/26/2006   | M           | Priscilla Garrison                                                                 |
| H143-2004     | Viola                                 | 6/30/2006   | T           | Barbara Rossiter - President - Ladies Auxiliary -                                  |
|               | cosponsors: Reps. Ennis, Lee & Outten |             |             | Volunteer Fireman's Association                                                    |
| H143-2005     | Thornburg                             | 6/30/2006   | T           | Florence Legates - 1st Vice President -                                            |
|               | cosponsors: Reps. Ennis, Lee & Outten |             |             | Ladies Auxiliary - Volunteer Fireman's Association                                 |
| H143-2006     | Buckworth                             | 7/27/2006   | T           | Lewis Atkinson, III - Retirement – Associate Secretary - Department of Education   |
| H143-2007     | Wagner                                | 6/24/2006   | T           | Jennifer Cook & Tom Hynes - Marriage                                               |
| H143-2008     | Wagner                                | 6/25/2006   | M           | Ethel Jane Emmert                                                                  |
| H143-2009     | Buckworth                             | 6/30/2006   | T           | Kevin Papen - State Champions - Boys Tennis                                        |
| H143-2010     | Lavelle                               | 7/6/2006    | T           | Wayne Lemons/Induction/Lottery Hall of Fame                                        |
| H143-2011     | DiPinto                               | 7/9/2006    | T           | Bill & Mary Jeppe - 35th Wedding Anniversary - 60th Birthdays                      |

HOUSE TRIBUTE ANNOUNCEMENT #89

DATE: November 6, 2006

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>Date</u> | <u>Type</u> | <u>Description</u>                                |
|---------------|---------------------------------|-------------|-------------|---------------------------------------------------|
| H143-2012     | Spence                          | 6/30/2006   | T           | Paul Wallace - Chief Prosecutor - Thank You       |
|               | cosponsors: All Representatives |             |             |                                                   |
| H143-2013     | Spence                          | 6/30/2006   | T           | Steve Wood - Deputy Attorney General - Thank You  |
|               | cosponsors: All Representatives |             |             |                                                   |
| H143-2014     | Wagner                          | 7/1/2006    | M           | Harvey Fenimore, Jr.                              |
| H143-2015     | Wagner                          | 7/8/2006    | T           | Julia Glanden & Matthew Rotuno – Marriage         |
| H143-2016     | Wagner                          | 7/8/2006    | T           | Brooke Morra & Christopher Hurd –Marriage         |
| H143-2017     | Ennis                           | 7/1/2006    | M           | Thomas L. Emerson                                 |
| H143-2018     | Ennis                           | 7/6/2006    | M           | George M. Von Goerres                             |
| H143-2019     | Hocker                          | 6/15/2006   | T           | Doris Jackson/ Past Worthy Matron/Eastern Star    |
| H143-2020     | Hocker                          | 7/14/2006   | T           | Selbyville Mountaire Plant/7 Million Hours/Safety |
| H143-2021     | Ennis                           | 7/7/2006    | M           | W. Wilson Burris                                  |
| H143-2022     | Ennis                           | 7/5/2006    | M           | James P. Atwell                                   |
| H143-2023     | DiPinto                         | 7/15/2006   | T           | Barbara Wheaton - 80th Birthday                   |
| H143-2024     | Spence                          | 6/26/2006   | T           | Canaan Baptist Church – Groundbreaking            |
|               | cosponsors: All Representatives |             |             |                                                   |
| H143-2025     | Schooley                        | 7/28/2006   | T           | Annette Cornish - Hosting Family Reunion          |
| H143-2026     | Lee                             | 7/16/2006   | T           | Hattie Moore - 100th Birthday                     |

|           |           |           |   |                                                    |
|-----------|-----------|-----------|---|----------------------------------------------------|
| H143-2027 | Booth     | 6/19/2006 | T | Rex Malmstrom - Theodore Wolf Prize                |
| H143-2028 | Hudson    | 7/7/2006  | M | Carroll Louis Fischel                              |
| H143-2029 | DiPinto   | 6/2/2006  | T | Wallace & Laverna Kremer/50th Wedding Anniversary  |
| H143-2030 | Wagner    | 7/29/2006 | T | Amanda Hocking & Roderick Fesel – Marriage         |
| H143-2031 | DiPinto   | 7/5/2006  | M | Claire M. Potocki                                  |
| H143-2032 | Lavelle   | 7/28/2006 | T | Conway Ivy/Dedication/Sherwin-Williams Company     |
| H143-2033 | Hudson    | 7/8/2006  | M | Mary P. K. Voigt                                   |
| H143-2034 | Lavelle   | 7/28/2006 | T | Robert McDonald/Dedication/Sherwin-Williams        |
| H143-2035 | Ennis     | 5/5/2006  | T | Stephanie & Francis Hawke/60th Wedding Anniversary |
| H143-2036 | Buckworth | 6/28/2006 | T | Sean Coveleski - All-State Lacrosse                |

#### HOUSE TRIBUTE ANNOUNCEMENT #90

DATE: November 6, 2006

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      | Date      | Type | Description                                             |
|----------------------------------------|--------------|-----------|------|---------------------------------------------------------|
| H143-2037                              | Buckworth    | 6/26/2006 | T    | Jesse Brooks - All-State Track & Field Team             |
| H143-2038                              | Buckworth    | 6/26/2006 | T    | Ashley Cox - All-State Track & Field Team               |
| H143-2039                              | Buckworth    | 6/26/2006 | T    | Jalessa Graham - All-State Track & Field Team           |
| H143-2040                              | Buckworth    | 6/26/2006 | T    | Kiara Reid - All-State Track & Field Team               |
| H143-2041                              | Buckworth    | 6/26/2006 | T    | Nichole Little - All-State Track & Field Team           |
| H143-2042                              | Buckworth    | 6/26/2006 | T    | Kelly Doherty - All-State Girls Soccer Team             |
| H143-2043                              | Buckworth    | 6/26/2006 | T    | Jaimie Brittingham - All-State Softball Team            |
| H143-2044                              | Buckworth    | 6/26/2006 | T    | Michael Shehorn/Coach of the Year/Girls Softball        |
| H143-2045                              | Spence       | 6/18/2006 | T    | The Fuhrer Family - Contributions to Delaware           |
| H143-2046                              | Stone        | 7/17/2006 | M    | Jacqueline Deidra Crane                                 |
| cosponsors: All Representatives        |              |           |      |                                                         |
| H143-2047                              | Ewing        | 7/27/2006 | T    | Kenneth & Doris McIlvain/<br>Commitment to Fire Service |
| H143-2048                              | Schwartzkopf | 8/20/2006 | T    | William Dill - 75th Birthday                            |
| H143-2049                              | Thornburg    | 7/28/2006 | T    | Paul Welzel - Retirement - DelDOT – 36+ Years           |
| H143-2050                              | Buckworth    | 7/31/2006 | T    | Ralph Reed - Retirement - DelDOT - 18 Years             |
| H143-2051                              | Carey        | 6/24/2006 | T    | Pat & Elvin Hold - 50th Wedding Anniversary             |
| H143-2052                              | Booth        | 8/6/2006  | T    | Lawrence Sammons - 90th Birthday                        |
| cosponsors: Reps. Carey & Ewing        |              |           |      |                                                         |
| H143-2053                              | DiPinto      | 7/22/2006 | T    | Mattie Owens - Outstanding Community Service            |
| H143-2054                              | Ulbrich      | 7/18/2006 | M    | Adele Anna Kowalko                                      |
| H143-2055                              | Hocker       | 7/27/2006 | T    | Noble & Jacqueline Simpson/60th Wedding Anniversary     |
| H143-2056                              | Spence       | 6/6/2006  | T    | Ross Neal - Graduation - Christiana<br>High School      |
| cosponsors: All Representatives        |              |           |      |                                                         |
| H143-2057                              | Ewing        | 8/12/2006 | T    | John & Louann Hopkins - 50th Wedding Anniversary        |
| H143-2058                              | Schooley     | 8/1/2006  | T    | Pamela Gregory/Coach of Year/Professional Skaters       |
| H143-2059                              | Carey        | 7/13/2006 | M    | Frederick R. Cleaver, Jr.                               |
| cosponsors: Reps. Booth & Schwartzkopf |              |           |      |                                                         |
| H143-2060                              | Buckworth    | 8/6/2006  | T    | Lori & Steven Ennis - 25th Wedding Anniversary          |

#### HOUSE TRIBUTE ANNOUNCEMENT #91

DATE: November 6, 2006

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   | Date      | Type | Description                                             |
|--------------------------------------|-----------|-----------|------|---------------------------------------------------------|
| H143-2061                            | Williams  | 7/30/2006 | T    | Robert Wright - 50th Birthday                           |
| H143-2062                            | Maier     | 7/20/2006 | M    | Mary Anthony Brewer                                     |
| H143-2063                            | Carey     | 8/19/2006 | T    | William & Mary Jane Sammons/50th<br>Wedding Anniversary |
| H143-2064                            | Johnson   | 7/24/2006 | M    | Lillian Flamer                                          |
| H143-2065                            | Wagner    | 7/26/2006 | M    | Grover Biddle                                           |
| cosponsors: All Representatives      |           |           |      |                                                         |
| H143-2066                            | Outten    | 7/28/2006 | M    | J. Edward Taylor                                        |
| H143-2067                            | Thornburg | 7/23/2006 | M    | Martin Eugene Grace                                     |
| cosponsors: Reps. Buckworth & Wagner |           |           |      |                                                         |
| H143-2068                            | Wagner    | 7/27/2006 | M    | Esther Rebecca Foultz                                   |
| H143-2069                            | Hudson    | 7/31/2006 | T    | Jeffrey Bross - Engineer of the Year                    |
| H143-2070                            | Hocker    | 7/31/2006 | T    | Al & Mary Holliday - 50th Wedding Anniversary           |
| H143-2071                            | Booth     | 8/17/2006 | T    | Sandra Mariner/Retirement/Georgetown Post Office        |
| H143-2072                            | Booth     | 8/7/2006  | T    | Paul Timmons/Swimming Across Delaware Bay               |

|           |                                                 |           |   |                                                                 |
|-----------|-------------------------------------------------|-----------|---|-----------------------------------------------------------------|
| H143-2073 | Valihura                                        | 8/5/2006  | T | Bob & Jan Blanchfield - 50th Wedding Anniversary                |
| H143-2074 | Williams                                        | 7/31/2006 | T | Ivette Jusino - Graduation - Wilmington College                 |
| H143-2075 | Plant                                           | 8/12/2006 | T | Minister Derrick Johnson - 5th Anniversary - Founding of Church |
| H143-2076 | Ennis                                           | 7/28/2006 | M | Sylvia Shultis Harris                                           |
| H143-2077 | Viola                                           | 7/28/2006 | M | Kindra Michelle Bruzik and Logan Bruzik                         |
| H143-2078 | Hocker                                          | 6/16/2006 | T | Wayne & Sue Fuller - 50th Wedding Anniversary                   |
| H143-2079 | Ennis                                           | 8/5/2006  | T | Francis Ianni - 75th Birthday                                   |
| H143-2080 | Maier                                           | 7/21/2006 | T | Ralph & Bernice Willliams/50th Wedding Anniversary              |
| H143-2081 | Stone & Wagner; cosponsors: All Representatives | 7/29/2006 | M | Paul A. Quirk, Sr.                                              |
| H143-2082 | Ennis                                           | 7/29/2006 | M | Edna Benzin                                                     |
| H143-2083 | Wagner                                          | 8/5/2006  | T | Nicole Mark & David Carey - Marriage                            |
| H143-2084 | Buckworth                                       | 8/2/2006  | M | Roland Wesley Abbott                                            |
| H143-2085 | Wagner                                          | 8/5/2006  | M | William B. Happoldt, Jr.                                        |

#### HOUSE TRIBUTE ANNOUNCEMENT #92

DATE: November 6, 2006

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               | Date      | Type | Description                                                                         |
|-----------|-----------------------|-----------|------|-------------------------------------------------------------------------------------|
| H143-2086 | Hudson                | 7/31/2006 | M    | Elisabeth Ann Reece                                                                 |
| H143-2087 | Stone                 | 8/8/2006  | T    | The Honorable Al Mansell - Visit to Delaware                                        |
| H143-2088 | Hocker                | 8/8/2006  | T    | Gary Willey - Mayor of Millville                                                    |
| H143-2089 | Carey                 | 8/12/2006 | T    | Francis Drury, M.D. - Retirement                                                    |
| H143-2090 | Hudson                | 6/3/2006  | T    | Marie & William Harkins/50th Wedding Anniversary                                    |
| H143-2091 | Hudson                | 6/30/2006 | T    | William & Felicia Shaw/50th Wedding Anniversary                                     |
| H143-2092 | Hudson                | 7/29/2006 | M    | Jerry Bender                                                                        |
| H143-2093 | Stone                 | 8/6/2006  | M    | John P. Ireland                                                                     |
| H143-2094 | Wagner                | 8/20/2006 | T    | William & Betty Willis/60th Wedding Anniversary                                     |
| H143-2095 | Thornburg             | 8/3/2006  | M    | Ardella M. Durham                                                                   |
| H143-2096 | Hocker                | 8/12/2006 | T    | Indian River Marina - National Marina Day                                           |
| H143-2097 | Maier                 | 8/6/2006  | M    | Dorothy H. Hitchens                                                                 |
| H143-2098 | Schooley              | 8/12/2006 | T    | John Huffman - Safe Return from Iraq                                                |
| H143-2099 | Buckworth             | 8/8/2006  | M    | Raymond D. Lafferty                                                                 |
|           | cosponsor: Rep. Ewing |           |      |                                                                                     |
| H143-2100 | Hudson                | 8/9/2006  | T    | Allie Dietz/Advocate/Cure for Juvenile Diabetes                                     |
| H143-2101 | Lavelle               | 8/18/2006 | T    | Heather Lee Walton Zebley/40th Birthday                                             |
| H143-2102 | Booth                 | 8/13/2006 | T    | Scott Reihm - Retirement - Polytech Schools                                         |
| H143-2103 | Roy                   | 8/10/2006 | T    | Mike Harmer/Engineer of the Year in Government                                      |
| H143-2104 | Buckworth             | 8/15/2006 | T    | Jay Whitby - Amateur Golf Championship                                              |
| H143-2105 | Keeley                | 8/17/2006 | M    | Frank D. Vari                                                                       |
| H143-2106 | Lofink                | 8/19/2006 | T    | Katherine Kulakowski - Executive Director – AFL-CIO Community Services - Retirement |
| H143-2107 | Gilligan              | 8/20/2006 | T    | Mary Jeanne Baker Gilligan - Thank You - 40 Years of Marriage                       |
| H143-2108 | Atkins                | 8/23/2006 | T    | Arthur O'Day/Retirement/Department of Correction                                    |
| H143-2109 | Ulbrich               | 8/25/2006 | T    | Dr. Leroy Manlove - 80th Birthday                                                   |
| H143-2110 | Hocker                | 6/17/2006 | T    | Wayne & Marcia Fuller - 50th Wedding Anniversary                                    |
| H143-2111 | Stone                 | 8/20/2006 | M    | Ruth F. Daubert                                                                     |

#### HOUSE TRIBUTE ANNOUNCEMENT #93

DATE: November 6, 2006

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   | Date      | Type | Description                                        |
|-----------|-----------|-----------|------|----------------------------------------------------|
| H143-2112 | Stone     | 8/18/2006 | M    | Nancy Elaine Haines                                |
| H143-2113 | Ennis     | 8/12/2006 | M    | Margaret H. Goldsborough                           |
| H143-2114 | Ennis     | 8/7/2006  | M    | Norma E. Mohler                                    |
| H143-2115 | Maier     | 8/3/2006  | M    | David H. Dombroski                                 |
| H143-2116 | Hudson    | 8/2/2006  | M    | Charles L. Reeder                                  |
| H143-2117 | Gilligan  | 8/25/2006 | T    | Dominick & Eleanor Ferrera/50th Wedding Anniversar |
| H143-2118 | Mulrooney | 8/18/2006 | T    | William & Jane Cecconi/50th Wedding Anniversary    |
| H143-2119 | Viola     | 6/16/2006 | T    | Robert & Janet Wisniewski/50th Wedding Anniversary |
| H143-2120 | VanSant   | 7/12/2006 | T    | Walt & Cecilia LaRue/60th Wedding Anniversary      |
| H143-2121 | Stone     | 8/21/2006 | M    | Rosalind Hirsch                                    |

|           |                                               |           |   |                                                                  |
|-----------|-----------------------------------------------|-----------|---|------------------------------------------------------------------|
| H143-2122 | Schwartzkopf                                  | 8/2/2006  | M | Clark Sheldon                                                    |
|           | cosponsors: Reps. Ennis, Ewing, Lee & VanSant |           |   |                                                                  |
| H143-2123 | Ulbrich                                       | 8/31/2006 | T | Thomas Skelly - 60th Birthday                                    |
| H143-2124 | Booth                                         | 8/24/2006 | T | James Martin - Norman Baylis Award -- Beebe Medical Center       |
| H143-2125 | Booth                                         | 8/24/2006 | T | Joseph Hudson - John Rollins Award -- Beebe Medical Center       |
| H143-2126 | Booth                                         | 8/24/2006 | T | James Marvel, M.D. - Robert Tunnell Award - Beebe Medical Center |
| H143-2127 | Atkins                                        | 8/24/2006 | T | Lena English - Lifetime Achievement Award - Beebe Medical Center |
| H143-2128 | Keeley                                        | 8/18/2006 | T | Dr. Domenic & Clelia Panariello - 50th Wedding Anniversary       |
| H143-2129 | Miro                                          | 9/10/2006 | T | Brian Thomas - Eagle Scout                                       |
| H143-2130 | Outten                                        | 8/28/2006 | T | Esther Crisp - 90th Birthday                                     |
| H143-2131 | Hudson                                        | 8/28/2006 | T | Pencader Charter High School - Grand Opening                     |
| H143-2132 | Wagner                                        | 4/21/2006 | T | Dallas James & Francis Bebout -- Marriage                        |
| H143-2133 | Ennis                                         | 8/26/2006 | T | Bill & Linda Harris - 40th Wedding Anniversary                   |
| H143-2134 | DiPinto                                       | 8/26/2006 | T | Joseph Hanson - 80th Birthday                                    |
| H143-2135 | Schooley                                      | 7/7/2006  | T | Herb & Marian Sargeant/50th Wedding Anniversary                  |
| H143-2136 | Schooley                                      | 6/2/2006  | T | Arthur & Elizabeth Scotton/50th Wedding Anniversary              |

#### HOUSE TRIBUTE ANNOUNCEMENT #94

DATE: November 6, 2006

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>Date</u> | <u>Type</u> | <u>Description</u>                                                     |
|---------------|---------------------------------|-------------|-------------|------------------------------------------------------------------------|
| H143-2137     | Plant                           | 8/2/2006    | T           | George & Louise Harrison/60th Wedding Anniversary                      |
| H143-2138     | Gilligan                        | 7/14/2006   | T           | Eugene & Barbara Regener/50th Wedding Anniversary                      |
| H143-2139     | Gilligan                        | 5/26/2006   | T           | Richard & Esther Bollinger/50th Wedding Anniversary                    |
| H143-2140     | Hudson                          | 8/24/2006   | M           | Anna Shopa                                                             |
| H143-2141     | Outten                          | 8/29/2006   | T           | Thelma Gustafson/Retirement/DE Electric Coop                           |
| H143-2142     | Smith                           | 7/7/2006    | T           | Edward Seage, Jr./First Place/Oratorical Contest                       |
| H143-2143     | Outten                          | 6/27/2006   | T           | Charlie & Pauline Hayes/70th Wedding Anniversary                       |
| H143-2144     | Buckworth                       | 8/31/2006   | T           | Patricia Moore - Walmart Teacher of the Year                           |
| H143-2145     | Caulk                           | 9/1/2006    | T           | Herbert Robbins - Retirement - DelDOT - 22+ Years                      |
| H143-2146     | Hall-Long                       | 8/31/2006   | T           | Lawrence Williams - Retirement -- General Motors - 37 Years            |
| H143-2147     | Caulk                           | 8/30/2006   | T           | Susan Dill - Retirement - Social Security - 30 Years                   |
| H143-2148     | Spence                          | 8/31/2006   | T           | Sandra Adamowski - Retirement -- Division of Motor Vehicles - 21 Years |
| H143-2149     | Stone                           | 9/28/2006   | T           | Herman & Pauline MacDonald - 60th Wedding Anniversary                  |
| H143-2150     | Carey                           | 7/28/2006   | T           | Eddie & Barbara Millman/50th Wedding Anniversary                       |
| H143-2151     | Atkins                          | 6/8/2006    | T           | Donald & June Brittingham - 50th Wedding Anniversary                   |
| H143-2152     | Booth                           | 6/22/2006   | T           | Jack & Bonnie Warrington/50th Wedding Anniversary                      |
| H143-2153     | Smith                           | 10/19/2006  | T           | Joshua Bennett - Eagle Scout                                           |
| H143-2154     | Hudson                          | 7/1/2006    | T           | Kimberly Procak & Reese Rigby, Jr. -- Marriage                         |
| H143-2155     | Maier                           | 8/29/2006   | M           | Ruth L. Joyce                                                          |
|               | cosponsors: All Representatives |             |             |                                                                        |
| H143-2156     | Stone                           | 8/31/2006   | T           | Mavis Newton/50 Years Service/American Red Cross                       |
| H143-2157     | Ennis                           | 9/2/2006    | T           | A. Douglas Chervenak - 59th Birthday                                   |
| H143-2158     | Hudson                          | 9/1/2006    | T           | David & Dorothy Craig - 50th Wedding Anniversary                       |
| H143-2159     | Oberle                          | 8/31/2006   | M           | Hyon Chu Wheatley                                                      |
| H143-2160     | Atkins                          | 9/6/2006    | T           | Taylor Duvall - Miss Delaware National Pre-Teen                        |
| H143-2161     | Carey                           | 9/16/2006   | T           | Kent Sussex Detoxification Center -- Recovery Month                    |

#### HOUSE TRIBUTE ANNOUNCEMENT #95

DATE: November 6, 2006

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>Date</u> | <u>Type</u> | <u>Description</u>                         |
|---------------|----------------|-------------|-------------|--------------------------------------------|
| H143-2162     | Spence         | 9/6/2006    | T           | Lawrence Sullivan - Dorsey Award Recipient |

|           |                                                     |           |   |                                                                      |
|-----------|-----------------------------------------------------|-----------|---|----------------------------------------------------------------------|
| H143-2163 | Keeley                                              | 9/8/2006  | T | Latin American Community Center – Hispanic Heritage Month            |
| H143-2164 | Lee                                                 | 8/18/2006 | T | Bob & Joan Hook - 50th Wedding Anniversary                           |
| H143-2165 | Lee                                                 | 7/22/2006 | T | Anthony & Evelyn Parillo/50th Wedding Anniversary                    |
| H143-2166 | Buckworth                                           | 9/15/2006 | T | Donald & Delores Blakey - 50th Wedding Anniversary                   |
|           | cosponsors: Reps. Outten, Stone, Thornburg & Wagner |           |   |                                                                      |
| H143-2167 | Lee                                                 | 9/6/2006  | T | Patrolman 1st Class Adam Co Medal of Valor                           |
| H143-2168 | Carey                                               | 9/9/2006  | T | Milford Parks & Recreation - 30th Anniversary                        |
| H143-2169 | Outten                                              | 9/9/2006  | T | American Legion Post #7 - New Facility - Dedication                  |
| H143-2170 | Wagner                                              | 9/9/2006  | T | Linda Chandler & Reid Townsend – Marriage                            |
| H143-2171 | Johnson                                             | 9/5/2006  | M | Charles Bruce Aiken                                                  |
| H143-2172 | DiPinto                                             | 6/17/2006 | T | James & Trudy Murphy - 60th Wedding Anniversary                      |
| H143-2173 | DiPinto                                             | 9/7/2006  | T | Joseph & Elizabeth Capodanno, Sr. – 65th Wedding Anniversary         |
| H143-2174 | Thornburg                                           | 9/26/2006 | T | Leon Messina - Retirement - Historical & Cultural Affairs - 34 Years |
| H143-2175 | Atkins                                              | 9/16/2006 | T | Tom & Georgeann White/30th Wedding Anniversary                       |
| H143-2176 | Wagner                                              | 9/16/2006 | T | Shawn Lanouette & Elizabeth McKay – Marriage                         |
| H143-2177 | Wagner                                              | 9/29/2006 | T | Alfred Grieshaber & Megan Coultin – Marriage                         |
| H143-2178 | Lavelle                                             | 10/7/2006 | T | Jacob Dean Williams - Eagle Scout                                    |
| H143-2179 | Stone                                               | 9/8/2006  | M | Shannon J. Sipe                                                      |
| H143-2180 | Wagner                                              | 9/10/2006 | M | Michael Dean Adams                                                   |
|           | cosponsor: Rep. Stone                               |           |   |                                                                      |
| H143-2181 | Atkins                                              | 9/24/2006 | T | Dagsboro Church of God - 50th Anniversary                            |
| H143-2182 | Booth                                               | 9/16/2006 | T | Dr. Kris Battaglini/ Retirement/Sussex Consortium                    |
| H143-2183 | Valihura                                            | 10/7/2006 | T | Matthew J. O'Laughlin - Eagle Scout                                  |
| H143-2184 | Booth                                               | 9/28/2006 | T | Karl Haller - Retirement - Public Defender                           |
| H143-2185 | Buckworth                                           | 9/10/2006 | M | Brian Dennis Brown                                                   |

#### HOUSE TRIBUTE ANNOUNCEMENT #96

DATE: November 6, 2006

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>Date</u> | <u>Type</u> | <u>Description</u>                                                                    |
|---------------|----------------|-------------|-------------|---------------------------------------------------------------------------------------|
| H143-2186     | Lee            | 9/23/2006   | T           | Annabelle Cordrey - 80th Birthday                                                     |
| H143-2187     | Lavelle        | 10/7/2006   | T           | Derek A. Anderson - Eagle Scout                                                       |
| H143-2188     | Schwartzkopf   | 9/9/2006    | M           | Parnell Thomas Biles                                                                  |
| H143-2189     | Carey          | 9/16/2006   | T           | Ellendale Community Civic Improvement Association - 25th Anniversary                  |
| H143-2190     | Schwartzkopf   | 9/6/2006    | M           | Mary Lee                                                                              |
| H143-2191     | Wagner         | 9/10/2006   | M           | Chief Master Sgt. Richard A. Goldey                                                   |
| H143-2192     | Thornburg      | 9/25/2006   | T           | Steve & Kristin Cook - Distinguished Service to Kent County Agriculture Award         |
| H143-2193     | Hall-Long      | 10/9/2006   | T           | William E. Powers, Jr. - Distinguished Service to New Castle County Agriculture Award |
| H143-2194     | Valihura       | 9/8/2006    | T           | Carl & Lucy Spincic - 50th Wedding Anniversary                                        |
| H143-2195     | Mulrooney      | 9/4/2006    | T           | Albert & Cecilia Kastner - 50th Wedding Anniversary                                   |
| H143-2196     | Johnson        | 8/25/2006   | T           | Frank & Eleanor Collins - 50th Wedding Anniversary                                    |
| H143-2197     | McWilliams     | 6/16/2006   | T           | Joseph & Ruth Bower - 50th Wedding Anniversary                                        |
| H143-2198     | Plant          | 5/12/2006   | T           | Eddie & Barb Krawczyk - 50th Wedding Anniversary                                      |
| H143-2199     | Plant          | 9/12/2006   | T           | Lemuel & Zenobia James - 50th Wedding Anniversary                                     |
| H143-2200     | Williams       | 8/21/2006   | T           | Paul & Sally Short - 50th Wedding Anniversary                                         |
| H143-2201     | Schooley       | 9/18/2006   | T           | Robert & June Hannah - 50th Wedding Anniversary                                       |
| H143-2202     | Schooley       | 8/4/2006    | T           | Matthew & Martha Beattie/60th Wedding Anniversary                                     |
| H143-2203     | Roy            | 9/11/2006   | M           | Elder Angela Y. Wright Freeman                                                        |
| H143-2204     | Wagner         | 9/12/2006   | T           | Edward M. Willis - President - Dover Elks                                             |
| H143-2205     | Thornburg      | 8/14/2006   | T           | Ed & Debbie Krupka - 30th Wedding Anniversary                                         |
| H143-2206     | Stone          | 9/18/2006   | T           | Honorable Tina Fallon - 89th Birthday                                                 |
| H143-2207     | Atkins         | 9/10/2006   | M           | Salvatore E. Scarfi                                                                   |
| H143-2208     | Atkins         | 9/24/2006   | T           | Estella Timmons - 70th Birthday                                                       |
| H143-2209     | Maier          | 10/28/2006  | T           | Rose Episcopo - 90th Birthday                                                         |
| H143-2210     | Valihura       | 9/16/2006   | T           | Howard & Joyce Fox - 50th Wedding Anniversary                                         |

# HOUSE TRIBUTE ANNOUNCEMENT #97

DATE: November 6, 2006

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                         | Date       | Type | Description                                                                           |
|-----------|---------------------------------|------------|------|---------------------------------------------------------------------------------------|
| H143-2211 | Buckworth                       | 9/23/2006  | T    | Delaware Al-Anon - 55th Anniversary                                                   |
|           | cosponsors: All Representatives |            |      |                                                                                       |
| H143-2212 | Atkins                          | 9/14/2006  | T    | Robert Tunnell, Jr./Million \$ Donation/Easter Seals                                  |
| H143-2213 | Johnson                         | 9/15/2006  | M    | Frances Luella Alston                                                                 |
| H143-2214 | Stone                           | 9/30/2006  | T    | Erin Hynes & Brian Taddeo - Marriage                                                  |
| H143-2215 | Hudson                          | 10/4/2006  | T    | Hercules Research Center - 75th Anniversary                                           |
| H143-2216 | Maier                           | 9/30/2006  | T    | Holy Angels School - 50th Anniversary                                                 |
| H143-2217 | Cathcart                        | 9/30/2006  | T    | Master Sgt. James Caccamo –<br>Retirement - Air Force - 24 Years                      |
| H143-2218 | Outten                          | 9/23/2006  | T    | Bishop Mary Alexander - 15 Years –<br>Pastor - Seventh Day Holy Church of Deliverance |
| H143-2219 | Outten                          | 9/25/2006  | T    | Robert Garey, Sr. - Retirement –<br>President - Kent County Farm Bureau               |
| H143-2220 | Carey                           | 10/7/2006  | T    | Ed Kee - Distinguished Service to<br>Agriculture Award                                |
| H143-2221 | Outten                          | 9/18/2006  | M    | Burton Satterfield                                                                    |
| H143-2222 | VanSant                         | 9/15/2006  | T    | Ralph Degliobizzi - Induction –<br>Salesianum School Hall of Fame                     |
| H143-2223 | Stone                           | 9/28/2006  | T    | Jonathan McIlvain - Eagle Scout                                                       |
| H143-2224 | Thornburg                       | 10/6/2006  | T    | Sandra O'Brien - Retirement - Division<br>of Motor Vehicles - 38+ Years               |
| H143-2225 | Spence                          | 9/24/2006  | T    | John & Lillian Douglas - 51st Wedding<br>Anniversary                                  |
|           | cosponsors: All Representatives |            |      |                                                                                       |
| H143-2226 | Ennis                           | 9/17/2006  | M    | Ronald Edward Bleen                                                                   |
| H143-2227 | Wagner                          | 9/23/2006  | T    | Ainsley Simolike & Christopher Crowell - Marriage                                     |
| H143-2228 | Thornburg                       | 9/23/2006  | M    | Gerald A. Donovan, Sr.<br>& Wagner cosponsors: All Representatives                    |
| H143-2229 | Ennis                           | 9/24/2006  | T    | Centennial United Methodist Church –<br>130th Anniversary                             |
| H143-2230 | Booth                           | 9/1/2006   | T    | Ken & Jane Dodd - 50th Wedding Anniversary                                            |
| H143-2231 | Spence                          | 10/11/2006 | T    | James P. Boulanger - 70th Birthday                                                    |
| H143-2232 | Lee                             | 9/28/2006  | T    | Lori Rigby - Outstanding Work - House<br>of Representatives                           |
| H143-2233 | Booth                           | 10/1/2006  | T    | 30th Annual Coast Day<br>cosponsors: Reps. Carey & Schwartzkopf                       |
| H143-2234 | Atkins                          | 10/7/2006  | T    | Sean Callaway - Outstanding Military Duty                                             |

# HOUSE TRIBUTE ANNOUNCEMENT #98

DATE: November 6, 2006

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 | Date       | Type | Description                                                            |
|-----------|---------|------------|------|------------------------------------------------------------------------|
| H143-2235 | Wagner  | 9/22/2006  | T    | Dr. Vernerado Maximo - Outstanding<br>Filipino-American                |
| H143-2236 | Carey   | 10/17/2006 | T    | Avenue Medical - Supported<br>Employment Program Award - KSI           |
| H143-2237 | Carey   | 10/17/2006 | T    | Kraft Foods Global, Inc. - Industrial<br>Work Crew Program Award - KSI |
| H143-2238 | Carey   | 10/17/2006 | T    | Playtex Products, Inc. - Industrial Work<br>Crew Program Award - KSI   |
| H143-2239 | Carey   | 10/17/2006 | T    | Proctor & Gamble Dover Wipes<br>Company/Industrial Work Crew Award/KSI |
| H143-2240 | Carey   | 10/17/2006 | T    | Burris Logistics - KSI Cartridge Service Award                         |
| H143-2241 | Carey   | 10/17/2006 | T    | Dover Post Company - KSI Cartridge<br>Service Award                    |
| H143-2242 | Carey   | 10/17/2006 | T    | LabCorp - KSI Cartridge Service Award                                  |
| H143-2243 | Carey   | 10/17/2006 | T    | B & G Foods, Inc. - Sub-contract Award - KSI                           |
| H143-2244 | Carey   | 10/17/2006 | T    | Color-Box Harrington - Sub-contract Award - KSI                        |
| H143-2245 | Carey   | 10/17/2006 | T    | Dover Federal Credit Union/Sub-contract Award/KSI                      |
| H143-2246 | Carey   | 10/17/2006 | T    | Fastenal Company - Sub-contract Award - KSI                            |



|           |                               |            |   |                                                          |
|-----------|-------------------------------|------------|---|----------------------------------------------------------|
| H143-2247 | Carey                         | 10/17/2006 | T | Perdue Farms Inc. - Sub-contract Award - KSI             |
| H143-2248 | Carey                         | 10/17/2006 | T | Walmart Distribution - Sub-contract Award - KSI          |
| H143-2249 | Carey                         | 10/17/2006 | T | Intervet, Inc. - Partnership Award - KSI                 |
| H143-2250 | Carey                         | 10/17/2006 | T | John Garnick - KSI Champion Award                        |
| H143-2251 | Carey                         | 10/17/2006 | T | Pat Weaver - KSI Champion Award                          |
| H143-2252 | Wagner                        | 9/27/2006  | M | Rebecca T. Gates                                         |
| H143-2253 | Keeley                        | 9/24/2006  | M | Cameron D. Hamlin                                        |
| H143-2254 | Hudson                        | 9/28/2006  | M | Dr. Lloyd Bratton Harrison, Jr.                          |
| H143-2255 | Outten                        | 10/18/2006 | T | Volunteer Fireman's Association - 900th Meeting          |
|           | cosponsors: Reps. Ennis & Lee |            |   |                                                          |
| H143-2256 | Spence                        | 10/10/2006 | T | National Day of the Republic of China – 95th Anniversary |
| H143-2257 | Maier                         | 9/28/2006  | M | Theresa C. Palandrani                                    |
| H143-2258 | Hocker                        | 8/30/2006  | T | Gerald & Fran Pepper - 55th Wedding Anniversary          |
| H143-2259 | Hocker                        | 9/12/2006  | T | Mike & Joanne Gichner - 25th Wedding Anniversary         |

#### HOUSE TRIBUTE ANNOUNCEMENT #99

DATE: November 6, 2006

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>Date</u> | <u>Type</u> | <u>Description</u>                                                 |
|---------------|----------------|-------------|-------------|--------------------------------------------------------------------|
| H143-2260     | Johnson        | 8/12/2006   | T           | Nicola & Anna DiRito - 50th Wedding Anniversary                    |
| H143-2261     | Booth          | 9/28/2006   | T           | Cathey Betts/National Officer/Degree of Pocahontas                 |
| H143-2262     | Keeley         | 9/29/2006   | M           | Lois J. Campbell                                                   |
| H143-2263     | Stone          | 10/29/2006  | M           | Helen L. Evans                                                     |
| H143-2264     | Ennis          | 9/30/2006   | M           | Alfred Schmidt                                                     |
| H143-2265     | Fallon         | 10/12/2006  | T           | Bonnie Johnson/Distinguished Alumni/DelTech                        |
| H143-2266     | Fallon         | 10/12/2006  | T           | Brenda Sample/Distinguished Alumni/DelTech                         |
| H143-2267     | Lee            | 10/12/2006  | T           | Joyce Sessoms/Distinguished Alumni/DelTech                         |
| H143-2268     | Ulbrich        | 9/30/2006   | M           | Mary W. McCartan                                                   |
| H143-2269     | Schwartzkopf   | 9/8/2006    | T           | Philip & Joan Bosin - 50th Wedding Anniversary                     |
| H143-2270     | Schwartzkopf   | 9/21/2006   | T           | Robert & Frances McConchie - 60th Wedding Anniversary              |
| H143-2271     | Keeley         | 8/10/2006   | T           | Earl & Beverly Johnson - 60th Wedding Anniversary                  |
| H143-2272     | VanSant        | 9/14/2006   | T           | Homer & Jean Lutton - 60th Wedding Anniversary                     |
| H143-2273     | Hall-Long      | 9/12/2006   | T           | Joseph & Alice Cahill - 60th Wedding Anniversary                   |
| H143-2274     | Gilligan       | 7/29/2006   | T           | Ronald & Castell LeCompte/50th Wedding Anniversary                 |
| H143-2275     | Schooley       | 10/27/2006  | T           | James & Sunny Folk - 50th Wedding Anniversary                      |
| H143-2276     | Ulbrich        | 10/11/2006  | T           | Newark Historical Society - 25th Anniversary                       |
| H143-2277     | Williams       | 10/7/2006   | T           | Lieutenant Eugene Scott - Retirement – Department of Correction    |
| H143-2278     | Mulrooney      | 10/6/2006   | T           | Woddy & Dorothy Sheats/50th Wedding Anniversary                    |
| H143-2279     | Williams       | 8/25/2006   | T           | Charles & Jessie Thomas/55th Wedding Anniversary                   |
| H143-2280     | Schooley       | 8/29/2006   | T           | Kenneth & Maurita Hall/50th Wedding Anniversary                    |
| H143-2281     | Williams       | 9/1/2006    | T           | Andrew & Virginia Schenck/60th Wedding Anniversary                 |
| H143-2282     | Schwartzkopf   | 10/20/2006  | T           | Rehoboth Beach Country Club/60th Anniversary                       |
| H143-2283     | Stone          | 9/22/2006   | T           | Ralph & Frances Deats - 50th Wedding Anniversary                   |
| H143-2284     | Hudson         | 10/10/2006  | T           | Miriam Edell - Nora Kipnis Wilson & Toby Friedland Award Recipient |

#### HOUSE TRIBUTE ANNOUNCEMENT #100

DATE: November 6, 2006

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>Date</u> | <u>Type</u> | <u>Description</u>                                                  |
|---------------|----------------|-------------|-------------|---------------------------------------------------------------------|
| H143-2285     | Keeley         | 10/4/2006   | T           | Angelica Lopez/Wilmington Award – Volunteer Category                |
| H143-2286     | Keeley         | 10/4/2006   | T           | Khary Dewitt - Wilmington Award – Community Category                |
| H143-2287     | Keeley         | 10/4/2006   | T           | Helen Thomas - Wilmington Award – Senior Category                   |
| H143-2288     | DiPinto        | 6/25/2006   | T           | Alexandra Scarpa - LeadAmerica Youth Leadership Conference Attendee |
| H143-2289     | Stone          | 10/14/2006  | T           | Michael Watson - Eagle Scout                                        |
| H143-2290     | Booth          | 10/22/2006  | T           | Mason Small - Eagle Scout                                           |
| H143-2291     | Booth          | 10/22/2006  | T           | David Campbell - Eagle Scout                                        |

|           |                                   |            |   |                                                                                        |
|-----------|-----------------------------------|------------|---|----------------------------------------------------------------------------------------|
| H143-2292 | Marshall                          | 10/22/2006 | T | Kenneth Holbert, Jr. - Eagle Scout<br>& Spence cosponsors: All Representatives         |
| H143-2293 | Ennis                             | 10/11/2006 | T | Women's Auxiliary - Hospital for<br>Chronically Ill - 40th Anniversary                 |
| H143-2294 | Schwartzkopf                      | 9/5/2006   | M | Donald Kirchman                                                                        |
| H143-2295 | Valihura                          | 10/12/2006 | T | Denise Crowley - School Nurse of the Year                                              |
| H143-2296 | Gilligan                          | 10/29/2006 | T | Rev. Dr. Patricia Harris & Marshallton<br>United Methodist Church - Homecoming Service |
| H143-2297 | Marshall                          | 10/13/2006 | T | Diamond State Reading Association –<br>Dedication to Literacy                          |
| H143-2298 | Maier                             | 10/14/2006 | T | Delaware Air National Guard - 60th<br>Anniversary                                      |
| H143-2299 | Thornburg                         | 10/7/2006  | T | Joy Osborn & Matthew Krupka – Marriage                                                 |
| H143-2300 | Carey                             | 10/20/2006 | T | Gail Muncey - Retirement - Morris Early<br>Childhood School                            |
| H143-2301 | Keeley                            | 10/13/2006 | T | Lois Greeff - Service - 30 Years –<br>Hilltop Lutheran Neighborhood Center             |
| H143-2302 | Cathcart                          | 10/21/2006 | T | Daniel Lantz - Eagle Scout                                                             |
| H143-2303 | Hudson                            | 10/1/2006  | T | Tony Zook - AstraZeneca - Working<br>Mother Magazine Award                             |
| H143-2304 | Booth                             | 10/18/2006 | T | Bill & Helen Williams - Leading<br>Movement for Library in Georgetown                  |
| H143-2305 | Valihura                          | 10/12/2006 | M | Carl W. Hill                                                                           |
|           | cosponsors: Reps. Lavelle & Smith |            |   |                                                                                        |
| H143-2306 | Schwartzkopf                      | 10/19/2006 | T | Sgt. Joseph Myers/ Retirement/State Police/25 Years                                    |
| H143-2307 | Schwartzkopf                      | 10/20/2006 | T | Rehoboth Beach Lions Club Service<br>Foundation - 60th Anniversary                     |
| H143-2308 | Hocker                            | 10/18/2006 | T | Murray Farm - Century Farm Award                                                       |

#### HOUSE TRIBUTE ANNOUNCEMENT #101

DATE: November 6, 2006

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>Date</u> | <u>Type</u> | <u>Description</u>                                          |
|---------------|-----------------------------------------------------------|-------------|-------------|-------------------------------------------------------------|
| H143-2309     | Carey                                                     | 10/18/2006  | T           | Clendaniel Farms, Inc. - Century Farm Award                 |
| H143-2310     | Ennis                                                     | 10/10/2006  | M           | Ruth Ann Pleasanton                                         |
| H143-2311     | Hocker                                                    | 10/19/2006  | T           | Lord Blatimore Elementary School/Ribbon-cutting             |
| H143-2312     | Hocker                                                    | 9/28/2006   | T           | Elsie Fitzgerald - 102nd Birthday                           |
| H143-2313     | Hocker                                                    | 10/18/2006  | T           | Hudson Acres - Century Farm Award                           |
| H143-2314     | Schwartzkopf                                              | 10/18/2006  | T           | Davidson Farm - Century Farm Award                          |
| H143-2315     | Wagner                                                    | 10/28/2006  | T           | Emily Vaughan & Kevin McNamara – Marriage                   |
| H143-2316     | DiPinto                                                   | 10/18/2006  | T           | Dr. Randal Pinkett - Keynote Speaker –<br>MegaBizFest       |
|               | cosponsors: All Representatives                           |             |             |                                                             |
| H143-2317     | Hocker                                                    | 10/22/2006  | T           | St. George's United Methodist Church –<br>190th Anniversary |
| H143-2318     | Booth                                                     | 10/22/2006  | T           | Beebe Medical Center - 90th<br>Anniversary                  |
|               | cosponsors: Reps. Atkins, Carey,<br>Hocker & Schwartzkopf |             |             |                                                             |
| H143-2319     | Booth                                                     | 10/22/2006  | T           | Beebe School of Nursing - 85th<br>Anniversary               |
|               | cosponsors: Reps. Atkins, Carey,<br>Hocker & Schwartzkopf |             |             |                                                             |
| H143-2320     | Schwartzkopf                                              | 10/22/2006  | T           | Tunnell Cancer Center - Ribbon Cutting                      |
|               | cosponsors: Reps. Atkins, Booth, Carey & Hocker           |             |             |                                                             |
| H143-2321     | Spence                                                    | 10/18/2006  | T           | Kevin Wade - Presentation to House Task Force               |
| H143-2322     | Spence                                                    | 10/18/2006  | T           | Don Marston - Presentation to House Task Force              |
| H143-2323     | DiPinto                                                   | 10/24/2006  | T           | Lynn Williams - Pioneer of Preservation                     |
| H143-2324     | Lofink                                                    | 10/21/2006  | T           | Glasgow Reformed Presbyterian Church<br>- 20th Anniversary  |
| H143-2325     | Wagner                                                    | 10/18/2006  | M           | Ned Davis                                                   |
|               | cosponsors: All Representatives                           |             |             |                                                             |
| H143-2326     | Schooley                                                  | 10/24/2006  | T           | Honorable Karen Venezky/ Service/NC County Council          |
| H143-2327     | Ennis                                                     | 10/19/2006  | M           | Reynolds L. Jones                                           |
| H143-2328     | Carey                                                     | 10/18/2006  | T           | Eli Valenzuela/Minority Small Business Person of Year       |

H143-2329 Hudson 10/27/2006 T Marshallton United Methodist Church –  
120th Anniversary

HOUSE TRIBUTE ANNOUNCEMENT #102

DATE: November 6, 2006

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                         | Date       | Type | Description                                                           |
|-----------|---------------------------------|------------|------|-----------------------------------------------------------------------|
| H143-2330 | Buckworth                       | 10/26/2006 | T    | John Charlton School - 50th Anniversary                               |
| H143-2331 | Spence                          | 10/28/2006 | T    | Master Corporal Larry Welch –<br>Retirement - State Police - 27 Years |
| H143-2332 | Hudson                          | 10/26/2006 | T    | Mary Skelton - Retirement - Kent County Tourism                       |
| H143-2333 | Hudson                          | 10/26/2006 | T    | Harriet Smith Windsor - Kent County<br>Tourism Award                  |
| H143-2334 | Wagner                          | 10/19/2006 | M    | Captain Gloria J. Green                                               |
| H143-2335 | Wagner                          | 10/22/2006 | M    | Sidney B. Barnes, Jr.                                                 |
| H143-2336 | Wagner                          | 10/24/2006 | M    | Ruth L. Eskenazi                                                      |
| H143-2337 | Lofink                          | 11/2/2006  | T    | Chad Mills - Eagle Scout                                              |
| H143-2338 | Maier                           | 10/24/2006 | M    | James A. Joyce, Sr.                                                   |
|           | cosponsors: All Representatives |            |      |                                                                       |
| H143-2339 | Maier                           | 10/24/2006 | M    | John H. Johnston                                                      |
| H143-2340 | Ulbrich                         | 10/23/2006 | M    | Elizabeth Rose Graden                                                 |
| H143-2341 | Stone                           | 6/17/2006  | T    | Dr. Heather Walters & Dr. James Nace – Marriage                       |
| H143-2342 | Oberle                          | 11/4/2006  | T    | Maynard & Edna Ritter - 50th Wedding<br>Anniversary                   |
| H143-2343 | Maier &<br>Oberle               | 10/24/2006 | T    | Thomas Jarrett - Meritorious Service<br>Award                         |
|           | cosponsors: All Representatives |            |      |                                                                       |
| H143-2344 | Lee                             | 9/21/2006  | T    | Sierra Spicer - Peace Poster Chosen for Postage Stamp                 |
| H143-2345 | Lee                             | 11/6/2006  | T    | John Theofiles - Laurel Business Person of the Year                   |
| H143-2346 | Lee                             | 11/2/2006  | T    | John McDonnell - Delmar Citizen of the Year                           |
| H143-2347 | Fallon                          | 11/1/2006  | T    | Peninsula Home Care - National Home<br>Care Month Celebration         |
| H143-2348 | Spence                          | 10/28/2006 | M    | Senior Corporal Antonio DiAlessandro                                  |
| H143-2349 | Lee                             | 10/19/2006 | M    | Kathryn Augustus Brittingham                                          |
|           | cosponsors: All Representatives |            |      |                                                                       |
| H143-2350 | DiPinto                         | 11/2/2006  | T    | Dr. Garrett Lyons, Sr. - Lifetime Achievement Award                   |
| H143-2351 | Valihura                        | 11/2/2006  | T    | Honorable Jane Maroney Lifetime Achievement Award                     |
| H143-2352 | Ulbrich                         | 11/2/2006  | T    | C. Lawler Rogers, Sr. - Lifetime Achievement Award                    |
| H143-2353 | Outten                          | 10/30/2006 | M    | William A. Minner                                                     |

HOUSE TRIBUTE ANNOUNCEMENT #103

DATE: November 6, 2006

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 | Date       | Type | Description                                                          |
|-----------|---------|------------|------|----------------------------------------------------------------------|
| H143-2354 | Lee     | 11/3/2006  | T    | Johnny Hastings Family - Sussex<br>County Farm Family of the Year    |
| H143-2355 | Wagner  | 10/27/2006 | M    | Adam Michael Coker                                                   |
| H143-2356 | Spence  | 10/26/2006 | T    | Joseph Letnaunchyn - 13 Years –<br>Delaware Healthcare Association   |
| H143-2357 | Stone   | 11/3/2006  | T    | James Clark - 50 Years of U-Haul Service                             |
| H143-2358 | Stone   | 11/4/2006  | T    | Dr. John Austin - 2nd Anniversary –<br>Capitol Park Community Center |
| H143-2359 | Stone   | 11/4/2006  | T    | Don Scholfield - 2nd Anniversary –<br>Capitol Park Community Center  |
| H143-2360 | Atkins  | 11/1/2006  | M    | Mary Catherine Hudson                                                |
| H143-2361 | DiPinto | 11/6/2006  | T    | Paul Mahoney - Outstanding Older Worker                              |
| H143-2362 | Hudson  | 10/20/2006 | T    | Anthony & Leona DeGregory - 50th<br>Wedding Anniversary              |

# INDEX

## HOUSE BILLS

HB 1 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO SUMMER YOUTH EMPLOYMENT PROGRAM. (House Appropriations Committee) p. 272.

HS 2/HB 2 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE HIGH SCHOOL DIPLOMA REQUIREMENTS. (Senate Education Committee) p. 22, 30, 40, 78, 84.

HB 3 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE HIGH SCHOOL DIPLOMA REQUIREMENTS. (Signed by the Governor 5/17/05) p. 89, 90, 92, 94.

HB 4 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE CONCERNING THE OVERSIGHT OF PUBLIC UTILITIES THAT DISTRIBUTED AND SUPPLY ELECTRICITY TO RETAIL ELECTRIC CUSTOMERS IN THE STATE. (House Energy Committee) p. 227.

HB 5 w/HA 1 AN ACT WAIVING PROVISIONS OF THE DELAWARE CODE TO ALLOW THE STATE TO PROCURE ELECTRICITY ON THE RETAIL OR WHOLESALE MARKET. (Signed by the Governor 4/6/06) p. 227, 237, 241, 256.

HB 6 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE CONCERNING THE OVERSIGHT OF PUBLIC UTILITIES THAT DISTRIBUTED AND SUPPLY ELECTRICITY TO RETAIL ELECTRIC CUSTOMERS IN THE STATE. (Signed by the Governor 4/6/06) p. 234, 235, 237, 238, 244, 256.

HB 7 w/HA 1 AN ACT TO AMEND TITLE 11 AND TITLE 20 OF THE DELAWARE CODE RELATING TO THE DELAWARE STATE POLICE. (Signed by the Governor 6/30/06) p. 238, 252, 281, 325, 342, 368.

HB 8 w/HA 1 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE DISPOSAL OF YARD WASTE IN THE CHERRY ISLAND LANDFILL AND IN OTHER LANDFILLS, AND RAISING THE ELEVATION OF THE CHERRY ISLAND LANDFILL. (Passed in the House 6/28/06) p. 282, 290, 310, 325, 336.

HB 9 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO CANDIDATES AND POLITICAL PARTY AFFILIATION. (Stricken 6/14/06) p. 284, 308.

HB 10 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO CANDIDATES AND POLITICAL PARTY AFFILIATION. (House Ready List) p. 287, 306, 308.

HB 11 w/HA 1 AN ACT TO AMEND TITLE 30, CHAPTER 55 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES TAXES. (Signed by the Governor 2/7/05) p. 4, 12, 13, 25, 33.

HS1/HB 12 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO VACANCIES ON NEW CASTLE COUNTY COUNCIL. (Senate Judiciary Committee) p. 4, 13, 32.

HB 13 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO EMPLOYMENT AND REEMPLOYMENT RIGHTS AND CERTAIN OTHER RIGHTS FOR MEMBERS OF THE UNIFORMED MILITARY SERVICES. (Senate Veterans Affairs Committee) p. 8, 13, 19.

HB 14 AN ACT TO AMEND CHAPTER 171, VOLUME 58, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF CHESWOLD, TO PROVIDE FOR THE ELIMINATION OF THE ONE YEAR WAITING PERIOD FOR A FORMER COUNCIL MEMBER TO BE EMPLOYED BY THE TOWN OF CHESWOLD. (Signed by the Governor 2/9/05) p. 8, 13, 19, 27, 33.

HB 15 w/HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR CARRIER SAFETY. (Signed by the Governor 3/23/05) p. 12, 25, 27, 33, 41, 50.

HB 16 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES FOR GRADUATES OF THE FBI NATIONAL ACADEMY. (Senate Public Safety Committee) p. 12, 13, 32.

HB 17 AN ACT TO AMEND CHAPTER 59 OF TITLE 29 OF THE DELAWARE CODE RELATING TO LEAVE REGULATIONS FOR EXEMPT POSITIONS. (Signed by the Governor 5/4/05) p. 12, 25, 32, 57, 78.

HB 18 w/SA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO AMBULANCE ATTENDANTS. (Signed by the Governor 6/23/05) p. 12, 25, 32, 106, 116, 117, 141.

HB 19 AN ACT TO AMEND CHAPTER 57, VOLUME 170, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES", TO INCREASE THE MAXIMUM AMOUNT TO BE RAISED FROM TAXES ON REAL ESTATE AND IMPROVEMENTS FROM ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000.00) TO THREE MILLION DOLLARS (\$3,000,000.00). (Stricken 1/27/05) p. 12, 25, 27.

HB 20 w/SA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Senate amended and passed 6/28/06) p. 12, 25, 137, 340, 343.

HB 21 AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE", TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND TO PROVIDE FOR MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS. (Signed by the Governor 2/9/05) p. 12, 13, 18, 27, 33.

HB 22 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE PROCEDURES FOR TERMINATION OF SERVICES OF PROFESSIONALS. (Signed by the Governor 4/26/05) p. 13, 22, 38, 42, 57, 78.

HB 23 AN ACT TO AMEND CHAPTER 48 OF TITLE 21 OF THE DELAWARE CODE RELATING TO CHILD SAFETY RESTRAINTS. (Stricken 1/27/05) p. 13, 22, 25.

HB 24 w/HA 2 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE. (Signed by the Governor 6/30/05) p. 13, 22, 23, 25, 26, 31, 75, 84.

HB 25 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT, REGULATION AND OPERATION OF VIDEO LOTTERY GAMING FACILITIES WITHIN A VIDEO LOTTERY REDEVELOPMENT DISTRICT IN THE CITY OF WILMINGTON, AND THE ALLOCATION OF VIDEO LOTTERY PROCEEDS AND TERMINALS. (House Gaming & Parimutuels Committee) p. 91.

HB 26 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE HOSPITAL INFECTIONS DISCLOSURE ACT. (House Health & Human Development Committee) p. 18, 19, 22, 33.

HB 27 w/HA 1 & 2 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO STOPPING, STANDING AND PARKING. (Defeated in the House 4/12/05) p. 22, 38, 41, 42, 47, 49, 51.

HB 28 AN ACT PERMITTING THE COLONIAL SCHOOL DISTRICT TO CONVEY TO THE CITY OF WILMINGTON THE BUILDING AT 3000 NORTH CLAYMONT STREET, WILMINGTON, DELAWARE. (Signed by the Governor 2/7/05) p. 19, 25, 33.

HB 29 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY EXECUTIVE AND COUNTY DEPARTMENTS. (Signed by the Governor 2/9/05) p. 20, 27, 33.

HB 30 AN ACT TO AMEND TITLE 14 AND 29 OF THE DELAWARE CODE RELATING TO THE DONATED LEAVE PROGRAM. (House Appropriations Committee) p. 22, 45.

HB 31 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE CASE OF WARD T. EVANS V. STATE OF DELAWARE, 2004 WL 2743546 (DEL. SUPR.) AND GENERALLY THE INTERPRETATION AND CONSTRUCTION OF DELAWARE LAWS BY DELAWARE JUDICIAL OFFICERS. (Signed by the Governor 2/1/05) p. 20, 25, 33.

HB 32 w/SA 1 & 2 & HA 1 AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO HOME RULE. (Signed by the Governor 5/10/05) p. 20, 41, 43, 77, 94.

HB 33 w/HA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACIES. (Signed by the Governor 7/7/05) p. 22, 23, 83, 101, 125, 127, 165, 177.

HB 34 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES. (Senate Public Safety Committee) p. 25, 38, 40.

HB 35 AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2006; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (House Appropriations Committee) p. 29.

HS1/HB 36 w/HA 1, 3, 9, HA 2 to HA 9, HA 10, 11 & 12 AN ACT TO AMEND TITLES 6, 9, 18, 19, 25 AND 29 OF THE DELAWARE CODE RELATING TO DISCRIMINATION EMPLOYMENT, PUBLIC WORKS CONTRACTING, HOUSING, EQUAL ACCOMMODATIONS AND THE INSURANCE BUSINESS. (Senate Judiciary Committee) p. 27, 30, 38, 40, 41, 44, 47, 48, 49.

HB 37 w/HA 1 & 2 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (Senate Public Safety Committee) p. 25, 225, 227, 228, 229, 230, 235, 236.

HB 38 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO A PROGRAM FOR CONTINUOUS REMOTE ALCOHOL MONITORING. (Stricken 3/30/06) p. 25, 41, 234.

HS1/HB 39 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO UNFAIR PRACTICES IN INSURANCE. (House Economic Development/Banking & Insurance Committee) p. 29, 31, 119.

HB 40 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAXES. (House Revenue & Finance Committee) p. 29.

HB 41 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE LOTTERY. (House Gaming & Parimutuels Committee) p. 29.

HB 42 w/HA 1 & 2 AN ACT TO AMEND TITLE 4, DELAWARE CODE, PERTAINING TO POSSESSION AND CONSUMPTION OF ALCOHOL BY UNDERAGE PERSONS. (Senate Judiciary Committee) p. 29, 38, 41, 42.

HB 43 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE INVOLUNTARY CIVIL COMMITMENT OF SEXUALLY VIOLENT PERSONS. (Senate Judiciary Committee) p. 27.

HB 44 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LAW ENFORCEMENT ADMINISTRATION. (House Appropriations Committee) p. 29, 38, 39.

HB 45 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE STATE PUBLIC ASSISTANCE CODE. (House Health & Human Development Committee) p. 29.

HB 46 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SENTENCING. (Signed by the Governor 7/7/05) p. 29, 45, 50, 174, 177.

HS1/HB 47 w/HA 2 & 3 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CURRICULUM STANDARDS AND THE POWERS AND DUTIES OF THE DEPARTMENT OF EDUCATION. (Signed by the Governor 6/14/05) p. 29, 45, 50, 65, 68, 69, 71, 72, 111, 127.

HB 48 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMPENSATION COMMISSION. (Senate Judiciary Committee) p. 29, 42, 45, 53.

HB 49 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (Stricken 6/9/05) p. 29, 111.

HB 50 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACY. (Signed by the Governor 5/15/06) p. 29, 101, 115, 116, 264, 267, 275.

HB 51 w/HA 1 & SA 2 & HA 2 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF PHARMACY. (Senate Health & Social Services Committee) p. 29, 45, 115, 116, 264, 273, 313, 324, 326.

HB 52 AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE RELATING TO SALARIES AND WORKING CONDITIONS OF SCHOOL EMPLOYEES. (House Appropriations Committee) p. 30, 31.

HB 53 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. (Stricken 6/28/05) p. 30, 45, 70, 147.

HB 54 w/HA 1 & 2 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO BUSINESS TAX CREDITS AND DEDUCTIONS. (Senate Finance Committee) p. 30, 34, 111, 151, 167.

HS1/HB 55 w/HA 1 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE COUNTY AUDITOR. (Signed by the Governor 7/12/05) p. 30, 92, 101, 106, 174, 178.

HB 56 AN ACT TO AMEND CHAPTER 23, VOLUME 72, LAWS OF DELAWARE, AND TITLE 30 OF THE DELAWARE CODE RELATING TO CREDIT FOR RESEARCH AND DEVELOPMENT EXPENSES. (Signed by the Governor 7/12/05) p. 30, 38, 39, 45, 64, 70, 165, 178.

HB 57 AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY FROM THE CAPE HENLOPEN SCHOOL DISTRICT TO CAREY COMMUNITIES, INC., AND THE TOWN OF MILTON. (Stricken 3/17/05) p. 30, 39.

HB 58 AN ACT TO AMEND CHAPTER 59 OF TITLE 29 OF THE DELAWARE CODE RELATING TO GRIEVANCES. (Signed by the Governor 7/7/05) p. 30, 45, 52, 53, 156, 177.

HB 59 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO LAW ENFORCEMENT ADMINISTRATION. (House Appropriations Committee) p. 30, 38, 39.

HB 60 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE PERTAINING TO SCHOOL NURSES. (House Appropriations Committee) p. 30, 38, 39, 309.

HB 61 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO TRANSPORTATION OF STATE EMPLOYEES. (House Appropriations Committee) p. 30.



HB 62 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE LOTTERY. (House Appropriations Committee) p. 30, 31, 45.

HB 63 w/SA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LEARNER'S PERMITS. (Signed by the Governor 4/14/05) p. 30, 38, 40, 49, 53, 68.

HB 64 AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO CERTAIN LEGAL HOLIDAYS. (House Appropriations Committee) p. 30, 38, 39.

HB 65 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SEWERS. (Signed by the Governor 5/17/05) p. 31, 45, 51, 89, 94.

HB 66 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH CARE INSURANCE. (House Economic Development/Banking & Insurance Committee) p. 31, 227.

HB 67 w/SA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF DENTAL EXAMINERS. (Signed by the Governor 7/7/05) p. 34, 72, 77, 105, 139, 155, 156, 177.

HB 68 AN ACT TO AMEND TITLE 3, CHAPTER 101 OF THE DELAWARE CODE RELATING TO THOROUGHBRED RACING. (Signed by the Governor 3/30/05) p. 34, 39, 50.

HB 69 AN ACT TO AMEND TITLE 20 DELAWARE CODE TO CREATE THE SERVICE MEMBERS' LIFE INSURANCE REIMBURSEMENT FUND. (Signed by the Governor 6/14/05) p. 38, 69, 77, 89, 110, 127.

HB 70 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE PLATES. (Senate Public Safety Committee) p. 34, 45, 64.

HB 71 w/HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE ADVISORY COUNCIL ON CAREER EDUCATION. (Signed by the Governor 6/14/05) p. 34, 45, 51, 112, 127.

HB 72 w/HA 1 AN ACT TO AMEND TITLES 16 AND 24 OF THE DELAWARE CODE RELATING TO NURSING HOMES AND NURSING HOME ADMINISTRATORS. (Senate Sunset Committee) p. 34, 101, 117, 130.

HB 73 w/HA 2 & 3 & HA 1 to HA 3 AN ACT TO AMEND TITLE 24 AND TITLE 29 OF THE DELAWARE CODE RELATING TO REAL ESTATE APPRAISERS. (Signed by the Governor 7/7/05) p. 34, 101, 131, 136, 156, 177.

HB 74 AN ACT TO AMEND TITLES 11, 16 AND 29 OF THE DELAWARE CODE RELATING TO THE BOARD OF PENSION TRUSTEES. (Senate Sunset Committee) p. 34, 101, 137.

HB 75 w/HA 1 AN ACT TO AMEND TITLE 16 AND TITLE 24 OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICES ACT. (Signed by the Governor 7/12/05) p. 34, 101, 117, 145, 174, 178.

HB 76 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO LIMITATIONS UPON TAXING POWER. (Signed by the Governor 5/4/05) p. 34, 45, 51, 72, 78.

HB 77 AN ACT AMENDING TITLE 29, DELAWARE CODE RELATING TO DESIGNATING THE STONEFLY (ORDER PLECOPTERA) AS THE STATE MACROINVERTEBRATE. (Signed by the Governor 5/4/05) p. 34, 42, 45, 58, 74, 94.

HB 78 w/HA 1 & 3 AN ACT TO AMEND TITLE 26, DELAWARE CODE, RELATING TO THE PUBLIC SERVICE COMMISSION AND THE ASSESSMENT PUBLIC UTILITIES AND CABLE TELEVISION SYSTEMS PAY. (Signed by the Governor 7/12/05) p. 34, 46, 52, 60, 101, 123, 124, 174, 178.

HB 79 w/HA 1 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE TO PROVIDE FOR REAL PROPERTY ELECTRONIC RECORDING. (Signed by the Governor 5/12/05) p. 34, 44, 45, 53, 85, 94.

HB 80 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STATE HIGH SCHOOL DIPLOMA REQUIREMENTS (House Education Committee) p. 33, 39.

HB 81 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO TRANSPORTATION OF STATE EMPLOYEES. (House Labor Committee) p. 39.

HB 82 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC OFFICERS AND EMPLOYEES. (Stricken 4/28/05) p. 39, 57, 70.

HS1/HB 83 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROHIBITED HUNTING AND TRAPPING DEVICES AND METHODS. (House Ready List) p. 39, 45, 73, 77.

HS 2/HB 84 AN ACT TO AMEND CHAPTER 90 OF TITLE 11 OF THE DELAWARE CODE PERTAINING TO COMPENSATION FOR INNOCENT VICTIMS OF CRIME. (House Ready List) p. 39, 45, 135, 273, 313, 320, 334.

HB 85 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO KENT COUNTY BOARD OF ASSESSMENT. (Signed by the Governor 5/17/05) p. 41, 57, 64.

HB 86 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO A PILOT PROGRAM FOR CONTINUOUS REMOTE ALCOHOL MONITORING. (Signed by the Governor 7/12/05) p. 41, 57, 66, 133, 147, 174, 178.

HB 87 AN ACT TO AMEND CHAPTER 13, VOLUME 74, LAWS OF DELAWARE BY REMOVING SUNSET PROVISIONS RELATING TO THE PROFESSIONAL STANDARDS BOARD. (Stricken 3/22/05) p. 41, 43.

HB 88 w/HA 2 & 3 AN ACT TO AMEND TITLE 11, DELAWARE CODE RELATING TO STATE POLICE. (Signed by the Governor 6/14/05) p. 41, 57, 60, 63, 66, 69, 110, 127.

HB 89 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES. (Senate Public Safety Committee) p. 41, 59.

HS1/HB 90 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO UNFAIR INSURANCE BUSINESS PRACTICES AND APPLICABLE PENALTIES. (Signed by the Governor 6/23/05) p. 40, 85, 88, 104, 119, 141.

HB 91 w/HA 1 AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY FROM THE CAPE HENLOPEN SCHOOL DISTRICT TO CAREY COMMUNITIES, INC., AND THE TOWN OF MILTON, AND THE TRANSFER OF CERTAIN REAL PROPERTY FROM CAREY COMMUNITIES, INC. TO THE CAPE HENLOPEN SCHOOL DISTRICT. (Signed by the Governor 5/25/05) p. 44, 52, 64, 87, 94.

HB 92 AN ACT TO AMEND CHAPTER 23, TITLE 11 OF THE DELAWARE CODE RELATING TO SEIZURES AND FORFEITURES IN CRIMINAL CASES. (Signed by the Governor 7/7/05) p. 44, 77, 83, 174, 177.

HB 93 AN ACT TO AMEND TITLE 31, DELAWARE CODE RELATING TO THE STATE PUBLIC ASSISTANCE CODE. (Senate Health & Social Services Committee) p. 43.

HB 94 AN ACT TO AMEND CHAPTER 13, VOLUME 74, LAWS OF DELAWARE BY REVISING THE SUNSET PROVISION RELATING TO THE PROFESSIONAL STANDARDS BOARD. (Signed by the Governor 3/30/05) p. 43, 49, 50.

HB 95 w/HA 2 AN ACT TO AMEND TITLES 7 AND 21 OF THE DELAWARE CODE RELATING TO PARKING. (Signed by the Governor 7/10/06) p. 46, 54, 76, 131, 133, 150, 363, 369.

HB 96 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTORCYCLES. (Signed by the Governor 6/30/05) p. 46, 57, 79, 80, 156, 177.

HB 97 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAXES. (House Ready List) p. 45, 57, 59, 66, 73, 274, 298, 352.

HB 98 w/HA 2 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTS AND CHILDREN. (Senate Judiciary Committee) p. 46, 57, 75, 102, 104.

HB 99 w/HA 1 & 2 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LINE OF DUTY - DEATH BENEFITS. (Signed by the Governor 5/17/05) p. 49, 62, 65, 66, 68, 72, 89, 94.

HB 100 w/HA 1 & 2 & SA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE CONCERNING CAMERA ENFORCEMENT OF TRAFFIC LIGHT SIGNALS. (Signed by the Governor 6/23/05) p. 49, 62, 66, 74, 94, 116, 117, 141.

HB 101 AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO PRICE INCREASES DURING EMERGENCIES AND NATURAL DISATERS. (House Administration Committee) p. 176.

HB 102 AN ACT TO AMEND TITLES 9 AND 17 OF THE DELAWARE CODE RELATING TO DESIGN AND CONSTRUCTION STANDARDS FOR CERTAIN ROADS AND STREETS IN SUSSEX COUNTY. (House Ready List) p. 49, 57, 125, 157.

HB 103 AN ACT TO AMEND TITLE 9, DELAWARE CODE RELATING TO CERTAIN SUBDIVISION ROADS OR STREETS. (House Transportation/Land Use and Infrastructure Committee) p. 54, 59.

HB 104 w/SA 2 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FILING OF FINANCIAL DISCLOSURE REPORTS AND CERTAIN OTHER DOCUMENTS. (Signed by the Governor 6/23/05) p. 52, 57, 66, 67, 112, 117, 141.

HB 105 w/HA 2 AN ACT TO AMEND TITLE 6 AND TITLE 7 OF THE DELAWARE CODE RELATING TO METHYL TERTIARY-BUTYL ETHER. (Senate Judiciary Committee) p. 50, 51, 66, 69, 80, 94, 95.

HB 106 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PROCUREMENT. (House Labor Committee) p. 52.

HB 107 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF THE 2-1-1 INFORMATION HELPLINE. (House Appropriations Committee) p. 54, 57, 59.

HS 2/HB 108 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO IMMUNIZATIONS. (Signed by the Governor 7/12/05) p. 52, 68, 85, 87, 95, 131, 133, 169, 170, 171, 174, 178.

HB 109 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TRUANCY. (Signed by the Governor 7/7/05) p. 52, 62, 67, 164, 177.

HB 110 AN ACT TO AMEND TITLE 29, DELAWARE CODE RELATING TO THE DELAWARE COMPENSATION COMMISSION. (Stricken 4/4/06) p. 54, 235.

HB 111 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS' LICENSES. (House Public Safety Committee) p. 54.

HB 112 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS' LICENSES. (House Ready List) p. 54, 60, 76, 284, 286.

HB 113 AN ACT TO AMEND CHAPTER 29, TITLE 6 OF THE DELAWARE CODE RELATING TO RETAIL SALES OF MOTOR FUEL. (House Ready List) p. 54, 63, 68.

HB 114 AN ACT TO AMEND TITLE 20 AND TITLE 29 OF THE DELAWARE CODE RELATING TO EMERGENCY INCOME MAINTENANCE FOR MEMBERS OF THE MILITARY RESERVE AND NATIONAL GUARD WHO ARE DELAWARE RESIDENTS AND WHO ARE ON ACTIVE FEDERAL DUTY BECAUSE OF A NATIONAL EMERGENCY. (House Appropriations Committee) p. 54, 59, 92, 95.

HB 115 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO OFFICIAL RECORDS OF ELECTIONS IN REORGANIZED SCHOOL DISTRICTS. (Signed by the Governor 7/7/05) p. 54, 59, 62, 64, 65, 165, 177.

HB 116 w/HA 1, HA 1 to HA 1, HA 2 to HA 1, HA 3 to HA 1, HA 4 to HA 1 & HA 6 to HA 1 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMPUTER SECURITY BREACHES. (Signed by the Governor 6/28/05) p. 57, 85, 87, 95, 96, 130, 177.

HB 117 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PUBLIC NOTIFICATION OF REGISTERED SEXUAL OFFENDERS. (House Judiciary Committee) p. 57.

HS1/HB 118 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF FINANCE. (Signed by the Governor 7/10/06) p. 57, 211, 218, 222, 368, 369.

HB 119 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE PROCUREMENT. (Signed by the Governor 6/15/06) p. 57, 69, 129, 145, 146, 290, 301, 302, 312.

HB 120 w/HA 1 AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO THE ESTABLISHMENT AND DUTIES OF THE DELAWARE REVOLUTIONARY WAR MONUMENT COMMISSION. (Signed by the Governor 6/9/05) p. 57, 66, 69, 77, 94, 106, 127.

HB 121 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE TERM OF OFFICE OF THE COUNTY EXECUTIVE. (Senate Judiciary Committee) p. 60, 101, 129.

HB 122 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO BROKERAGE RELATIONSHIPS AND REAL ESTATE BROKERS, SALESPERSONS, AND APPRAISERS. (Signed by the Governor 6/7/06) p. 60, 101, 115, 123, 282, 283, 291.

HB 123 w/HA 1 AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE; FINES, COSTS, PENALTIES AND FORFEITURES AND THE RELEASE OF PERSONS ACCUSED OF CRIMES IN JUSTICE OF THE PEACE, COURT OF COMMON PLEAS AND THE SUPERIOR COURT. (Senate Judiciary Committee) p. 60, 69, 70, 74.

HB 124 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTS AND CHILDREN IN THE FAMILY COURT OF THE STATE OF DELAWARE. (Senate Ready List) p. 60, 77, 112.

HB 125 w/SA 1 AN ACT TO PROPOSE AN AMENDMENT TO THE DELAWARE CONSTITUTION OF 1897 TO DELETE REFERENCES TO ASSOCIATE JUDGES IN SUPERIOR COURT AND FAMILY COURT. (Enacted without Signature) p. 60, 77, 103, 141, 156, 177.

HB 126 w/HA 2 & 3 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO EQUIPMENT AND CONSTRUCTION. (Senate Public Safety Committee) p. 60, 119, 268, 282, 283, 284.

HB 127 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS' LICENSES. (House Appropriations Committee) p. 60, 76, 88.

HB 128 w/HA 1 & 2 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (Senate Highways & Transportation Committee) p. 60, 75, 87, 286, 303.

HB 129 AN ACT TO AMEND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEES' PENSION PLAN. (House Appropriations Committee) p. 63, 110, 111.

HB 130 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE DOCUMENT FEES. (House Manufactured Housing Subcommittee) p. 63, 72.

HB 131 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF MOTOR VEHICLES. (Senate Public Safety Committee) p. 60, 76, 94.

HB 132 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO A RENEWABLE ENERGY TAX CREDIT. (House Revenue & Finance Committee) p. 63.

HB 133 w/HA 1 & HA 1 to HA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE TO IMPROVE TRACKING OF MEDICAL MALPRACTICE SETTLEMENT AND VERDICT TRENDS. (Signed by the Governor 7/7/05) p. 63, 117, 119, 137, 156, 177.

HS1/HB 134 w/SA 1 & HA 1 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO LIMITATIONS ON CAUSES OF ACTIONS AGAINST MEDICAL PERSONNEL PROVIDING VOLUNTEER MEDICAL SERVICES DURING A STATE OF EMERGENCY. (Passed in the House 6/29/06) p. 63, 77, 79, 195, 218, 219, 320, 340, 343, 344.

HB 135 w/HA 1 AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 2 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO VOTER QUALIFICATIONS. (Senate Judiciary Committee) p. 63, 76, 80, 136.

HB 136 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (House Revenue & Finance Committee) p. 63.

HB 137 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO JURISDICTION OVER CERTAIN CRIMINAL MATTERS. (Signed by the Governor 7/7/05) p. 63, 77, 83, 174, 177.

HB 138 AN ACT TO WAIVE THE STATUTORY PROVISIONS OF TITLE 13 OF THE DELAWARE CODE RELATING TO THE SOLEMNIZATION OF CERTAIN MARRIAGES. (Signed by the Governor 5/17/05) p. 63, 76, 79, 89, 94.

HB 139 AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF LAUREL, TO PROVIDE FOR FIXED SALARIES FOR THE MAYOR OF THE TOWN OF LAUREL AND THE MEMBERS OF THE TOWN COUNCIL, RATHER THAN THE PER MEETING STIPEND CURRENTLY PAID. (Signed by the Governor 6/14/05) p. 63, 76, 82, 83, 110, 127.

HB 140 AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF LAUREL, WITH REGARD TO THE DISCOUNT TO BE AVAILABLE IF REAL ESTATE TAXES ARE PAID ON OR BEFORE SEPTEMBER 30TH OF EACH YEAR, THE PENALTIES THAT BEGIN TO ACCRUE IF REAL ESTATE TAXES ARE NOT PAID BY OCTOBER 31ST, AND THE COLLECTION CHARGES THE TOWN OF LAUREL MAY IMPOSE IN EFFECTING THE RECOVERY OF DELINQUENT TAXES, AND THE MANNER IN WHICH THE TOWN OF LAUREL MAY MODIFY ITS DISCOUNTS AND PENALTIES FOR FUTURE FISCAL TAX YEARS. (Signed by the Governor 6/14/05) p. 65, 76, 82, 83, 110, 127.

HB 141 AN ACT TO AMEND VOLUME 74, DELAWARE LAWS, CHAPTER 117, RELATING TO MUNICIPAL LODGING TAX. (Signed by the Governor 7/7/05) p. 65, 101, 113, 156, 177.

HB 142 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE SCHOOL DISTRICT ENROLLMENT CHOICE PROGRAM. (Signed by the Governor 6/14/05) p. 65, 69, 74, 110, 127.

HB 143 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SUSSEX COUNTY GOVERNMENT AND ADMINISTRATION. (Senate Executive Committee) p. 65, 88, 91.

HB 144 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LEARNER'S PERMITS. (Laid on the Table in the Senate 6/15/05) p. 66, 76, 83.

HB 145 w/HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO LICENSURE AND CERTIFICATION OF DEPARTMENT OF EDUCATION EMPLOYEES, PRISON EDUCATION EMPLOYEES, AND ADULT EDUCATION EMPLOYEES. (Signed by the Governor 6/30/05) p. 66, 76, 111, 124, 147, 177.

HB 146 AN ACT TO AMEND TITLE 30, DELAWARE CODE, RELATING TO CREATING A PERSONAL INCOME TAX CREDIT FOR LONG TERM CARE INSURANCE. (House Appropriations Committee) p. 66, 76, 77.

HB 147 w/HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATOR LICENSURE, CERTIFICATION AND EVALUATION. (Signed by the Governor 6/30/05) p. 66, 101, 111, 126, 147, 177.

HB 148 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POSSESSION OF DEADLY WEAPONS AND AMMUNITION BY PERSONS PROHIBITED. (Signed by the Governor 6/30/05) p. 66, 77, 80, 83, 156, 177.

HB 149 w/HA 1 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO THE SALE OF ALCOHOL TO CERTAIN PERSONS AND THE CONSUMPTION OF ALCOHOL BY BARTENDERS AND SERVERS WHILE ON DUTY. (Laid on the Speaker's Table 5/11/06) p. 68, 77, 104, 105, 271.

HB 150 AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (Signed by the Governor 5/17/05) p. 68, 77, 78, 92, 94.

HB 151 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. (Signed by the Governor 5/17/05) p. 68, 77, 78, 79, 92, 94.

HB 152 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO DISHONORED CHECKS, DRAFTS OR ORDERS. (Signed by the Governor 7/12/05) p. 68, 77, 79, 164, 174, 178.

HB 153 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO FEES AND COLLECTIONS. (Stricken 3/21/06) p. 68, 89, 221.

HB 154 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO WITNESS INTIMIDATION PENALTIES. (House Judiciary Committee) p. 70.

HB 155 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE TRANSFER OF CERTAIN LOTTERY FUNDS TO LOW-INCOME FUEL ASSISTANCE AND WEATHERIZATION PROGRAMS. (House Gaming & Parimutuels Committee) p. 70, 74.

HB 156 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOL MODIFICATIONS. (Signed by the Governor 7/7/05) p. 70, 76, 84, 90, 165, 177.

HB 157 AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE", TO PROVIDE FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS. (Signed by the Governor 5/17/05) p. 73, 76, 82, 83, 89, 94.

HB 158 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT. (Signed by the Governor 7/12/05) p. 73, 122, 137, 138, 164, 178.

HB 159 AN ACT TO AMEND TITLE 30, DELAWARE CODE RELATING TO GROSS RECEIPTS TAX. (Stricken 4/6/06) p. 75, 88, 242.

HB 160 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO COMPUTATION OF GROSS RECEIPTS TAXES. (Stricken 4/6/06) p. 75, 88, 242.

HB 161 AN ACT TO AMEND CHAPTER 276 OF VOLUME 65, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF GEORGETOWN" TO INCREASE THE AMOUNT THE TOWN COUNCIL MAY BORROW, TO ALTER THE INDEBTEDNESS LIMITATION AND TO SPECIFY THE ORGANIZATION AND POWERS OF THE POLICE FORCE. (Signed by the Governor 6/23/05) p. 75, 101, 116, 135, 141.

HB 162 AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE RELATING TO STATE POLICE AND HEALTH CARE INSURANCE. (Stricken 3/15/06) p. 75, 217.

HB 163 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (Signed by the Governor 6/30/05) p. 75, 88, 95, 133, 138, 139, 156, 177.

HB 164 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POSSESSION OF WEAPONS. (Stricken 5/10/05) p. 75, 84.

HB 165 AN ACT TO AMEND TITLE 13, CHAPTER 1 RELATING TO MARRIAGE. (Signed by the Governor 7/7/05) p. 75, 101, 129, 156, 177.

HB 166 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE TO AUTHORIZE COLLECTION OF VACANT PROPERTY REGISTRATION FEES OUT OF PROCEEDS OF ANY SALE TO EXECUTE ANY LIEN OR OTHER CHARGE LEVIED OR IMPOSED BY COUNTIES OR MUNICIPAL CORPORATIONS. (Stricken 6/14/05) p. 75, 101, 115.

HB 167 AN ACT TO AMEND CHAPTER 85, TITLE 11 OF THE DELAWARE CODE RELATING TO ADULT ABUSE REGISTRY CHECKS. (Signed by the Governor 7/12/05) p. 77, 87, 91, 174, 178.

HB 168 w/HA 1 & 2 AN ACT TO AMEND TITLE 10 CHAPTER 66 OF THE DELAWARE CODE RELATING TO THE SALE OR TRANSFER OF STRUCTURED SETTLEMENTS. (Signed by the Governor 7/12/05) p. 80, 122, 131, 144, 174, 178.

HB 169 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO PLANNING AND ZONING. (Senate Executive Committee) p. 80, 101, 124.

HB 170 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SUSSEX COUNTY COUNCILMANIC DISTRICTS. (Senate Executive Committee) p. 80, 101, 147.

HB 171 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE. (House Ready List) p. 80, 87.

HB 172 AN ACT TO AMEND TITLE 24, CHAPTER 23 RELATING TO PAWNBROKERS AND JUNK DEALERS. (Senate Ready List) p. 80, 101, 138, 139.

HB 173 w/HA 1 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO MARRIAGE. (Senate Ready List) p. 80, 87, 148, 164.

HB 174 AN ACT AWARDED SPECIAL PENSION BENEFITS TO DOROTHY L. FRANKLIN AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29 OF THE DELAWARE CODE. (House Appropriations Committee) p. 80, 240.

HB 175 AN ACT TO AMEND CHAPTER 1, TITLE 14 OF THE DELAWARE CODE RELATING TO THE CREATION OF A P-20 COUNCIL. (Signed by the Governor 6/28/05) p. 80, 87, 112, 113, 135, 177.

HB 176 w/HA 1 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATED TO THE DELAWARE RESPONSIBLE ALCOHOLIC BEVERAGE SERVER TRAINING PROGRAM AND THE ENFORCEMENT OF LAWS RELATED TO RESPONSIBLE SERVING OF ALCOHOLIC BEVERAGES. (Signed by the Governor 6/30/05) p. 85, 101, 102, 104, 156, 177.

HB 177 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO SPERM BANK AND TISSUE BANK REGISTRY. (Stricken 6/28/05) p. 85, 101, 147.

HB 178 AN ACT AMENDING CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO BICYCLE SAFETY LICENSE PLATES. (Senate Public Safety Committee) p. 82, 101, 156.

HB 179 AN ACT AMENDING TITLE 27 OF THE DELAWARE CODE RELATING TO THE ELECTION OF TRUSTEES OF RELIGIOUS SOCIETIES AND CORPORATIONS. (Senate Judiciary Committee) p. 85, 86, 89.

HB 180 AN ACT TO AMEND CHAPTER 34, TITLE 19 OF THE DELAWARE CODE RELATING TO COUNSELING, TRAINING AND PLACEMENT ACTIVITIES. (Signed by the Governor 6/30/05) p. 88, 110, 113, 156, 177.

HB 181 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO DRUG OFFENSES. (House Ready List) p. 88, 103, 174, 284, 331.

HB 182 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO HEALTH CARE INSURANCE. (Signed by the Governor 7/7/05) p. 88, 101, 121, 122, 164, 177.

HB 183 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO LITTER CONTROL. (Stricken 4/6/06) p. 93, 244.

HS1/HB 184 w/HA 1, 2 & 3 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PATIENT SAFETY AND QUALITY IMPROVEMENT IN DELAWARE'S HEALTH CARE SYSTEM. (Senate Health & Social Services Committee) p. 88, 101, 107, 111, 112.

HB 185 AN ACT TO AMEND CHAPTER 31, TITLE 14 OF THE DELAWARE CODE TO PROVIDE FOR VOUCHERS FOR CHILDREN WITH DISABILITIES. (House Education Committee) p. 93.

HS1/HB 186 AN ACT TO AMEND THE FISCAL YEAR 2005 BUDGET ACT RELATING TO THE SUMMER YOUTH WORK PROGRAM. (House Appropriations Committee) p. 91, 93.

HB 187 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATED TO SCHOOL BUSES. (House Ready List) p. 96, 331.

HB 188 AN ACT TO AMEND TITLES 14 AND 19 OF THE DELAWARE CODE RELATING TO THE RIGHT TO WORK. (House Labor Committee) p. 93, 102, 106.

HB 189 AN ACT TO AMEND CHAPTER 12, TITLE 11 OF THE DELAWARE CODE RELATING TO FALSE REPORTING OF AN INCIDENT. (Stricken 6/21/05) p. 93, 110, 129.

HB 190 w/SA 2 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO A PERSONAL ASSISTANCE SERVICES AGENCY ACT. (Signed by the Governor 6/27/06) p. 93, 110, 113, 300, 315, 331.

HB 191 w/HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS' PERMITS AND LICENSES. (Laid on the Speaker's Table 6/13/06) p. 93, 117, 283, 294, 304.

HB 192 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO MEANINGFUL PUBLIC PARTICIPATION IN THE ADMINISTRATIVE CONSENT DECREE PROCESS. (House Administration Committee) p. 101.

HB 193 AN ACT TO AMEND TITLE 11 AND TITLE 24 OF THE DELAWARE CODE RELATING TO DEADLY WEAPONS. (Stricken 3/21/06) p. 96, 222.

HB 194 AN ACT TO AMEND CHAPTER 334 OF VOLUME 72, LAWS OF DELAWARE, ENTITLED "AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO AN INTERSTATE NURSE LICENSURE COMPACT", AND CHAPTER 19A OF TITLE 24 OF THE DELAWARE CODE TO EXTEND THE STATE'S PARTICIPATION IN THE INTERSTATE COMPACT. (Signed by the Governor 6/28/05) p. 96, 110, 113, 139, 177.

HB 195 w/HA 1 AN ACT TO AMEND CHAPTER 6, TITLE 13 OF THE DELAWARE CODE, THE UNIFORM INTERSTATE FAMILY SUPPORT ACT. (Signed by the Governor 6/28/05) p. 96, 110, 117, 123, 139, 177.

HB 196 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE LICENSURE OF AUTOMOBILE CLUBS. (Signed by the Governor 6/14/05) p. 96, 101, 104, 105, 112, 127.

HB 197 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE PATIENT SAFETY AND HEALTH CARE QUALITY IMPROVEMENT ACT OF 2005 (Stricken 6/21/05) p. 97, 128.

HB 198 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE EMPLOYEE LEAVE OF ABSENCE. (Signed by the Governor 7/7/05) p. 97, 119, 124, 165, 177.

HB 199 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE RULES OF THE ROAD. (Senate Highways & Transportation Committee) p. 101, 119, 130.

HB 200 AN ACT TO AMEND 73 DELAWARE LAWS, CHAPTER 187, RELATING TO ABUSE OF CHILDREN. (Signed by the Governor 7/6/06) p. 102, 110, 137, 138, 363, 368.

HB 201 AN ACT TO AMEND TITLE 6 RELATING TO BUYER PROPERTY PROTECTION ACT. (House Housing & Community Affairs Committee) p. 102.

HB 202 w/HA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE HEALTH OF MOTHERS, EXPECTANT MOTHERS AND INFANTS. (Signed by the Governor 1/26/06) p. 107, 119, 120, 173, 195, 213.

HB 203 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (House Revenue & Finance Committee) p. 102.

HB 204 AN ACT TO AMEND TITLE 14 RELATING TO DELAWARE STATE UNIVERSITY. (Signed by the Governor 6/30/05) p. 102, 110, 127, 156, 177.

HB 205 w/HA 1 & 2 AN ACT TO AMEND TITLES 16 AND 18 OF THE DELAWARE CODE RELATING TO HOSPITALS AND UNIVERSAL NEWBORN AND INFANT HEARING SCREENING. (Signed by the Governor 7/7/05) p. 114, 117, 119, 143, 156, 177.

HB 206 w/HA 1 & 2 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ABSENTEE VOTING. (Signed by the Governor 7/12/05) p. 107, 117, 119, 161, 174, 178.

HB 207 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO STATE PARKS. (House Natural Resources & Environmental Management Committee) p. 107.

HB 208 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE MERIT SYSTEM. (Senate Labor & Industrial Relations Committee) p. 107, 133, 142.

HB 209 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO STATE POLICE. (Signed by the Governor 6/30/05) p. 107, 110, 127, 147, 177.

HB 210 AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO ANNEXATIONS BY MUNICIPAL CORPORATIONS. (House Ready List) p. 105, 119, 157, 178.

HS1/HB 211 w/HA 1 AN ACT TO AMEND TITLE 28 OF THE DELAWARE CODE RELATING TO SPORTS AND AMUSEMENTS. (Signed by the Governor 7/7/05) p. 105, 106, 110, 116, 141, 177.

HB 212 AN ACT TO AMEND TITLES 16 AND 21 OF THE DELAWARE CODE RELATING TO LITTER CONTROL AND RULES OF THE ROAD. (Defeated in the Senate 6/29/05) p. 107, 114, 128, 156.

HB 213 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO SPECIAL LICENSE PLATES FOR VIETNAM WAR VETERANS. (Senate Public Safety Committee) p. 107, 119, 137, 138.

HB 214 AN ACT TO AMEND TITLE 21, DELAWARE CODE, RELATING TO INSURANCE VERIFICATION INFORMATION TO BE PROVIDED TO STATE POLICE AND INSURANCE IDENTIFICATION CARDS. (House Economic Development/Banking & Insurance Committee) p. 107, 110, 115.

HB 215 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. (Signed by the Governor 6/30/05) p. 106, 115, 117, 123, 135, 142, 177.

HB 216 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE DELAWARE INSURANCE GUARANTY ASSOCIATION ACT. (House Ready List) p. 107, 119, 131.

HB 217 w/HA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE DELAWARE INSURANCE GUARANTY ASSOCIATION ACT. (Senate Insurance & Elections Committee) p. 107, 119, 128.

HB 218 w/HA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO CAPTIVE INSURANCE COMPANIES. (Signed by the Governor 7/12/05) p. 107, 119, 126, 128, 165, 178.

HB 219 w/HA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE CREATING AN OCCUPATIONAL HEALTH PROGRAM. (Signed by the Governor 6/30/05) p. 106, 119, 120, 122, 133, 139, 156, 177.

HB 220 w/SA 1 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (Signed by the Governor 7/12/05) p. 111, 154, 173, 174, 178.

HB 221 w/HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES. (Signed by the Governor 7/7/05) p. 111, 119, 120, 129, 165, 177.

HB 222 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOMES AND MANUFACTURED HOME COMMUNITIES. (House Manufactured Housing Subcommittee) p. 111.

HB 223 AN ACT TO AMEND SECTION 8722, CHAPTER 87, CHAPTER II, TITLE 9, DELAWARE CODE RELATING TO PRAECIPE, JUDGMENT AND MONITION. (Signed by the Governor 7/7/05) p. 111, 133, 155, 156, 174, 177.

HB 224 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SUBURBAN COMMUNITY IMPROVEMENTS. (House Housing & Community Affairs Committee) p. 111.

HB 225 w/SA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TRADEMARK COUNTERFEITING. (Signed by the Governor 7/7/05) p. 114, 117, 119, 121, 141, 156, 177.

HB 226 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO HOUSING AND THE DELAWARE STATE HOUSING AUTHORITY. (Signed by the Governor 7/7/05) p. 114, 119, 138, 174, 177.

HB 227 AN ACT TO AMEND TITLE 16 AND TITLE 9 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND NEW CASTLE COUNTY. (Signed by the Governor 6/30/05) p. 114, 119, 127, 128, 141, 177.

HB 228 w/SA 1 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATED TO LAND AND HISTORIC RESOURCE TAX CREDIT. (Signed by the Governor 7/12/05) p. 114, 119, 122, 133, 146, 173, 174, 178.

HB 229 w/HA 1 & 2 AN ACT TO AMEND TITLE 7, TITLE 23, AND TITLE 29 OF THE DELAWARE CODE RELATING TO ARCHAEOLOGICAL RESOURCES. (Signed by the Governor 7/12/05) p. 114, 122, 140, 144, 165, 178.

HB 230 AN ACT TO AMEND CHAPTER 5, TITLE 11 OF THE DELAWARE CODE RELATING TO FALSE REPORTING OF AN INCIDENT. (Signed by the Governor 6/30/05) p. 114, 129, 156, 177.

HB 231 AN ACT TO AMEND CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLSBORO, TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND TO PROVIDE FOR MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS AND TO PROVIDE FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL DEVELOPMENT DISTRICTS. (Signed by the Governor 6/30/05) p. 114, 119, 121, 141, 177.

HB 232 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF VEHICLES. (House Public Safety Committee) p. 115, 131.

HB 233 AN ACT TO AMEND CHAPTER 85, TITLE 14 OF THE DELAWARE CODE RELATING TO PRIVATE BUSINESS AND TRADE SCHOOLS. (Signed by the Governor 7/7/05) p. 115, 119, 150, 156, 177.

HB 234 AN ACT TO AMEND CHAPTER 138, VOLUME 68, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF DAGSBORO", TO AMEND SECTION 18 BY CLARIFYING THE REQUIREMENTS AND DUTIES OF A TOWN ADMINISTRATOR. (Signed by the Governor 7/12/05) p. 115, 133, 138, 174, 178.

HB 235 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTHY CHILDREN PROGRAM. (Signed by the Governor 7/10/06) p. 115, 119, 334, 335, 345, 363, 369.

HB 236 w/HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PHYSICALLY IMPAIRED AND TRAUMATIC BRAIN INJURED STUDENTS. (Signed by the Governor 7/12/05) p. 115, 119, 128, 174, 178.

HB 237 AN ACT TO AMEND CHAPTER 457, VOLUME 60, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF MILLSBORO, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILLSBORO", WITH REGARD TO STRIKING THE LIMITATION ON BORROWING IN ANTICIPATION OF REVENUES AND SUBSTITUTING IN LIEU THEREOF ADDITIONAL AUTHORITY TO BORROW AMOUNTS IN ANTICIPATION OF REVENUE. (Signed by the Governor 6/28/05) p. 113, 114, 135, 177.

HB 238 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE. (Signed by the Governor 6/28/05) p. 117, 119, 127, 139, 177.

HB 239 w/HA 1 AN ACT TO AMEND TITLE 29, CHAPTER 80 OF THE DELAWARE CODE RELATING TO THE WASTEWATER FACILITIES ADVISORY COUNCIL. (Signed by the Governor 8/17/05) p. 117, 119, 133, 144, 165, 178.

HB 240 AN ACT TO AMEND TITLES 11 AND 22 OF THE DELAWARE CODE RELATING TO STUN GUNS. (Stricken 6/21/05) p. 117, 125.

HB 241 w/HA 1 AN ACT RELATING TO CRIMINAL CONSEQUENCES OF CONDUCT THAT INVOLVES CERTAIN TRAFFICKING OF PERSONS AND INVOLUNTARY SERVITUDE. (Senate Judiciary Committee) p. 117, 148, 164, 242, 243.

HB 242 w/HA 1 AN ACT AWARDED SPECIAL PENSION BENEFITS TO RAYMOND H. MALENFANT. (Senate Finance Committee) p. 117, 126, 133, 235, 236.

HS1/HB 243 w/HA 2, 3 & 4 & SA 2 AN ACT TO AMEND CHAPTER 23 OF TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS AND JUNK DEALERS. (Signed by the Governor 6/15/06) p. 117, 225, 231, 243, 246, 247, 290, 302, 312.

HB 244 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS. (House Ready List) p. 117, 133, 191.

HB 245 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF VEHICLES. (Signed by the Governor 4/4/06) p. 119, 133, 138, 139, 229, 256.

HB 246 AN ACT TO AMEND TITLE 10, CHAPTER 81 OF THE DELAWARE CODE RELATING TO LIMITATIONS FROM CIVIL LIABILITY FOR CERTAIN VOLUNTEERS. (Senate Judiciary Committee) p. 119, 133, 143.

HB 247 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO PRIMARY ELECTIONS. (House Administration Committee) p. 120.

HB 248 AN ACT TO AMEND TITLE 21 RELATING TO MOTOR VEHICLES AND SPECIAL REGISTRATION PLATES. (Senate Public Safety Committee) p. 120, 208, 236.

HB 249 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAXES. (House Appropriations Committee) p. 120, 140.

HB 250 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ABUSE OF CHILDREN. (House Health & Human Development Committee) p. 120.

HB 251 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FACILITIES MANAGEMENT. (House Ready List) p. 120, 124, 207.

HB 252 w/HA 1 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX RETURNS. (Senate Revenue & Taxation Committee) p. 120, 135, 201, 202.



HB 253 AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, § 4 OF THE CONSTITUTION OF THE STATE OF DELAWARE OF 1897, AS AMENDED, RELATING TO THE TIME AND FREQUENCY OF LEGISLATIVE SESSIONS. (House Administration Committee) p. 120, 126.

HB 254 w/SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO EXPENSES AND FEES FOR FORM AND RATE FILINGS. (Signed by the Governor 7/12/05) p. 120, 133, 147, 173, 174, 178.

HB 255 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF PHARMACY. (Stricken 4/6/06) p. 120, 242.

HB 256 w/HA 2, 5, 6 & 7 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS LICENSES. (Signed by the Governor 7/6/06) p. 120, 133, 140, 148, 244, 261, 268, 284, 286, 295, 296, 304, 309, 310, 331, 368.

HB 257 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO UNFAIR INSURANCE CLAIM SETTING PRACTICES. (House Economic Development/Banking & Insurance Committee) p. 120.

HB 258 w/SA 1 & 2 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PERSONS WITH MENTAL RETARDATION, MENTAL ILLNESS AND OTHER SIGNIFICANT DISABILITIES. (Signed by the Governor 6/15/06) p. 125, 133, 142, 297, 302, 312.

HB 259 AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO MEDICAID DENTAL ASSISTANCE. (House Appropriations Committee) p. 120.

HB 260 w/HA 1 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO RABIES CONTROL IN ANIMAL AND HUMAN POPULATIONS. (Signed by the Governor 6/27/06) p. 120, 133, 204, 328, 331.

HB 261 w/HA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE COLLECTION OF HEALTH INFORMATION. (Signed by the Governor 2/1/06) p. 120, 133, 142, 144, 145, 208, 213.

HB 262 w/HA 1 AN ACT AWARDING SPECIAL PENSION BENEFITS TO ALICE ALPER AND DIRECTING THE BOARD OF PENSION TRUSTEES TO ADMINISTER PAYMENT OF THE PENSION PROVIDED BY THIS ACT AS IF THE AWARD WERE PURSUANT TO CHAPTER 55, TITLE 29, DELAWARE CODE. (Defeated in the House 6/29/06) p. 125, 319, 334, 346, 347.

HB 263 AN ACT TO IMPLEMENT AND FUND THE DELAWARE SEED SCHOLARSHIP PROGRAM. (Signed by the Governor 7/12/05) p. 125, 133, 136, 143, 144, 174, 178.

HB 264 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXATION. (Signed by the Governor 7/7/05) p. 125, 135, 154, 165, 177.

HB 265 w/HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TEACHER CONTROL OF THE CLASSROOM. (Signed by the Governor 7/12/05) p. 125, 133, 138, 139, 174, 178.

HB 266 AN ACT TO AMEND TITLE 24, CHAPTER 35 OF THE DELAWARE CODE RELATING TO THE BOARD OF EXAMINERS IN PSYCHOLOGY. (Signed by the Governor 6/30/06) p. 125, 151, 163, 348, 368.

HB 267 w/SA 1 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CIVIL ACTIONS. (Signed by the Governor 7/12/05) p. 124, 125, 133, 139, 165, 168, 178.

HB 268 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ESTABLISHMENT OF A DELAWARE COUNTY AND MUNICIPAL POLICE FIREFIGHTERS' RETIREE PENSION PLAN. (House Public Safety Committee) p. 125.

HB 269 AN ACT TO AMEND TITLES 11 AND 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE STATE POLICE AND DEPARTMENT OF JUSTICE. (Stricken 3/21/06) p. 131, 207, 221.

HB 270 AN ACT TO AMEND TITLES 11 OF THE DELAWARE CODE RELATING TO STUN GUNS. (Defeated in the House 6/29/05) p. 125, 133, 153, 156.

HB 271 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CERTAIN LOCAL SCHOOL BOARDS. (House Ready List) p. 131, 191, 203.

HB 272 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CERTAIN LOCAL SCHOOL BOARDS. (House Education Committee) p. 131.

HB 273 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CERTAIN LOCAL SCHOOL BOARDS. (Laid on the Speaker's Table 1/19/06) p. 131, 191, 201.

HB 274 w/HA 1 & 2 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE RULES AND REGULATIONS OF THE DEPARTMENT OF EDUCATION GOVERNING SCHOOL DISTRICT FINANCIAL REPORTING REQUIREMENTS. (Senate Education Committee) p. 131, 148, 260, 274.

HB 275 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE CLEAN INDOOR AIR ACT. (Stricken 4/4/06) p. 131, 235.

HB 276 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO PESTICIDES. (Senate Agriculture Committee) p. 131, 207, 210.

HB 277 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIAMOND STATE PORT CORPORATION. (Signed by the Governor 7/7/05) p. 130, 133, 142, 156, 177.

HB 278 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY. (Senate Health & Social Services Committee) p. 135, 140, 151.

HB 279 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC SCHOOL ATTENDANCE OF FOSTER CHILDREN. (Signed by the Governor 7/7/05) p. 135, 140, 149, 174, 177.

HB 280 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO WASTEWATER MANAGEMENT AND SPRAWL PREVENTION. (House Ready List) p. 140, 229, 257, 308.

HB 281 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PUBLIC HEALTH. (Stricken 3/16/06) p. 135, 140, 219.

HB 282 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE DEPARTMENTS AND FIRE POLICE. (Signed by the Governor 4/4/06) p. 135, 208, 210, 229, 256.

HB 283 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. (Senate Judiciary Committee) p. 135, 195, 236.

HB 284 w/HA 1 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY COUNCIL AND COUNCILMANIC DISTRICTS. (Senate Insurance & Elections Committee) p. 140, 148, 154, 155.

HB 285 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO EXPERT MEDICAL TESTIMONY. (House Ready List) p. 140, 308.

HB 286 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PREVAILING WAGE REQUIREMENTS. (House Labor Committee) p. 140.

HB 287 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL CONSTRUCTION. (House Ready List) p. 140, 191, 192.

HB 288 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TOBACCO PRODUCTS. (House Judiciary Committee) p. 140.

HB 289 AN ACT TO AMEND CHAPTER 13, TITLE 14 OF THE DELAWARE CODE RELATING TO EMPLOYMENT FORMULAS AND SALARIES OF SCHOOL EMPLOYEES. (House Appropriations Committee) p. 140, 191, 309.

HB 290 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SENTENCING OF SEX OFFENDERS. (House Judiciary Committee) p. 174.

HB 291 AN ACT TO AMEND TITLE 31 AND TITLE 16 OF THE DELAWARE CODE RELATING TO THE STATE PUBLIC ASSISTANCE CODE. (House Health & Human Development Committee) p. 148.

HB 292 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO HEALTH CARE PROVIDERS FOR WORKERS' COMPENSATION CASES. (House Labor Committee) p. 148, 206.

HB 293 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE CONTRACTS AND GROUP AND BLANKET HEALTH INSURANCE. (House Economic Development/Banking & Insurance Committee) p. 148.

HB 294 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE TRANSFER OR CLOSURE OF HAZARDOUS SUBSTANCE ESTABLISHMENTS. (House Natural Resources & Environmental Management Committee) p. 148.

HB 295 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO A PRESCRIPTION MONITORING PROGRAM. (House Appropriations Committee) p. 148, 156, 218.

HS1/HB 296 AN ACT TO AMEND THE LAWS OF DELAWARE RELATING TO THE PRESERVATION OF THE TERRITORIAL INTEGRITY OF DELAWARE AND THE MARKING OF OUR NORTHEASTERN BOUNDARY. (Laid on the Speaker's Table 1/26/06) p. 148, 195, 209.

HB 297 AN ACT TO AMEND TITLES 9 AND 22 RELATING TO EMERGENCY COMMUNICATION SYSTEMS. (House Ready List) p. 148, 208, 344.

HB 298 AN ACT TO AMEND CERTAIN PROVISIONS OF SECTION 5-400 OF THE CITY OF WILMINGTON HOME RULE CHARTER RELATING TO THE DEPARTMENT OF PUBLIC WORKS. (House Administration Committee) p. 148.

HB 299 AN ACT TO AMEND TITLES 1,3,6,7,10,11,14,15,16,17,18,19,20,21,23,24,26,29,30 AND 31 OF THE DELAWARE CODE TO PROVIDE FOR THE REORGANIZATION OF STATE GOVERNMENT BY CREATING THE OFFICE OF MANAGEMENT AND BUDGET; TRANSFERRING SELECTED DIVISIONS AND OTHER ORGANIZATIONAL UNITS FROM THE OFFICE OF THE BUDGET, DEPARTMENT OF ADMINISTRATIVE SERVICES AND THE STATE PERSONNEL OFFICE TO THE OFFICE OF MANAGEMENT AND BUDGET AND THE DEPARTMENT OF STATE; DELETING OR AMENDING REFERENCES TO SUPERSEDED AGENCIES OR OFFICERS; AND ALIGNING THE DUTIES OF THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET AND THE SECRETARY OF STATE. (Signed by the Governor 6/30/05) p. 156, 162, 165, 174, 177.

HB 300 AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2006; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Signed by the Governor 7/1/05) p. 141, 161, 162, 174, 177.

HB 301 AN ACT TO AMEND THE LAWS OF DELAWARE TO RETROACTIVELY EXTEND CERTAIN EDUCATIONAL BENEFITS FOR HARRY SCOTT FULMER, THE SON OF ROBIN S. FULMER, A DECEASED EMPLOYEE OF THE DEPARTMENT OF TRANSPORTATION. (Signed by the Governor 7/7/05) p. 145, 164, 177.

HB 302 AN ACT MAKING A ONE-TIME SUPPLEMENTAL GENERAL FUND APPROPRIATION OF \$20 MILLION TO THE DEPARTMENT OF EDUCATION FOR THE CREATION OF A SCHOOL CONSTRUCTION MARKET PRESSURE FUND. (Signed by the Governor 6/30/05) p. 148, 161, 165, 177.

HB 303 AN ACT RELATING TO GROSS RECEIPTS AND TOBACCO PRODUCTS TAXES. (Signed by the Governor 7/19/05) p. 148, 162, 174, 176, 178.

HB 304 w/HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ELECTRIC POWERED BICYCLES. (Signed by the Governor 4/13/06) p. 148, 208, 219, 247, 256.

HB 305 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT. (House Judiciary Committee) p. 157.

HB 306 AN ACT TO AMEND TITLE 30, DELAWARE CODE RELATING TO BUSINESS TAX CREDITS. (House Appropriations Committee) p. 157, 253, 255.

HB 307 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SENTENCING FOR SEX OFFENDERS. (House Judiciary Committee) p. 157.

HB 308 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATED TO POSSESSION OF A FIREARM DURING COMMISSION OF A FELONY. (Stricken 4/6/06) p. 157, 229, 234, 242.

HB 309 AN ACT TO AMEND TITLE 16, DELAWARE CODE, RELATING TO RADIATION CONTROL. (Senate Health & Social Services Committee) p. 157, 281, 285, 286.

HB 310 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THEFT. (Defeated in the Senate 6/30/06) p. 157, 195, 311, 368.

HB 311 w/HA 1, 2 & 3 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO ARCHITECTURAL LICENSING AND DISCIPLINARY STANDARDS IN DELAWARE. (Signed by the Governor 5/10/06) p. 157, 207, 214, 223, 236, 237, 260, 275.

HS1/HB 312 w/HA 2 & SA 1, 2 & 4 AN ACT TO AMEND TITLES 10, 11, 21 AND 30 OF THE DELAWARE CODE RELATING TO THE CLASSIFICATION OF CERTAIN MINOR OFFENSES AS CIVIL INFRACTIONS. (Laid on the Table in the Senate 6/30/06) p. 165, 297, 313, 319, 322, 323, 324.

HB 313 w/HA 1 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO AGRICULTURAL LAND USE. (Signed by the Governor 4/11/06) p. 174, 207, 212, 238, 240, 256.

HB 314 AN ACT TO PROVIDE FISCAL RELIEF TO COUNTY SEATS BY AMENDING TITLE 9, TITLE 12, AND TITLE 29 OF THE DELAWARE CODE RELATING TO VARIOUS FEES AND TAXES TO BE PAID TO THE COUNTY SEATS; BY MAKING A SUPPLEMENTAL APPROPRIATION FOR SERVICES PROVIDED TO STATE OWNED PROPERTIES; AND BY MAKING A SUPPLEMENTAL APPROPRIATION FOR CITY OF WILMINGTON INFRASTRUCTURE IMPROVEMENTS. (Signed by the Governor 7/29/05) p. 166, 167, 174, 178.

HB 315 AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2006; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2006 APPROPRIATIONS ACT; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Signed by the Governor 7/1/05) p. 171, 174, 177.

HB 316 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO CONSERVATION. (House Ready List) p. 174, 231.

HB 317 w/HA 1 AN ACT TO AMEND TITLE 31, DELAWARE CODE RELATING TO PUBLIC ASSISTANCE. (Senate Finance Committee) p. 174, 229, 252, 281, 287, 293, 301.

HB 318 AN ACT PROPOSING AN AMENDMENT TO ARTICLE XV OF THE CONSTITUTION OF THE STATE OF DELAWARE OF 1897, AS AMENDED, PROHIBITING ELECTED OFFICIALS FROM RECEIVING SALARY INCREASES OR DECREASES DURING THEIR TERMS OF OFFICE. (House Administration Committee) p. 174.

HB 319 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO VIDEO GAMES AND OBSCENITY. (House Judiciary Committee) p. 176, 205.

HB 320 w/HA 1 & 2 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT. (Senate Judiciary Committee) p. 203, 231, 257, 264, 265.

HB 321 AN ACT TO PROVIDE A SUPPLEMENTAL APPROPRIATION FOR THE FISCAL YEAR ENDING JUNE 30, 2006 TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF COMMUNITY SERVICES, FOR THE PURPOSE OF FUNDING ADDITIONAL WEATHERIZATION PROJECTS. (Senate Finance Committee) p. 175.

HB 322 AN ACT TO PROVIDE FOR A SUPPLEMENTAL APPROPRIATION FOR THE FISCAL YEAR ENDING JUNE 30, 2006 TO THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES FOR THE DEPARTMENT TO MARKET AND PROMOTE THE LOW INCOME HOUSING ENERGY ASSISTANCE PROGRAM AND THE DEPARTMENT'S WEATHERIZATION PROGRAM AND TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO MARKET AND PROMOTE PROGRAMS OF THE DELAWARE ENERGY OFFICE. (Senate Finance Committee) p. 176.

HB 323 AN ACT TO PROVIDE FOR A SUPPLEMENTAL APPROPRIATION FOR THE FISCAL YEAR ENDING JUNE 30, 2006 TO THE OFFICE OF MANAGEMENT AND BUDGET FOR THE PURPOSE OF CREATING A CONTINGENCY FUND FOR THE LOW INCOME HOUSING ENERGY ASSISTANCE PROGRAM TO BE USED IN THE EVENT THE FEDERAL GOVERNMENT'S APPROPRIATION FOR SAID PROGRAM SHOULD PROVE INSUFFICIENT. (Senate Energy & Transit Committee) p. 175.

HB 324 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE PATIENTS' TRUST FUND. (Signed by the Governor 6/1/06) p. 232, 251, 257, 281, 291.

HB 325 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PROMOTING PUBLIC HEALTH IN THIS STATE. (Signed by the Governor 6/15/06) p. 234, 251, 256, 257, 297, 312.

HB 326 AN ACT TO AMEND CHAPTER 197, VOLUME 54 OF THE LAWS OF DELAWARE, THE CHARTER OF THE CITY OF REHOBOTH BEACH, AS AMENDED, RELATING TO AN INCREASE IN THE AMOUNT LIMIT FOR AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR CERTAIN OTHER OBLIGATIONS WITHOUT REFERENDUM. (Signed by the Governor 4/4/06) p. 178, 195, 204, 229, 256.

HB 327 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. (House Ready List) p. 178, 195.

HB 328 w/HA 1 AN ACT TO AMEND TITLE 23, DELAWARE CODE RELATING TO OPERATION OF A VESSEL OR BOAT WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR AND/OR DRUGS. (Signed by the Governor 7/26/06) p. 178, 208, 213, 363, 369.

HB 329 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO RESTROOM ACCESS. (House Labor Committee) p. 192, 194.

HB 330 w/HA 2 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE REALTY TRANSFER TAX. (Signed by the Governor 1/26/06) p. 192, 203, 204, 208, 213.

HB 331 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE PERTAINING TO CHILD SUPPORT ORDERS. (Signed by the Governor 4/12/06) p. 194, 207, 221, 247, 256.

HB 332 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY. (Signed by the Governor 2/1/06) p. 193, 195, 201, 202, 208, 213.

HB 333 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF CORRECTION AND MEDICAL CARE FOR PRISONERS. (House Corrections Committee) p. 194.

HB 334 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO IDENTITY THEFT PASSPORTS. (Signed by the Governor 6/30/06) p. 195, 290, 292, 308, 309, 339, 340, 348, 368.

HB 335 w/HA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMMISSION OF VETERANS' AFFAIRS. (Signed by the Governor 6/20/06) p. 195, 208, 209, 309, 331.

HB 336 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATED TO FARM WINERIES. (Signed by the Governor 4/17/06) p. 202, 214, 226, 253, 256.

HB 337 AN ACT TO AMEND CHAPTER 43, TITLE 21 OF THE DELAWARE CODE PERTAINING TO FLASHING LIGHTS ON SCHOOL BUSES. (House Public Safety Committee) p. 205.

HB 338 AN ACT TO AMEND THE FISCAL YEAR 2006 BOND AND CAPITAL IMPROVEMENTS ACT; PROVIDING FOR THE CREATION OF A SCHOOL CONSTRUCTION MARKET PRESSURE FUND WITHIN THE DEPARTMENT OF EDUCATION ; AMENDING TITLE 17 OF THE DELAWARE CODE RELATING TO SAFE RECREATION; AND AMENDING THE LAWS OF DELAWARE. (Signed by the Governor 2/1/06) p. 202, 203, 210, 213.

HB 339 AN ACT TO AMEND CHAPTER 237, VOLUME 51, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" PERMITTING THE COMMISSIONERS OF BRIDGEVILLE BY ORDINANCE TO ESTABLISH ELECTION DISTRICTS. (Signed by the Governor 4/11/06) p. 205, 225, 233, 240, 256.

HB 340 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE AUTHORIZING THE DEPARTMENT OF CORRECTION TO IMPLEMENT A PILOT PRISONER WORK PROGRAM IN SUSSEX COUNTY. (House Appropriations Committee) p. 205, 218.

HB 341 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROHIBITIONS CONCERNING GAME AND FISH. (Stricken 3/22/06) p. 205, 218, 225.

HB 342 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF ATTORNEY GENERAL. (Stricken 4/6/06) p. 208, 229, 243.

HB 343 w/HA 1 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO DINNER THEATRES. (Signed by the Governor 4/11/06) p. 207, 218, 219, 238, 240, 256.

HB 344 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE OPERATIONS OF THE DEPARTMENT OF TRANSPORTATION. (Stricken 3/22/06) p. 208, 224.

HB 345 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE OPERATIONS OF THE DELAWARE STATE LOTTERY. (House Gaming & Parimutuels Committee) p. 208, 261.

HB 346 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE PERTAINING TO SCHOOL NURSES. (Stricken 3/30/06) p. 208, 234.

HB 347 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. (House Policy Analysis & Government Accountability Committee) p. 211.

HB 348 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF ADDITIONAL VIDEO LOTTERY FACILITIES. (House Gaming & Parimutuels Committee) p. 211.

HB 349 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE PUBLIC EDUCATION ASSESSMENT AND ACCOUNTABILITY SYSTEM. (Stricken 6/20/06) p. 211, 251, 252, 290, 313, 316.

HB 350 A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2007; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; REPROGRAMMING CERTAIN FUNDS OF THE STATE; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; AND SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS. (House Capital Infrastructure Committee) p. 210.

HB 351 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE AND VOLUME 75 OF THE LAWS OF DELAWARE RELATING TO STUDENT ASSESSMENTS. (House Education Committee) p. 211.

HB 352 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE DEPARTMENT OF JUSTICE. (House Judiciary Committee) p. 211.

HB 353 AN ACT TO AMEND CHAPTER 176, VOLUME 74, LAWS OF DELAWARE, THE CHARTER OF THE TOWN OF SMYRNA TO PROVIDE FOR NOTICE AND APPEALS FOR SUPPLEMENTAL PROPERTY TAX ASSESSMENTS. (Signed by the Governor 4/11/06) p. 211, 225, 228, 240, 256.

HB 354 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT. (House Administration Committee) p. 212.

HB 355 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF SERVICES FOR AGING AND ADULTS WITH PHYSICAL DISABILITIES. (Signed by the Governor 6/30/06) p. 248, 260, 294, 340, 368.

HB 356 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TERRORISTIC THREATENING. (Laid on the Table in the Senate 6/30/06) p. 212, 229, 232, 246.

HB 357 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FINANCIAL ASSISTANCE FOR HIGHER EDUCATION. (House Appropriations Committee) p. 248, 263, 264, 269.

HB 358 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. (Signed by the Governor 6/15/06) p. 212, 225, 242, 290, 302, 312.

HB 359 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF PERMITS TO CARRY A DEADLY WEAPON CONCEALED. (House Ready List) p. 212, 214, 220, 225, 229, 235, 239, 255, 334.

HS1/HB 360 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PROTECTION OF MINORS FROM HARMFUL MATERIALS. (House Ready List) p. 212, 305, 308, 324.

HB 361 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO REORGANIZATION OF SCHOOL DISTRICTS. (House Ready List) p. 214, 231.

HB 362 w/SA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Signed by the Governor 6/27/06) p. 214, 240, 247, 309, 314, 315, 331.

HB 363 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO RULES OF THE ROAD. (Signed by the Governor 6/20/06) p. 218, 231, 242, 309, 331.

HB 364 AN ACT TO AMEND TITLE 21, DELAWARE CODE RELATING TO RULES OF THE ROAD. (Stricken 3/28/06) p. 218, 229.

HB 365 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO TATTOO PARLORS. (House Health & Human Development Committee) p. 218.

HB 366 w/HA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF JUSTICE. (Signed by the Governor 6/30/06) p. 221, 225, 292, 293, 340, 368.

HB 367 w/HA 1 & SA 4 & 5 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE GENERAL POWERS OF THE GOVERNMENT OF KENT COUNTY. (Signed by the Governor 7/10/06) p. 220, 231, 235, 237, 243, 348, 351, 352, 369.

HB 368 w/HA 1 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING LICENSES. (Senate Judiciary Committee) p. 220, 252, 261, 262, 263.

HB 369 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO LOTTERIES, CREATING A SPECIAL FUND FOR THE PURPOSE OF PROVIDING SHORT TERM RESIDENTIAL ELECTRICITY COST RELIEF AND MAKING A SUPPLEMENTAL APPROPRIATION TO SAID FUND. (House Appropriations Committee) p. 223, 225, 229, 230, 245.

HB 370 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROHIBITIONS CONCERNING GAME AND FISH. (Senate Natural Resources & Environmental Control Committee) p. 223, 225, 226, 227.

HB 371 w/HA 1 & SA 2 & 4 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Signed by the Governor 6/1/06) p. 223, 227, 231, 233, 234, 275, 291.

HB 372 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE ASSESSMENT OF FITNESS OF PUBLIC SCHOOL STUDENTS. (Signed by the Governor 7/10/06) p. 223, 251, 252, 281, 303, 304, 368, 369.

HB 373 AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO VETERANS' DAY, PUBLIC SCHOOL STUDENTS, AND THE EMPLOYEES OF PUBLIC SCHOOL DISTRICTS AND CHARTER SCHOOLS. (Senate Veterans Affairs Committee) p. 223, 231, 265.

HB 374 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE THEFT. (Signed by the Governor 6/20/06) p. 225, 240, 253, 309, 331.

HS1/HB 375 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Senate Judiciary Committee) p. 225, 300, 308, 317.

HB 376 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO REORGANIZATION OF SCHOOL DISTRICTS. (House Education Committee) p. 225, 233, 263.

HB 377 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE STUDENT TESTING PROGRAM. (House Ready List) p. 227, 231.

HB 378 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF STATE SERVICE CENTERS. (Stricken 4/6/06) p. 227, 242.

HB 379 AN ACT TO AMEND TITLE 4, DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS LICENSES AND LICENSE FEES. (Signed by the Governor 4/17/06) p. 226, 236, 240, 242, 253, 256.

HB 380 w/SA 1 AN ACT TO AMEND CHAPTER 276, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF GEORGETOWN, TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS, TO PROVIDE FOR AN EXCEPTION TO COMPETITIVE BIDDING FOR CERTAIN CONTRACTS IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS, AND TO PROVIDE FOR CERTAIN MATTERS RELATING TO COLLECTION AND LEVY OF SPECIAL AD VALOREM TAXES, SPECIAL TAXES, AND AD VALOREM TAXES IN CONNECTION WITH MUNICIPAL TAX INCREMENT FINANCING AND MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS. (Signed by the Governor 5/10/06) p. 229, 240, 246, 257, 263, 275.

HB 381 w/HA 1 & SA 1 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO DEFINITION OF EMPLOYEES FOR PURPOSES OF WORKERS COMPENSATION. (Signed by the Governor 6/1/06) p. 229, 240, 243, 244, 273, 275, 291.

HB 382 w/SA 1 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL AND BUSINESS LICENSES AND TAXES. (Signed by the Governor 6/27/06) p. 234, 260, 265, 266, 308, 314, 315, 331.

HB 383 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF STATE SERVICE CENTERS. (Signed by the Governor 6/1/06) p. 234, 241, 256, 281, 291.

HB 384 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE MANUFACTURED HOME OWNERS AND COMMUNITY OWNERS ACT. (House Manufactured Housing Subcommittee) p. 234.

HB 385 AN ACT TO AMEND TITLE 11 OF DELAWARE CODE RELATING TO RANDOM DRUG TESTING FOR DEPARTMENT OF EDUCATION EMPLOYEES ON PERMANENT ASSIGNMENT AT DEPARTMENT OF CORRECTION FACILITIES. (Senate Adult & Juvenile Corrections Committee) p. 235, 251, 252.

HB 386 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO UNIFORM COMMERCIAL DRIVER LICENSE ACT. (Senate Public Safety Committee) p. 235, 257, 281, 296.

HB 387 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE PERTAINING TO THE DESTRUCTION OF CROPS BY WILDLIFE. (House Ready List) p. 238, 240, 263, 265.

HS1/HB 388 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO OFFENSES RELATING TO RECORDING DEVICES. (Signed by the Governor 7/10/06) p. 235, 283, 308, 313, 318, 368, 369.

HS1/HB 389 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE STUDENT EXCELLENCE EQUALS DEGREE ACT. (House Ready List) p. 238, 276, 281.

HB 390 AN ACT TO AMEND TITLE 29, DELAWARE CODE RELATING TO BUDGET APPROPRIATION AND CAPITAL BUDGET LEGISLATION. (House Ready List) p. 239, 263, 286, 287, 290.

HB 391 w/HA 1 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE DOMESTIC VIOLENCE COORDINATING COUNCIL. (Signed by the Governor 6/1/06) p. 239, 251, 256, 281, 291.

HB 392 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO VIOLATION OF PRIVACY. (Signed by the Governor 6/30/06) p. 239, 252, 256, 340, 368.

HB 393 AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 2 OF THE CONSTITUTION OF THE STATE OF DELAWARE OF 1897, AS AMENDED, RELATING TO VOTER QUALIFICATIONS. (Senate Executive Committee) p. 239, 251, 253.

HB 394 AN ACT TO AMEND CHAPTER 11, TITLE 29 OF THE DELAWARE CODE PROVIDING FOR THE OFFICE OF STATE OMBUDSMAN. (House Appropriations Committee) p. 240, 261, 281.

HB 395 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF TECHNOLOGY AND INFORMATION. (Stricken 6/15/06) p. 240, 310.

HB 396 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE MERIT SYSTEM. (Senate Labor & Industrial Relations Committee) p. 240, 281, 311.

HB 397 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO ASSESSMENTS OF INTEREST AND PENALTY. (Signed by the Governor 7/10/06) p. 240, 253, 337, 338, 368, 369.

HB 398 AN ACT TO AMEND TITLES 30 AND 6 OF THE DELAWARE CODE RELATING TO TAXATION. (Signed by the Governor 7/10/06) p. 240, 253, 338, 368, 369.

HB 399 AN ACT TO AMEND CERTAIN PROVISIONS OF CHAPTER 7 OF THE CITY OF WILMINGTON HOME RULE CHARTER RELATING TO APPEALS PROCEDURES BY THE COMMISSIONER OF LICENSES AND INSPECTIONS. (Signed by the Governor 5/15/06) p. 245, 260, 262, 273, 275.

HB 400 w/HA 1 AN ACT TO AMEND THE FISCAL YEAR 2006 BOND AND CAPITAL IMPROVEMENTS ACT; AMENDING TITLE 29 OF THE DELAWARE CODE RELATING TO BOND PREMIUM; AND AMENDING THE LAWS OF DELAWARE. (Signed by the Governor 4/17/06) p. 240, 246, 254, 256.

HB 401 w/HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO GENERAL REGULATORY PROVISIONS. (Senate Education Committee) p. 245, 260, 287.

HB 402 AN ACT PROPOSING AN AMENDMENT TO ARTICLE III, SECTION 21 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE QUALIFICATIONS OF ATTORNEY GENERAL. (Senate Judiciary Committee) p. 243.

HB 403 AN ACT TO AMEND THE FISCAL YEAR 2006 BUDGET ACT RELATING TO THE SUMMER YOUTH WORK PROGRAM. (Stricken 5/2/06) p. 248, 254, 257.

HB 404 w/HA 1 & 2 & SA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Signed by the Governor 7/26/06) p. 245, 255, 260, 281, 284, 293, 363, 367, 369.

HB 405 AN ACT TO AMEND CHAPTER 202, VOLUME 73, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF OCEAN VIEW" RELATING TO THE LIMITATION ON THE POWER TO RAISE REVENUE. (Signed by the Governor 6/27/06) p. 248, 290, 301, 328, 331.

HS1/HB 406 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES. (House Energy Committee) p. 251, 305.

HB 407 w/HA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LINE OF DUTY DEATH BENEFITS. (Passed in the House 6/28/06) p. 251, 272, 281, 324, 335.

HB 408 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO MERIT SYSTEM OF PERSONNEL ADMINISTRATION. (House Appropriations Committee) p. 255, 308, 331.

HB 409 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE SALE OF SPRAY PAINT PRODUCTS. (House Ready List) p. 255, 272, 290, 319.

HB 410 w/HA 1, 2 & 3 & SA 2 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE DEALING WITH MUNICIPAL ELECTIONS. (Signed by the Governor 6/30/06) p. 257, 290, 298, 313, 315, 316, 330, 336, 337, 368.

HB 411 AN ACT TO AMEND TITLE 29, DELAWARE CODE RELATING TO FINANCIAL DISCLOSURE REPORTS. (Senate Judiciary Committee) p. 257, 290, 303.

HS1/HB 412 AN ACT TO AMEND TITLE 10, CHAPTER 43 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURES. (Signed by the Governor 7/10/06) p. 257, 290, 297, 309, 314, 315, 368, 369.

HB 413 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE POWER OF THE DEPARTMENT OF EDUCATION TO PERFORM FINANCIAL AUDITS. (House Education Committee) p. 260.

HB 414 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. (Signed by the Governor 6/28/06) p. 260, 290, 311, 331, 342.

HB 415 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. (Signed by the Governor 7/10/06) p. 261, 290, 315, 368, 369.

HB 416 AN ACT PERMITTING THE STATE OF DELAWARE TO CONVEY A PORTION OF UNIMPROVED EMILY P. BISSELL HOSPITAL PROPERTY TO NEW CASTLE COUNTY FOR FLOOD MITIGATION AND A RETENTION BASIN. (Signed by the Governor 6/20/06) p. 263, 286, 295, 309, 331.

HB 417 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Passed in the House 6/28/06) p. 263, 292, 298, 335.

HB 418 w/SA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. (Signed by the Governor 7/10/06) p. 264, 281, 286, 367, 368, 369.

HB 419 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (Signed by the Governor 6/27/06) p. 276, 308, 318, 328, 331.

HB 420 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE SYMBOLS AND ADOPTING THE PUG AS THE STATE DOG. (House Ready List) p. 264, 290.

HB 421 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO MOTOR FUEL TAXATION. (House Appropriations Committee) p. 264, 281.

HB 422 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS. (House Capital Infrastructure Committee) p. 264, 273, 285, 290, 291, 293, 313.

HB 423 w/HA 1 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROTECTION CONCERNING FISH AND GAME. (Senate Natural Resources & Environmental Control Committee) p. 268, 281, 287, 322.

HB 424 AN ACT TO AMEND CHAPTER 15, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATIONS AND DISSOLUTION OF DOMESTIC PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY PARTNERSHIPS. (Signed by the Governor 7/10/06) p. 268, 290, 315, 368, 369.

HB 425 w/HA 1 & HA 1 to HA 1 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO AGRICULTURE. (Signed by the Governor 6/29/06) p. 268, 287, 290, 292, 308, 312, 328, 368.

HB 426 w/SA 2 AN ACT TO AMEND THE CHARTER OF THE TOWN OF BETHANY BEACH, CHAPTER 295, VOLUME 65, LAWS OF DELAWARE AS AMENDED TO ALLOW THE TOWN TO RECOVER ITS COSTS AND REASONABLE ATTORNEYS FEES IF IT IS THE PREVAILING PARTY IN ANY ACTION TO ENFORCE COMPLIANCE WITH A TOWN ORDINANCE OR TO CORRECT OR ABATE A NUISANCE; TO AMEND SECTION 15 OF CHAPTER 295, VOLUME 65, LAWS OF DELAWARE, AS AMENDED TO ALTER THE TERM OF OFFICE FOR ALDERMAN AND ASSISTANT ALDERMAN FROM ONE (1) YEAR TO TWO (2) YEARS, TO PERMIT THE APPOINTMENT OF MORE THAN ONE (1) ASSISTANT ALDERMAN AND TO PERMIT REASONABLE FINES TO BE SET BY TOWN ORDINANCE; AND TO AUTHORIZE THE TOWN TO ADOPT, BY REFERENCE, ANY STATE MOTOR VEHICLE STATUTE OR CORRESPONDING PENALTY, INCLUDING FUTURE AMENDMENTS THERETO. (Signed by the Governor 6/30/06) p. 268, 290, 301, 334, 336, 368.

HB 427 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CONDUCT OF OFFICERS AND EMPLOYEES. (House Administration Committee) p. 268.

HB 428 AN ACT TO AMEND SECTION 275, TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR THE UNLAWFUL USE OF A DRIVER'S LICENSE. (Stricken 5/30/06) p. 268, 274.

HB 429 w/HA 1 AN ACT TO AMEND TITLE 4, DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS, COMMISSIONER AUTHORITY, ENFORCEMENT AND FUNDING. (Signed by the Governor 7/10/06) p. 268, 281, 290, 345, 363, 369.

HB 430 w/HA 3, 4, 5 & 6 AN ACT TO AMEND TITLES 5, 6 AND 11 OF THE DELAWARE CODE RELATING TO THE REGULATION OF DEBT-MANAGEMENT SERVICES. (Signed by the Governor 7/17/06) p. 268, 281, 284, 319, 323, 324, 328, 340, 369.

HB 431 AN ACT TO AMEND TITLE 4, DELAWARE CODE RELATING TO UNDERAGE DRINKING, IDENTIFICATION AND PENALTIES. (House Appropriations Committee) p. 268, 290, 298, 331.



HB 432 w/SA 2 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR THE UNLAWFUL USE OF A DRIVER'S LICENSE. (Signed by the Governor 6/28/06) p. 268, 281, 296, 316, 328, 342.

HB 433 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TERMINATION OF SERVICES. (Senate Ready List) p. 267.

HB 434 w/SA 1 AN ACT TO AMEND CHAPTER 237, VOLUME 51, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" RELATING TO THE ELECTION OF THE COMMISSIONERS OF BRIDGEVILLE UPON THE ESTABLISHMENT OF ELECTION DISTRICTS BY ORDINANCE. (Signed by the Governor 6/30/06) p. 268, 290, 301, 328, 336, 368.

HB 435 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO COMMERCE AND TRADE. (House Economic Development/Banking & Insurance Committee) p. 268.

HB 436 AN ACT TO AMEND TITLE 1 OF THE DELAWARE CODE RELATING TO STATE LANGUAGE. (Stricken 6/15/06) p. 273, 290, 298, 303, 306, 312.

HB 437 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO LICENSE AND TAXES. (Stricken 6/7/06) p. 269, 288.

HB 438 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE TO CREATE AN ARBITRATION PROCEDURE FOR DISPUTES BETWEEN INSURANCE CARRIERS AND HEALTH CARE PROVIDERS. (Passed in the House 6/29/06) p. 273, 290, 344.

HB 439 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PROSTITUTION. (Signed by the Governor 6/28/06) p. 273, 290, 301, 302, 328, 342.

HB 440 AN ACT PROPOSING AN AMENDMENT TO ARTICLE II OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO GAMBLING. (House Gaming & Parimutuels Committee) p. 272.

HB 441 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CUSTODY PROCEEDINGS. (Signed by the Governor 7/6/06) p. 273, 290, 304, 363, 368.

HB 442 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE TERMINATION OF PARENTAL RIGHTS. (Signed by the Governor 6/30/06) p. 273, 290, 304, 334, 368.

HB 443 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DELAWARE POLICE TRAINING PROGRAM. (Signed by the Governor 6/20/06) p. 273, 281, 294, 295, 309, 331.

HB 444 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATION. (House Education Committee) p. 270.

HB 445 AN ACT TO AMEND CHAPTER 38, TITLE 12 OF THE DELAWARE CODE RELATING TO STATUTORY TRUSTS. (Signed by the Governor 7/10/06) p. 272, 281, 283, 368, 369.

HB 446 w/HA 1 & 2 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO SUPPLEMENTAL HEALTH INSURANCE COVERAGE FOR CHILDREN OF INSUREDS. (Signed by the Governor 7/10/06) p. 273, 290, 306, 317, 368, 369.

HB 447 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE COMMISSION ON ADULT ENTERTAINMENT ESTABLISHMENTS. (Signed by the Governor 6/28/06) p. 276, 294, 314, 315, 334, 342.

HB 448 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH RECORD PRIVACY ACT. (House Health & Human Development Committee) p. 276, 283.

HB 449 w/HA 1 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO GUARDIANSHIP OF A CHILD. (Passed in the House 6/27/06) p. 276, 290, 319, 330.

HS1/HB 450 w/HA 4 & 5 & SA 2 AN ACT TO AMEND TITLE 10, CHAPTER 81 OF THE DELAWARE CODE BY ENLARGING THE STATUTE OF LIMITATIONS FOR SUITS FOR DAMAGES DUE TO PERSONAL INJURIES THAT WERE CAUSED BY SEXUAL ABUSE OF A CHILD BY AN ADULT. (Laid on the Speaker's Table 7/1/06) p. 275, 276, 308, 323, 325, 329, 337, 367, 368.

HB 451 AN ACT TO AMEND TITLES 9 AND 22 OF THE DELAWARE CODE ENABLING NEW CASTLE AND SUSSEX COUNTIES AND MUNICIPALITIES LOCATED IN SUSSEX COUNTY TO UTILIZE TAX INCREMENT FINANCING AND SPECIAL DEVELOPMENT DISTRICTS TO FUND COSTS RELATED TO THE IMPACTS OF DEVELOPMENT AND RESTATING THAT THE ACT APPLIES TO TOWNS AND CITIES THROUGHOUT THE STATE WITH POPULATIONS IN EXCESS OF 50,000 PEOPLE. (Senate Executive Committee) p. 281, 290, 336, 337.

HS1/HB 452 w/HA 1 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATED TO CAUSES OF ACTION AND SUCCESSOR LIABILITY. (Laid on the Speaker's Table 6/29/06) p. 281, 332, 337, 345.

HB 453 w/HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE SALE OF MOTOR VEHICLES. (Senate Public Safety Committee) p. 287, 290, 304, 305.

HB 454 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO DISPUTES INVOLVING THE ENFORCEMENT OF DEED COVENANTS OR RESTRICTIONS. (Signed by the Governor 7/6/06) p. 281, 290, 296, 348, 368.

HB 455 w/SA 2 & 4 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO ENVIRONMENTAL CONTROL AND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES. (Signed by the Governor 6/30/06) p. 276, 281, 294, 328, 336, 368.

HB 456 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HAZARDOUS SUBSTANCE CLEANUP. (House Natural Resources & Environmental Management Committee) p. 281, 306.

HB 457 AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 4 OF THE CONSTITUTION OF THE STATE OF DELAWARE OF 1897, AS AMENDED, RELATING TO THE TIME AND FREQUENCY OF SESSIONS OF THE GENERAL ASSEMBLY. (House Administration Committee) p. 281.

HB 458 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE POWERS AND DUTIES OF STATE POLICE. (House Ready List) p. 276, 281.

HB 459 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF LAW ENFORCEMENT OFFICER. (House Ready List) p. 276, 281.

HB 460 w/HA 1 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES. (Senate Revenue & Taxation Committee) p. 284, 298, 308, 317.

HB 461 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE FREEDOM OF INFORMATION ACT. (Senate Judiciary Committee) p. 284, 308, 321, 322.

HB 462 w/HA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE CREATING A DELAWARE HIGHER EDUCATION FACILITIES AUTHORITY. (Passed in the House 6/29/06) p. 284, 290, 344.

HB 463 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURER INVESTMENTS IN FOREIGN COUNTRIES. (Senate Banking Committee) p. 284, 290, 292.

HB 464 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LIFE INSURANCE. (Passed in the House 6/30/06) p. 284, 308, 344.

HB 465 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO PURCHASING, RECEIVING, STORING, AND SELLING BEER IN GROCERY STORES. (House Business/Corporations/Commerce Committee) p. 284, 287.

HB 466 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CERTAIN SPECIFIC REQUESTED RELIEF IN DIVORCE ACTIONS. (Senate Judiciary Committee) p. 284, 308, 314, 315.

HB 467 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES. (House Energy Committee) p. 324, 340.

HB 468 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO TATTOOS, BODY PIERCING, AND PERMANENT MAKEUP. (House Health & Human Development Committee) p. 287.

HB 469 AN ACT TO AMEND TITLES 16 AND 21 OF THE DELAWARE CODE RELATING TO LITTER CONTROL AND RULES OF THE ROAD. (Senate Public Safety Committee) p. 285, 290, 296.

HB 470 w/HA 2 AN ACT TO AMEND CHAPTER 17 OF TITLE 7 OF THE DELAWARE CODE RELATING TO DANGEROUS DOGS. (Laid on the Table in the Senate 6/30/06) p. 287, 308, 313, 315.

HB 471 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO A PILOT PROGRAM FOR PHYSICAL EDUCATION AND PHYSICAL ACTIVITY IN DELAWARE PUBLIC SCHOOLS. (Signed by the Governor 7/10/06) p. 291, 328, 330, 363, 369.

HB 472 w/HA 1 & 2 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF CHIROPRACTIC. (Signed by the Governor 7/6/06) p. 286, 287, 304, 313, 316, 317, 368.

HB 473 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE DEPARTMENT OF JUSTICE. (House Appropriations Committee) p. 287, 342, 348.

HB 474 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO THE LIMIT ON NUMBER OF RETAIL ALCOHOLIC LIQUOR LICENSES. (House Ready List) p. 291, 312.

HB 475 AN ACT TO AMEND TITLE 7 AND TITLE 25 OF THE DELAWARE CODE RELATING TO RECORDING OF NOTICE OF TAX DITCH, TAX LAGOON RIGHT-OF-WAY, OR ASSESSMENT, AND DEEDS. (Signed by the Governor 6/28/06) p. 291, 308, 314, 330, 342.

HB 476 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF DENTAL EXAMINERS. (House Health & Human Development Committee) p. 291, 304.

HB 477 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTY COMPREHENSIVE PLANS. (House Transportation/Land Use and Infrastructure Committee) p. 297.

HB 478 AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO THE GENERAL POWERS AND DUTIES OF THE DEPARTMENT OF TRANSPORTATION. (House Transportation/Land Use and Infrastructure Committee) p. 297.

HB 479 AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO PRIVATE FUNDING OF PUBLIC STREETS. (House Transportation/Land Use and Infrastructure Committee) p. 297.

HB 480 AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO VACATION AND ABANDONMENT OF PUBLIC ROADS AND ROAD CLOSURES. (House Transportation/Land Use and Infrastructure Committee) p. 297.

HB 481 AN ACT TO AMEND THE CHARTER OF THE TOWN OF MILLVILLE, CHAPTER 217, VOLUME 24, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF MILLVILLE", TO AMEND SUBSECTION (a) OF SECTION 31, ENUMERATION OF POWERS BY ADDING AUTHORIZATION FOR IMPOSING "IMPACT FEES" FOR INSTALLING, ENLARGING, IMPROVING OR EXPANDING PUBLIC OR MUNICIPAL IMPROVEMENTS AND/OR TO CONTRIBUTE TO THE COSTS OF OPERATIONS OF VOLUNTEER FIRE AND PARAMEDIC COMPANIES PROVIDING SERVICES WITHIN THE TOWN. (Signed by the Governor 9/7/06) p. 297, 308, 326, 327, 369, 370.

HB 482 w/HA 5 & 6 AN ACT TO AMEND TITLES 10, 11 AND 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY, CONSTABLES AND CAPITOL POLICE AND BUILDINGS AND GROUNDS. (Signed by the Governor 6/28/06) p. 297, 298, 308, 313, 318, 331, 342.

HB 483 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE TO ESTABLISH THE SCHOOL BULLYING PREVENTION ACT OF 2006 (Senate Ready List) p. 297, 308, 323.

HB 484 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO CIVIL ADMINISTRATIVE PROCEDURES. (House Ready List) p. 297, 335.

HB 485 w/HA 1 & 2 & SA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMES AND CRIMINAL PROCEDURE. (Signed by the Governor 7/10/06) p. 298, 313, 319, 324, 348, 351, 352, 369.

HB 486 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE PERTAINING TO SPECIFIC SPEED LIMITS. (Signed by the Governor 6/28/06) p. 298, 308, 314, 315, 331, 342.

HB 487 AN ACT TO AMEND THE CHARTER OF THE TOWN OF TOWNSEND, CHAPTER 241, VOLUME 74, LAWS OF DELAWARE, AS AMENDED, TO INCREASE THE LENGTH OF RESIDENCY FROM 90 DAYS TO ONE YEAR TO QUALIFY TO HOLD OFFICE. (Signed by the Governor 6/30/06) p. 298, 313, 327, 340, 368.

HB 488 w/HA 1 AN ACT TO AMEND CHAPTER 21, TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF VEHICLES. (Senate Public Safety Committee) p. 298, 308, 317.

HB 489 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MEDICAL CERTIFICATION FOR HANDICAP LICENSE PLATES AND PARKING PERMITS. (House Ready List) p. 298, 308, 323.

HB 490 AN ACT TO AMEND CHAPTER 4, TITLE 29 OF THE DELAWARE CODE RELATING TO BUILDINGS AND GROUNDS, TO PROMOTE CULTURE AND THE ARTS IN STATE BUILDINGS. (Passed in the House 7/1/06) p. 298, 342, 361.

HB 491 AN ACT TO ESTABLISH THE DELAWARE ABRAHAM LINCOLN BICENTENNIAL COMMISSION. (Signed by the Governor 7/10/06) p. 298, 321, 325, 326, 368, 369.

HB 492 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES. (Signed by the Governor 6/28/06) p. 298, 308, 314, 315, 331, 342.

HB 493 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE PERTAINING TO LINE-OF-DUTY DISABILITY BENEFITS TO COVERED FIREFIGHTERS. (House Economic Development/Banking & Insurance Committee) p. 298.

HB 494 AN ACT TO AMEND CHAPTER 13, TITLE 24 OF THE DELAWARE CODE RELATING TO REGULATION OF PRIVATE SECURITY AGENCIES. (Signed by the Governor 7/10/06) p. 298, 342, 350, 368, 369.

HB 495 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO DRIVER EDUCATION CERTIFICATION. (House Education Committee) p. 305.

HB 496 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO EMPLOYMENT CONTRACTS. (Passed in the House 6/29/06) p. 305, 345, 346.

HB 497 w/HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO PENALTIES FOR CERTAIN OFF-HIGHWAY VEHICLE VIOLATIONS. (Passed in the House 6/27/06) p. 297, 308, 319, 330.

HB 498 w/HA 1 AN ACT TO AMEND TITLE 24, CHAPTER 19 OF THE DELAWARE CODE RELATING TO NURSING. (Signed by the Governor 6/28/06) p. 305, 308, 323, 334, 342.

HB 499 AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO REGULATION OF OUTDOOR ADVERTISING. (House Transportation/Land Use and Infrastructure Committee) p. 305.

HB 500 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES. (Signed by the Governor 6/30/06) p. 305, 309, 312, 322, 342, 368.

HB 501 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLE ACCIDENTS RESULTING IN INJURY OR DEATH TO ANY PERSON. (House Public Safety Committee) p. 305.

HB 502 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO MENTAL HEALTH. (Signed by the Governor 6/30/06) p. 300, 308, 328, 340, 368.

HB 503 w/HA 1 & 2 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO BUILDING AND PLUMBING. (Laid on the Table in the Senate 6/30/06) p. 300, 324, 334, 346.

HB 504 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO ELECTED SCHOOL DISTRICT BOARD MEMBER RECALL PROCEDURES. (House Education Committee) p. 308.

HS1/HB 505 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF TECHNOLOGY AND INFORMATION. (House Ready List) p. 305, 313, 324, 340, 348.

HB 506 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO COUNTIES. (House Housing & Community Affairs Committee) p. 306.

HB 507 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO NET METERING AND BILLING. (House Energy Committee) p. 306.

HB 508 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING ON ROADWAYS LANED FOR TRAFFIC. (Senate Public Safety Committee) p. 306, 327, 328.

HS1/HB 509 w/HA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO FINES, COSTS, PENALTIES AND FORFEITURES. (Signed by the Governor 7/10/06) p. 306, 319, 324, 325, 340, 342, 343, 368, 369.

HB 510 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", SECTION 26.A., SUPPLEMENTAL ASSESSMENT, SUBSECTION (b), TO BRING THE SUPPLEMENTAL ASSESSMENT QUARTERLY PERIODS IN LINE WITH THE TOWN'S FISCAL YEAR OF JULY 1 TO JUNE 30. (Signed by the Governor 7/10/06) p. 306, 335, 351, 352, 363, 369.

HB 511 w/HA 1 AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO RECORDS OF ARREST AND PROSECUTION. (Senate Judiciary Committee) p. 309, 313, 321, 322.

HB 512 AN ACT TO AMEND CHAPTER 55, TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEES' PENSION PLAN (House Labor Committee) p. 309.

HB 513 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTH RESOURCES BOARD (Passed in the House 6/28/06) p. 313, 331, 339.

HB 514 AN ACT TO AMEND CHAPTER 47, TITLE 21 OF THE DELAWARE CODE RELATING TO MEDICAL STANDARDS PERTAINING TO SCHOOL BUS DRIVERS. (Senate Public Safety Committee) p. 313, 334, 344.

HB 515 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO A PILOT PROGRAM FOR CONTINUOUS REMOTE ALCOHOL MONITORING. (Signed by the Governor 7/6/06) p. 313, 325, 344, 363, 368.

HB 516 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACY. (House Health & Human Development Committee) p. 318.

HB 517 AN ACT TO AMEND TITLES 24 AND 29, CHAPTER 101 OF THE DELAWARE CODE RELATING TO CIVIL ADMINISTRATIVE PROCEDURES. (Passed in the House 6/29/06) p. 318, 331, 344.

HB 518 w/HA 1 & 2 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE "HAL" BELOTE HARNESS AND/OR HORSE RACING SAFETY ACT. (Senate Agriculture Committee) p. 314, 320, 324, 326.

HB 519 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES. (House Ready List) p. 314, 320, 326, 329.

HB 520 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO LICENSES. (House Natural Resources & Environmental Management Committee) p. 318, 329.

HB 521 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO REALTY TRANSFER TAX. (House Revenue & Finance Committee) p. 318, 329.

HB 522 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO TITLES AND CONVEYANCES. (House Housing & Community Affairs Committee) p. 319, 329.

HB 523 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO GENERAL FUND. (House Agriculture Committee) p. 319.

HB 524 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO THE AGRICULTURAL LANDS PRESERVATION ACT. (House Agriculture Committee) p. 319.

HB 525 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO LICENSES. (House Ready List) p. 319, 329, 330.

HB 526 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO NATURAL RESOURCES. (House Natural Resources & Environmental Management Committee) p. 319.

HB 527 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO PERSONAL INCOME TAX. (House Revenue & Finance Committee) p. 319.

HB 528 w/HA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES. (Passed in the House 6/30/06) p. 319, 337, 353.

HB 529 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE. (Vetoed 7/10/06) p. 319, 334, 338, 339, 363, 369.

HB 530 AN ACT TO AMEND CHAPTER 197, VOLUME 54 OF THE LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT REVISING THE PRIOR CHARTER OF THE CITY OF REHOBOTH BEACH AND ESTABLISHING A NEW CHARTER THEREFOR AND PRESCRIBING THE POWERS AND DUTIES OF THE COMMISSIONERS OF REHOBOTH BEACH" RELATING TO THE CITY OF REHOBOTH BEACH. (Signed by the Governor 7/6/06) p. 324, 331, 336, 348, 368.

HB 531 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE MANUFACTURED HOME OWNERS AND COMMUNITY OWNERS ACT. (Signed by the Governor 7/6/06) p. 329, 334, 343, 363, 368.

HB 532 w/HA 1 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE TO AUTHORIZE USE OF ELECTRONIC POSTMARKS. (Passed in the House 6/29/06) p. 329, 335, 344, 345.

HB 533 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO LINE OF DUTY DEATH BENEFITS. (Passed in the House 6/29/06) p. 329, 335, 344.

HB 534 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. (House Policy Analysis & Government Accountability Committee) p. 332, 348.

HB 535 A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2007; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; DEAUTHORIZING AND REAUTHORIZING CERTAIN FUNDS OF THE TRANSPORTATION TRUST FUND; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. (Signed by the Governor 7/1/06) p. 352, 360, 361, 368.

HB 536 AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO REGULATING THE SALE AND USE OF PESTICIDES. (Signed by the Governor 7/10/06) p. 331, 334, 344, 368, 369.

HB 537 w/HA 1 AN ACT TO AMEND TITLE 7 RELATING TO CONSERVATION. (Passed in the House 6/28/06) p. 331, 334, 338, 339.

HB 538 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO WILLS AND TRUSTS. (House Economic Development/Banking & Insurance Committee) p. 340.

HB 539 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMPENSATION COMMISSION. (Passed in the House 6/28/06) p. 331, 334, 335.

HB 540 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE. (House Judiciary Committee) p. 340.

HB 541 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE INSURANCE CODE AND PHARMACY BENEFIT MANAGER PRACTICES. (House Economic Development/Banking & Insurance Committee) p. 340.

HB 542 A bill with this number was not introduced.

HB 543 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMMISSION ON ITALIAN HERITAGE CULTURE. (Passed in the House 7/1/06) p. 340, 365.

HB 544 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO FISCAL REGULATIONS OF THE STATE AND THE CREATION OF A GENERAL FUND ACCOUNT FOR DISASTER RELIEF. (House Appropriations Committee) p. 348.

HB 545 AN ACT PROPOSING AN AMENDMENT TO ARTICLE VIII, § 1 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO REVENUE AND TAXATION AND THE UNIFORMITY OF TAXES. (Passed in the House 7/1/06) p. 348, 365.

HB 546 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE EMPLOYEES' PENSION PLAN. (House Labor Committee) p. 348.

HB 547 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO GENERAL ELECTIONS. (Signed by the Governor 7/10/06) p. 348, 352, 368, 369.

## HOUSE RESOLUTIONS

HR 1 IN REFERENCE TO THE ELECTION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. (Passed) p. 3.

HR 2 IN REFERENCE TO ELECTION OF OFFICERS. (Passed) p. 3.

HR 3 RELATING TO PERMANENT PROCEDURES OF THE HOUSE OF REPRESENTATIVES OF THE 143RD GENERAL ASSEMBLY OF THE STATE OF DELAWARE FOR ETHICS VIOLATIONS. (Passed) p. 4.

HR 4 RELATING TO PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES OF THE 143RD GENERAL ASSEMBLY OF THE STATE OF DELAWARE. (Passed) p. 4.

HR 5 EXTENDING THE REPORTING DATE OF THE CHARTER SCHOOL STANDARDS AND LICENSING TASK FORCE. (Passed) p. 12.

HR 6 EXTENDING THE REPORTING DATE OF THE COMMUTER RAIL TASK FORCE. (Passed) p. 12.

HR 7 ESTABLISHING THE TAX DITCH RECORDATION TASK FORCE. (Passed) p. 26.

HR 8 RECOGNIZING LOCAL BUSINESSMAN JOE SHERIDAN OF SHERIDAN FORD SALES OF WILMINGTON FOR HIS \$10,000 CONTRIBUTION TO THE ELSMERE COMMUNITY ATHLETIC ASSOCIATION WHICH FOUND ITSELF IN FINANCIAL TROUBLE. (Passed) p. 45.

HR 9 RECOGNIZING APRIL 28, 2005 AS WORKERS MEMORIAL DAY. (Passed) p. 72.

HR 10 COMMENDING TAIWAN ON ITS FULL-FLEDGED DEMOCRACY, ITS CONTRIBUTIONS TO PROMOTE WORLD PEACE, FREEDOM, AND HUMAN RIGHTS, AND SUPPORTING ITS EFFORTS TO JOIN THE UNITED NATIONS, WORLD HEALTH ORGANIZATION (WHO), AND OTHER INTERNATIONAL ORGANIZATIONS. (Passed) p. 56, 57.

HR 11 EXTENDING THE REPORTING DATE OF THE COMMUTER RAIL TASK FORCE (Passed) p. 56, 57.

HR 12 REQUESTING THAT GOVERNOR RUTH ANN MINNER AND DEPARTMENT OF SAFETY AND HOMELAND SECURITY SECRETARY DAVID B. MITCHELL PUBLICLY DISCLOSE THE NATURE OF THE SUBSTANTIATED CHARGES AGAINST DELAWARE STATE POLICE COLONEL L. AARON CHAFFINCH AND THE DISCIPLINE HE RECEIVED RESULTING FROM THESE VALIDATED CHARGES. (House Judiciary Committee) p. 54.

HR 13 CONGRATULATING THE DELAWARE STATE UNIVERSITY MEN'S HORNET BASKETBALL TEAM ON REACHING THE NCAA DIVISION I MEN'S BASKETBALL TOURNAMENT. (Passed) p. 58, 59.

HR 14 RE-ESTABLISHING THE LEGISLATIVE COMMITTEE ON PERSONNEL PRACTICES. (Passed) p. 68, 69.

HR 15 PERTAINING TO THE RELEASE OF LISTS OF HIGH SCHOOL GRADUATES TO THE HOUSE OF REPRESENTATIVES. (Passed) p. 68, 69.

HR 16 RE-CONSTITUTING THE MOTORCYCLE RIDER EDUCATION ADVISORY COMMITTEE. (Passed) p. 69.

HR 17 RE-CONSTITUTING THE MEDICAL LIABILITY INSURANCE TASK FORCE AND REQUIRING IT TO UPDATE THE GENERAL ASSEMBLY ON THE PROGRESS THAT IS BEING MADE IN IMPLEMENTING THE RECOMMENDATIONS IT INCLUDED AS PART OF ITS 2003 FINAL REPORT. (Passed) p. 85, 173.

HR 18 CONGRATULATING THE DIVISION OF REVENUE FOR RECEIVING THE 2004 DELAWARE QUALITY "GORE AWARD". (Passed) p. 77, 78.

HR 19 URGING CONGRESS TO TAKE ACTION TO BAN THE USE OF SINGLE-HULLED TANKERS IN CRITICAL NATURAL AND ECONOMICALLY VITAL WATERWAYS, INCLUDING THE DELAWARE RIVER, IN ADVANCE OF THE EXISTING 2011 DEADLINE. (Passed) p. 92.

HR 20 URGING DELAWARE'S CONGRESSIONAL DELEGATION AND THE UNITED STATES CONGRESS TO INCREASE FUNDING TO THE UNITED STATES ARMY CORPS OF ENGINEERS FOR THE PURPOSES OF ENSURING THAT THE DELAWARE RIVER IS CLEAR OF HAZARDOUS MATERIALS AND DEBRIS, THAT THE RIVER CHANNEL IS SAFE FOR PASSAGE BY SHIPS AND TANKERS, AND THAT THE CORPS CAN CONDUCT REGULAR AND ADDITIONAL MAINTENANCE CLEAN-UP OF THE DELAWARE RIVER IN ORDER TO PROTECT AND MAINTAIN CRITICAL NATURAL AREAS AND TO GUARD AGAINST POTENTIALLY DEVASTATING OIL SPILLS AND OTHER EVENTS THAT COULD CRIPPLE COMMERCE ALONG THE RIVER AND THE RIVER'S ECOSYSTEM. (Passed) p. 92.

HR 21 RECOGNIZING THE STAFF AND VOLUNTEERS WHO DEDICATED THOUSANDS OF HOURS OF THEIR TIME TO CLEAN UP THE MASSIVE ATHOS I OIL SPILL IN THE DELAWARE RIVER NEAR PAULSBORO, NEW JERSEY, IN NOVEMBER 2004. (Passed) p. 86.

HR 22 OPPOSING THE DEPARTMENT OF DEFENSE REALIGNMENT OF THE DELAWARE AIR NATIONAL GUARD, NEW CASTLE COUNTY AIRPORT. (Passed) p. 100.

HR 23 A RESOLUTION REQUESTING WHY ESTABLISH A TELEVISION STATION IN DOVER. (Passed) p. 108.

HR 24 CONGRATULATING CHIEF CLERK JOANN HEDRICK FOR RECEIVING THE NATIONAL CONFERENCE OF STATE LEGISLATURES' LEGISLATIVE STAFF ACHIEVEMENT AWARD. (Passed) p. 31, 32.

HR 25 CONGRATULATING URSULINE ACADEMY FOR WINNING THE 2004-2005 STATE VARSITY BASKETBALL CHAMPIONSHIP. (Passed) p. 105.

HR 26 CONGRATULATING URSULINE ACADEMY FOR WINNING THE 2004-2005 STATE VARSITY VOLLEYBALL CHAMPIONSHIP. (Passed) p. 105.

HR 27 CONGRATULATING SUSSEX CENTRAL HIGH SCHOOL'S GOLDEN KNIGHTS GIRLS SOFTBALL TEAM FOR WINNING THE 2005 STATE CHAMPIONSHIP. (Passed) p. 108.

HR 28 A RESOLUTION RECOGNIZING DELAWARE'S FIRST CLASS HARNESS RACING FARMS, "RAINBOW BLUE", THE 2004 HARNESS WRITERS HORSE OF THE YEAR BEING TRAINED IN DELAWARE AND TO ENCOURAGE THE DELAWARE DEVELOPMENT OFFICE TO PROMOTE ACCORDINGLY. (Passed) p. 118, 119.

HR 29 RECOGNIZING TIMOTHY GOLDING AS HE LEAVES TOWER HILL SCHOOL AND CONGRATULATING THE TOWER HILL SCHOOL BOY'S LACROSSE TEAM FOR WINNING THE STATE CHAMPIONSHIP LAST MONTH. (Passed) p. 118.

HR 30 CREATING A TASK FORCE TO REVIEW AND EVALUATE HEALTHCARE ASSOCIATED INFECTIONS. (Passed) p. 151.

HR 31 A RESOLUTION CALLING ON THE CONGRESS OF THE UNITED STATES TO REJECT PLANS TO PRIVATIZE SOCIAL SECURITY BY CUTTING SOCIAL SECURITY'S GUARANTEED BENEFITS AND DIVERTING MONEY OUT OF SOCIAL SECURITY INTO PRIVATE INVESTMENT ACCOUNTS. (House Administration Committee) p. 151.

HR 32 CREATING A TASK FORCE TO STUDY LEAD LEVELS IN DRINKING WATER IN SCHOOLS AND CHILD CARE FACILITIES. (Passed) p. 151.

HR 33 CREATING A TASK FORCE TO EXAMINE THE LAWS AND PROCEDURES PERTAINING TO THE EXPUNGEMENT OF CRIMINAL RECORDS, AND TO RECOMMEND APPROPRIATE CHANGES THERETO. (Passed) p. 151.

HR 34 URGING THE FIRE MARSHAL TO INVESTIGATE THE "REDUCED IGNITION PROPENSITY CIGARETTE". (Passed) p. 151.

HR 35 CONGRATULATING SANDRA F. CLARK UPON HER GRADUATION FROM LAW SCHOOL, RECOGNIZING HER DEDICATION TO THE DIVISION OF RESEARCH, AND WISHING HER SUCCESS IN HER LAW CAREER. (Passed) p. 149, 150.

HR 36 CREATING A TASK FORCE TO EXAMINE THE NEED FOR A MENTORING PROGRAM SPECIFICALLY FOR ADOLESCENTS ENROLLED IN SPECIAL EDUCATION PROGRAMS BETWEEN THE 7TH AND 12TH GRADES. (Passed) p. 160.

HR 37 ESTABLISHING A TASK FORCE TO REVIEW THE STATE FORMULA FOR FUNDING INSTITUTIONS OF HIGHER EDUCATION. (Passed) p. 160.

HR 38 COMMENDING DX-CEEDS, PARENT COMPANY OF DELEXCHANGE, FOR THEIR OUTSTANDING WORK IN DEVELOPING ENRICHING RELATIONSHIPS BETWEEN MAINSTREAM AND UNDERSERVED COMMUNITIES THROUGH ENTREPRENEURSHIP AND TECHNOLOGY ECONOMIC DEVELOPMENT INITIATIVES. (Passed) p. 160, 224.

HR 39 CREATING A TASK FORCE TO STUDY THE USE OF RITALIN BY SCHOOL AGE STUDENTS. (House Administration Committee) p. 160.

HR 40 HONORING JACK HOLLOWAY, DIRECTOR OF THE DELAWARE INTERSCHOLASTIC ATHLETIC ASSOCIATION, UPON HIS RETIREMENT. (Passed) p. 160.

HR 41 A RESOLUTION REQUESTING AND REAFFIRMING DELAWARE'S COMMITMENT TO MANAGING AND PROVIDING RENEWABLE RECREATION, WITH SIGNIFICANT ECONOMIC BENEFITS, THROUGH SPORT HUNTING AND FISHING AND REQUESTING THAT A TASK FORCE BE ESTABLISHED TO EVALUATE THE DESIRABILITY OF A PILOT PROGRAM FOR SQUIRREL HUNTING IN SPECIFIC AREAS OF THE WHITE CLAY CREEK STATE PARK. (Passed) p. 160.

HR 42 CREATING A TASK FORCE TO STUDY THE USE OF RITALIN BY SCHOOL AGE CHILDREN. (Passed) p. 173.

HR 43 ESTABLISHING A TASK FORCE TO REVIEW DELAWARE'S ABANDONED PROPERTY ADMINISTRATION AND POLICIES. (Passed) p. 173.

HR 44 CREATING A TASK FORCE TO EXAMINE THE RECENT SUPREME COURT RULING IN KELO V. CITY OF NEW LONDON INVOLVING EMINENT DOMAIN AND TO MAKE RECOMMENDATIONS TO RESTRICT ITS APPLICATION IN DELAWARE TO BONA FIDE PUBLIC USAGE. (Passed) p. 168.

HR 45 RECOGNIZING ABBOTT, ASTRAZENCA, BRISTOL-MYERS SQUIBB, GLAXOSMITHKLINE, JOHNSON AND JOHNSON, NOVARTIS, PFIZER, SANOFI-AVENTIS, TAKEDA AND TAP PHARMACEUTICALS FOR THEIR EFFORTS IN MAKING PRESCRIPTION DRUGS MORE ACCESSIBLE TO UNINSURED CITIZENS THROUGH THE TOGETHER Rx ACCESS PROGRAM. (Passed) p. 173.

HR 46 RECOGNIZING CULTURAL COMPETENCY AS AN INCREASINGLY IMPORTANT SKILL IN DELIVERING QUALITY HEALTH CARE FOR ALL DELAWAREANS. (Passed) p. 173.

HR 47 INVITING THE SECRETARY OF SAFETY AND HOMELAND SECURITY DAVID MITCHELL TO ADDRESS THE DELAWARE HOUSE OF REPRESENTATIVES ON JANUARY 24TH ON EMERGENCY READINESS AND HOMELAND SECURITY ISSUES. (Passed) p. 193.

HR 48 A RESOLUTION HONORING NATHAN HAYWARD, III UPON HIS RETIREMENT FROM THE DELAWARE DEPARTMENT OF TRANSPORTATION. (Passed) p. 206.

HR 49 CELEBRATING JANUARY 29TH THROUGH FEBRUARY 4TH AS CATHOLIC SCHOOLS WEEK IN DELAWARE. (Passed) p. 206.

HR 50 CREATING A TASK FORCE TO REVIEW THE NEED FOR FACILITIES IN EACH COUNTY FOR NON-SERIOUS OFFENSES. (Passed) p. 217.

HR 51 EXTENDING THE REPORTING DATE OF ABANDONED PROPERTY ADMINISTRATION AND POLICIES TASK FORCE. (Passed) p. 217.

HR 52 COMMENDING JAMES A. STEWART FOR HIS DEDICATED SERVICE TO THE STATE OF DELAWARE AS HE RETIRES FROM HIS POSITION OF ADMINISTRATOR OF MUSEUMS AND HISTORICAL SITES. (Passed) p. 223, 224.

HR 53 MOURNING THE DEATH OF THE "FIRST LADY" OF THE CIVIL RIGHTS MOVEMENT, CORETTA SCOTT KING. (Passed) p. 217.

HR 54 URGING THE UNITED STATES CONGRESS TO PASS THE AMERICAN HORSE SLAUGHTER PREVENTION ACT. (Passed) p. 235.

HS 1/HR 55 TO RECOGNIZE THE EASTER SEALS OF DELAWARE FOR SPONSORING ANOTHER SUCCESSFUL VOLLEYBALL CHALLENGE FUNDRAISING EVENT. (Passed) p. 222, 227, 233.

HR 56 DECLARING APRIL 6TH, 2006 AS AUTISM AWARENESS DAY IN DELAWARE. (Passed) p. 230.

HR 57 DESIGNATING THE WEEK OF OCTOBER 22, 2006 AS EPIDERMOLYSIS BULLOSA AWARENESS WEEK. (Passed) p. 239.

HR 58 TO REQUEST THE DELAWARE FEDERAL LEGISLATORS TO SUPPORT THE "CYBER SAFETY FOR KIDS ACT OF 2006". (Passed) p. 239.

HR 59 COMMENDING REVEREND ZENKO N. OKIMURA SHIHAN ON THE FIRST ANNIVERSARY OF THE AIKIDO DELAWARE AIKIKAI DOJO. (Passed) p. 250.

HR 60 SUPPORTING THE CREATION OF THE DELAWARE REDEVELOPMENT AUTHORITY TO ADDRESS THE CLOSURE OF THE MAJOR ROBERT KIRKWOOD UNITED STATES ARMY RESERVE CENTER. (Passed) p. 254.

HR 61 w/HA 2 CREATING A TASK FORCE TO PROMOTE COORDINATION BETWEEN SPECIAL EDUCATION STUDENTS, THEIR PARENTS, TEACHERS, DISTRICT ADMINISTRATORS AND THE DEPARTMENT OF EDUCATION. (Passed) p. 266, 267, 274, 282, 284, 321.

HR 62 w/HA 1 CREATING A TASK FORCE TO STUDY AND RECOMMEND LEGISLATIVE CHANGES CONCERNING CONDUCT OF SCHOOL DISTRICT REFERENDUMS. (Passed) p. 266, 267, 272.

HR 63 COMMENDING THE NEW JERSEY ITALIAN AND ITALIAN AMERICAN HERITAGE COMMISSION AND ITS FOUNDING CHAIRMAN, CAV. N. LARRY PARAGANO, FOR PROVIDING ITALIAN HERITAGE EDUCATIONAL AND CULTURAL ENDEAVORS. (Passed) p. 261.

HR 64 COMMENDING CAV. JOSEPH COCCIA, JR., THE COCCIA FOUNDATION, AND THE JOSEPH AND ELDA COCCIA INSTITUTE FOR THE ITALIAN EXPERIENCE IN AMERICA AT MONTCLAIR STATE UNIVERSITY. (Passed) p. 261.

HS 1/HR 65 CENSURING AND REPRIMANDING NATHAN HAYWARD, III, FORMER SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, FOR CONDUCT DEEMED NOT IN THE BEST INTEREST OF THE PEOPLE OF THE STATE OF DELAWARE. (Passed) p. 269, 271, 275.

HR 66 DESIGNATING THE SECOND THURSDAY IN MAY AS A DAY OF RECOGNITION OF DELAWARE'S WATER AND WASTEWATER OPERATORS. (Passed) p. 269.

HR 67 CONGRATULATING THE DELAWARE JUDICIARY ON BEING RANKED NUMBER 1 IN THE NATION FOR THE FIFTH YEAR IN A ROW. (Passed) p. 270, 341.

HR 68 PROCLAIMING MAY 11, 2006 AS MILITARY SPOUSE APPRECIATION DAY. (Passed) p. 270.

HR 69 COMMENDING JUSTICE JOSEPH T. WALSH FOR HIS RECEIPT OF THE COMMUNITY LEGAL AID SOCIETY'S FIRST FOUNDERS AWARD IN HONOR OF HIS DISTINGUISHED LIFETIME OF SERVICE IN THE DELAWARE JUDICIARY. (Passed) p. 270.

HR 70 URGING THE SECRETARY OF LABOR TO RECONVENE THE DELAWARE WORKER'S COMPENSATION ADVISORY COUNCIL. (Passed) p. 286.



HR 71 HONORING THE HONORABLE BATTLE R. ROBINSON UPON HER DEPARTURE TO REPRESENT DELAWARE AT THE HAGUE ON THE INTERNATIONAL RECOVERY OF CHILD SUPPORT AND OTHER FUNCTIONS OF FAMILY MAINTENANCE. (Passed) p. 293.

HR 72 DESIGNATING JUNE 15, 2006 AS DELAWARE ELDER ABUSE AWARENESS DAY. (Passed) p. 307, 308.

HR 73 CONGRATULATING CHIEF JUSTICE MYRON T. STEELE, CHANCELLOR WILLIAM B. CHANDLER, III, JUSTICE JACK B. JACOBS AND VICE-CHANCELLOR LEO E. STRINE, JR. ON THEIR NATIONAL RECOGNITION AS JUDGES AND LAWYERS. (Passed) p. 307, 308, 341, 342.

HR 74 DECLARING JUNE AS FATHERHOOD AWARENESS MONTH. (Passed) p. 312.

HR 75 ENCOURAGING SENATOR THOMAS R. CARPER TO SUPPORT AND CO-SPONSOR S. 3128 WHICH PROVIDES FOR NATIONALLY UNIFORM FOOD SAFETY STANDARDS AND WARNING LABELS ON PACKAGED FOODS. (Passed) p. 320.

HR 76 A RESOLUTION TO ESTABLISH A HOUSE TASK FORCE TO DEVELOP A TELECOMMUNICATIONS AND TELEMEDICINE AND TELEHEALTH NETWORK FOR THE STATE. (Passed) p. 320.

HR 77 CREATING A TASK FORCE TO STUDY AND RECOMMEND QUALIFICATIONS AND IMPROVEMENTS CONCERNING THE USE OF OUTRIDERS AND CHASE VEHICLES AT DELAWARE HORSE RACING TRACKS. (Passed) p. 314.

HR 78 SUPPORTING THE EFFORTS OF "PHILADELPHIA 2016" TO SECURE PHILADELPHIA'S DESIGNATION AS THE U.S. CANDIDATE CITY BY THE UNITED STATES OLYMPIC Committee (Passed) p. 320.

HR 79 DESIGNATING THE ENGLISH LANGUAGE AS THE OFFICIAL LANGUAGE OF DELAWARE. (Passed) p. 331.

HR 80 A Resolution with this number was not introduced.

HR 81 COMMENDING THE BRADY KOHN FOUNDATION, COMMUNITY BLOOD SERVICES AND THE CHRISTIANA HEALTH CARE SYSTEM FOR THEIR EFFORTS IN CREATING THE FIRST FREE PUBLIC UMBILICAL CORD BLOOD BANK IN DELAWARE. (Passed) p. 362, 363.

HR 82 w/HA 1 ESTABLISHING THE GROCERY STORE BEER SALES TASK FORCE TO STUDY THE FEASIBILITY OF BEER SALES IN GROCERY STORES. (Passed) p. 362, 363.

HR 83 ESTABLISHING A TASK FORCE TO REVIEW CHARTER SCHOOLS IN DELAWARE. (Passed) p. 362, 363.

HR 84 ESTABLISHING A SPEAKERS TASK FORCE ON INNOVATIVE SENTENCING METHODS FOR THE STATE OF DELAWARE. (Passed) p. 362, 363.

HR 85 DIRECTING THE STATE VETERINARIAN TO INVESTIGATE USES OF CHEMICAL TREATED SALT LICKS TO CONTROL THE DEER POPULATION. (Laid on the Speaker's Table 6/29/06) p. 342.

HR 86 COMMENDING ROGER ROY FOR HIS 30 YEARS OF SERVICE TO THE CITIZENS OF THE STATE OF DELAWARE. (Passed) p. 358, 359.

HR 87 BIDDING A FOND FAREWELL TO OUR COLLEAGUE AND FRIEND, TINA FALLON, AS SHE RETIRES FROM THE DELAWARE GENERAL ASSEMBLY AFTER 28 YEARS OF DEDICATED PUBLIC SERVICE AS THE STATE REPRESENTATIVE FROM THE 39TH DISTRICT. (Passed) p. 356, 357.

HR 88 RECOGNIZING STATE REPRESENTATIVE GERALD A. BUCKWORTH FOR 26 YEARS OF FINE LEGISLATIVE SERVICE AND WISHING HIM WELL ON RETIREMENT. (Passed) p. 355.

HR 89 ESTABLISHMENT OF A TASK FORCE TO REVIEW SERVICE NEEDS FOR ADULTS ON THE AUTISM SPECTRUM. (Passed) p. 362, 363.

HR 90 A Resolution with this number was not introduced.

HR 91 RESOLUTION HONORING REPRESENTATIVE G. WALLACE CAULK FOR HIS FAITHFUL TWENTY-TWO YEARS OF PUBLIC SERVICE. (Passed) p. 357, 358.

HR 92 HONORING REPRESENTATIVE JOHN F. VAN SANT, REPRESENTATIVE OF THE 13TH DISTRICT, UPON HIS RETIREMENT FROM THE DELAWARE HOUSE OF REPRESENTATIVES. (Passed) p. 355, 356.

HR 93 ESTABLISHING A SPEAKERS TASK FORCE TO STUDY MENTAL HEALTH ISSUES FOR THE CITIZENS OF THE STATE OF DELAWARE. (Passed) p. 363.

HR 94 CREATING THE HEALTH INSURANCE ENTITIES TASK FORCE. (Passed) p. 362, 363.

#### HOUSE CONCURRENT RESOLUTIONS

HCR 1 DESIGNATING FEBRUARY 2005 AS AMERICAN HEART MONTH AND FEBRUARY 4, 2005 AS THE AMERICAN HEART ASSOCIATION'S GO RED FOR WOMEN DAY IN DELAWARE. (Passed) p. 7, 8, 13.

HCR 2 COMMENDING KATHLEEN H. THOMAS FOR BEING SELECTED DELAWARE'S STATE TEACHER OF THE YEAR FOR 2005 AND COMMENDING EACH SCHOOL DISTRICT'S TEACHER OF THE YEAR. (Passed) p. 7, 8.

HCR 3 EXTENDING THE REPORTING DATE FOR THE CONSUMER AND COMMERCIAL HOME INSPECTOR TASK FORCE. (Passed) p. 24, 27.

HCR 4 EXTENDING THE REPORTING DATE OF THE JUVENILE JUSTICE REVIEW TASK FORCE. (Passed) p. 12, 25.

HCR 5 EXTENDING THE REPORTING DATE OF THE TRUANCY TASK FORCE. (Passed) p. 24, 27.

HCR 6 w/SA 2 ESTABLISHING THE COMPULSORY EDUCATION AGE TASK FORCE. (Passed) p. 24, 110, 116, 117.

HCR 7 CREATING THE WEEK OF JANUARY 23-29, 2005 CERTIFIED/NURSE ANESTHETIST APPRECIATION WEEK. (Passed) p. 24, 26, 27.

HCR 8 PROVIDING FOR A SPECIAL DISPOSITION PROCESS TO BE FOLLOWED BY THE DELAWARE DEPARTMENT OF TRANSPORTATION REGARDING THE TRANSFER OF THE HISTORICAL PROPERTY KNOWN AS THE WELDIN HOUSE. (Passed) p. 26, 27.

HCR 9 ESTABLISHING THE MONTH OF FEBRUARY 2005 AS NATIONAL PARENT LEADERSHIP MONTH IN DELAWARE (Passed) p. 26, 27.

HCR 10 CELEBRATING AND HONORING THE 200TH ANNIVERSARY OF CAMDEN FRIENDS MEETING IN KENT COUNTY, DELAWARE. (Passed) p. 45, 52.

HCR 11 ENDORSING THE "AKC CANINE GOOD CITIZEN PROGRAM" AND SUPPORTING ITS EFFORT TO PROMOTE RESPONSIBLE DOG OWNERSHIP IN THE STATE OF DELAWARE. (Passed) p. 45, 52.

HCR 12 A RESOLUTION RECOGNIZING THE RESOURCEFUL USE OF TECHNOLOGY IN DELAWARE'S K-5 CLASSROOMS. (Passed) p. 45, 52.

HCR 13 DESIGNATING MARCH, 2005 AS THE BRAIN INJURY AWARENESS MONTH. (Passed) p. 47, 49.

HCR 14 ESTABLISHING THE DELAWARE NATIONAL GUARD AND RESERVIST HEALTH INSURANCE SUPPORT GROUP. (Passed) p. 56, 57, 62.

HCR 15 ESTABLISHING THE MONTH OF MAY 2005 AS AMYOTROPHIC LATERAL SCLEROSIS AWARENESS MONTH. (Passed) p. 56, 57, 62.

HCR 16 COMMEMORATING THE 120TH ANNIVERSARY OF ADAS KODESCH SHEL EMETH, THE OLDEST SYNAGOGUE IN DELAWARE. (Passed) p. 61, 62.

HCR 17 COMMENDING THE RECIPIENTS AND NOMINEES OF THE 2005 DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE. (Passed) p. 69, 74.

HCR 18 CELEBRATING THE MARYLAND DEPARTMENT OF THE SONS OF UNION VETERANS OF THE CIVIL WAR'S 118TH DEPARTMENT ENCAMPMENT, BEING HELD ON APRIL 23RD, 2005, IN CLAYMONT, DELAWARE. (Passed) p. 62, 74.

HCR 19 RECOGNIZING JUNE 12, 2005 AS RACE UNITY DAY IN THE CITY OF DOVER. (Passed) p. 100, 110.

HCR 20 EXTENDING SINCERE THANKS TO THE CAREER AND TECHNICAL STUDENT ORGANIZATIONS OF DELAWARE FOR THE PRESENTATION OF THE BEAUTIFUL GERANIUMS AND EXTENDING BEST WISHES FOR MUCH SUCCESS TO EACH OF THESE EXEMPLARY STUDENTS. (Passed) p. 82, 85.

HCR 21 RECOGNIZING MAY 2005 AS MENTAL HEALTH AWARENESS MONTH. (Passed) p. 69, 72.

HCR 22 REQUESTING THAT THE DUPONT COMPANY FUND AND THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL ADMINISTER AN INDEPENDENT, THIRD-PARTY EVALUATION OF THE 500,000 TON DEPOSIT OF MATERIAL AT THE COMPANY'S EDGEMOOR SITE AND FURTHER REQUIRING THAT ANY SUCH EVALUATION BECOME A PART OF THE PUBLIC RECORD AND SUBJECT TO PUBLIC COMMENT. (Passed) p. 73, 77, 82, 96, 103, 110.

HCR 23 PROCLAIMING THE MONTH OF MAY 2005 AS "MOTORCYCLE AWARENESS MONTH" AND REQUESTING THE GOVERNOR TO ISSUE A PROCLAMATION DECLARING SAME. (Passed) p. 75, 77, 89.

HCR 24 COMMEMORATING MAY 1-7, 2005 AS NATIONAL CHARTER SCHOOLS WEEK. (Passed) p. 73, 74.

HCR 25 PROCLAIMING MAY 11, 2005, "EARLY CHILD CARE AND EDUCATION PROFESSIONALS APPRECIATION DAY". (Passed) p. 85, 89.

HCR 26 COMMEMORATING MAY 19TH, 2005 AS ALVAN "DOBBIE" DOBSON DAY. (Passed) p. 81, 89.

HCR 27 ENCOURAGING ALL STATE AGENCIES TO INCLUDE ANTILITTER INFORMATION IN ALL PUBLIC SERVICE ANNOUNCEMENTS AND PUBLIC NOTICES. (Passed) p. 92, 368.

HCR 28 REQUESTING THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION ENACT AN ADMINISTRATIVE REGULATION OR POLICY REGARDING LITTERING. (Senate Highways & Transportation Committee) p. 92.

HCR 29 CONGRATULATING THE WORLD CHAMPION CENTRAL MIDDLE SCHOOL FOR THEIR FIRST PLACE VICTORY IN THE WORLD ODYSSEY OF THE MIND COMPETITION. (Passed) p. 100.

HCR 30 COMMEMORATING 350 YEARS OF SERVICE BY DELAWARE'S NATIONAL GUARD TO OUR COUNTRY, STATE AND LOCAL COMMUNITY. (Passed) p. 108, 125.

HCR 31 REQUESTING THAT THE FEDERAL GOVERNMENT CONTINUE ITS PARTNERSHIP WITH THE STATES AND THE LAND GRANT UNIVERSITY SYSTEM TO PROVIDE RELEVANT, LOCAL RESEARCH FOR ESSENTIAL NATURAL RESOURCE BASED INDUSTRIES. (Passed) p. 132, 174.

HCR 32 REQUESTING THE OFFICE OF RETAIL GASOLINE SALES TO PROVIDE EDUCATION MATERIALS RELATING TO REFUELING ASSISTANCE REQUIREMENTS AND RELATING TO THE RETAIL STATION ADVISORY COUNCIL. (Passed) p. 118, 125.

HCR 33 ESTABLISHING AN EARLY CHILD CARE AND EDUCATION PROFESSIONAL DEVELOPMENT TASK FORCE. (House Education Committee) p. 132, 225, 235, 236.

HCR 34 CONGRATULATING THE CAESAR RODNEY BOYS TENNIS TEAM FOR WINNING THE 2005 STATE VARSITY BOYS TENNIS CHAMPIONSHIP (Passed) p. 151, 174.

HCR 35 REQUESTING THAT THE DEPARTMENT OF SERVICES FOR CHILDREN, YOUTH AND THEIR FAMILIES REPORT TO THE FOSTER CARE REVIEW BOARD AND THE HOUSE OF REPRESENTATIVES AND SENATE ON THE NUMBER OF CHILDREN IN FOSTER CARE AND THE NUMBER OF TIMES THEY HAVE BEEN MOVED BETWEEN PLACEMENTS ON A QUARTERLY BASIS. (Passed) p. 151, 174.

HCR 36 REQUESTING THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO APPLY FOR FEDERAL FUNDS AVAILABLE TO PROMOTE AWARENESS AND PREVENTION OF HEART DISEASE IN WOMEN. (Passed) p. 151, 174.

HCR 37 CREATING A TASK FORCE TO EXAMINE PHYSICAL ACTIVITY AND PHYSICAL EDUCATION POLICIES AND PROGRAMS IN DELAWARE AND TO DEVELOP A COMPREHENSIVE INTEGRATED PLAN TO INCREASE PHYSICAL ACTIVITY AND PHYSICAL EDUCATION AND REDUCE CHILDHOOD OBESITY. (Passed) p. 154, 174.

HCR 38 CREATING A TASK FORCE TO EXAMINE THE RECENT SUPREME COURT RULING IN KELO V. CITY OF NEW LONDON INVOLVING EMINENT DOMAIN AND TO MAKE RECOMMENDATIONS TO RESTRICT ITS APPLICATION IN DELAWARE TO BONA FIDE PUBLIC USAGE. (Passed) p. 168, 174.

HCR 39 REQUESTING THAT THE FEDERAL GOVERNMENT INCREASE FUNDING FOR THE LOW INCOME HEATING ASSISTANCE PROGRAM AND THE WEATHERIZATION PROGRAM FOR THE WINTER OF 2005-06. (Passed) p. 176, 202.

HCR 40 RECOGNIZING THE WORK OF THE NEW TANG DYNASTY TELEVISION (NTDTV) IN PROMOTING THE BEST OF CHINESE CULTURE THROUGH INNOVATIVE CULTURAL PROGRAMS AND JOINING NTDTV IN CELEBRATING THE 2006 NTDTV CHINESE NEW YEAR GLOBAL GALA. (Passed) p. 190, 191.

HCR 41 PROVIDING THAT A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE BE CONVENED FOR THE PURPOSE OF RECEIVING THE ANNUAL STATE OF THE STATE ADDRESS BY THE HONORABLE RUTH ANN MINNER, GOVERNOR OF THE STATE OF DELAWARE. (Passed) p. 190, 191.

HCR 42 ESTABLISHING THE ALTERNATIVE EDUCATION TASK FORCE. (Passed) p. 194, 202.

HCR 43 RECOGNIZING NATIONAL MENTORING MONTH AND PRAISING THOSE DELAWAREANS WHO VOLUNTEER THEIR TIME TO MENTOR CHILDREN AND SUPPORTING THE EFFORTS OF THE DELAWARE MENTORING COUNCIL. (Passed) p. 193, 194.

HCR 44 COMMEMORATING JANUARY 16-21, 2006 AS DELAWARE AG WEEK. (Passed) p. 195, 202.

HCR 45 DESIGNATING FEBRUARY AS AMERICAN HEART MONTH AND RECOGNIZING THE GO RED FOR WOMEN MOVEMENT IN DELAWARE. (Passed) p. 202, 213.

HCR 46 w/SA 1 CREATING A TASK FORCE ON CLASS SIZE AND UNIT COUNT ALLOCATION IN EDUCATION. (Passed) p. 206, 210, 211.

HCR 47 RECOGNIZING E. I. DUPONT DE NEMOURS AND COMPANY FOR THEIR GLOBAL LEADERSHIP IN REDUCING GREENHOUSE GASES (GHGs) OVER THE PAST TEN YEARS AND THEIR RECENT AWARD BY BUSINESS WEEK AS "THE TOP GREEN COMPANY". (Passed) p. 206, 213.

HCR 48 CREATING A TASK FORCE TO STUDY LICENSED SPEECH/LANGUAGE PATHOLOGISTS IN DELAWARE AND TO DEVELOP STRATEGIES FOR REDUCING THE SHORTFALL OF STATE LICENSED SPEECH/LANGUAGE PATHOLOGISTS. (House Education Committee) p. 217, 232.

HCR 49 MOURNING THE DEATH OF ONE OF DELAWARE'S MOST SUCCESSFUL ENTREPRENEURS AND ORIGINAL DEVELOPER OF DOVER INTERNATIONAL SPEEDWAY, MELVIN JOSEPH. (Passed) p. 70, 71, 72.

HCR 50 CREATING A TASK FORCE TO REVIEW THE NEED FOR FACILITIES IN EACH COUNTY FOR NON-SERIOUS OFFENSES. (Passed) p. 217, 221.

HCR 51 A RESOLUTION ENCOURAGING THE DELAWARE STATE POLICE AND THE DEPARTMENT OF TECHNOLOGY AND INFORMATION TO INCREASE THE VISIBILITY AND CONTENT OF THE SEX OFFENDER WEBSITE. (Passed) p. 217, 221.

HCR 52 EXPANDING THE ALTERNATIVE EDUCATION TASK FORCE. (Passed) p. 217, 221.

HCR 53 PROCLAIMING MARCH 2006 AS AMERICAN RED CROSS MONTH. (Passed) p. 217, 218.

HCR 54 RECOGNIZING APRIL AS CHILD ABUSE PREVENTION MONTH IN DELAWARE. (Passed) p. 217, 247.

HCR 55 RECOGNIZING THE QUIET RIVER INITIATIVE'S EFFORTS IN THE CONSERVATION OF THE BRANDYWINE CREEK WATERSHED AND THE CREATION OF A LONG-TERM MECHANISM FOR DEVELOPING HERITAGE CONSERVATION PARTNERSHIPS. (Passed) p. 224, 225, 240.

HCR 56 PROCLAIMING MARCH 30, 2006, AS LIBERTY DAY. (Passed) p. 229, 240.

HCR 57 TO RECOGNIZE MAY 2006 AS POPPY MONTH IN THE STATE OF DELAWARE. (Passed) p. 239, 247.

HCR 58 w/SA 1 COMMENDING THE STUDENTS SELECTED AS SECRETARY OF EDUCATION SCHOLARS OF 2006 (Passed) p. 250, 253.

HCR 59 PROCLAIMING THE WEEK OF APRIL 23 THROUGH APRIL 29, 2006 AS ADMINISTRATIVE PROFESSIONALS WEEK. (Passed) p. 250, 254.

HCR 60 COMMENDING THE RECIPIENTS AND NOMINEES OF THE 2006 DELAWARE AWARD FOR EXCELLENCE AND COMMITMENT IN STATE SERVICE. (Passed) p. 254, 257.

HCR 61 EXTENDING SINCERE THANKS TO THE CAREER AND TECHNICAL STUDENT ORGANIZATIONS OF DELAWARE FOR THE PRESENTATION OF THE BEAUTIFUL GERANIUMS AND EXTENDING BEST WISHES FOR MUCH SUCCESS TO EACH OF THESE EXEMPLARY STUDENTS. (Passed) p. 261, 263.

HCR 62 RECOGNIZING JUNE 11, 2006 AS RACE UNITY DAY IN THE CITY OF DOVER. (Passed) p. 266, 273.

HCR 63 A CONCURRENT RESOLUTION ENDORSING THE NATIONAL HEALTH INSURANCE ACT. (House Administration Committee) p. 266, 267, 273, 287, 326.

HCR 64 PROCLAIMING THE MONTH OF MAY 2006 AS "MOTORCYCLE AWARENESS MONTH" AND REQUESTING THE GOVERNOR TO ISSUE A PROCLAMATION DECLARING SAME. (Passed) p. 266, 273.

HCR 65 SUPPORTING A UNITED STATES AND TAIWAN FREE TRADE AGREEMENT. (Passed in the House 5/11/06) p. 270.

HCR 66 ESTABLISHING A BLUE RIBBON TASK FORCE TO INVESTIGATE AND MAKE RECOMMENDATIONS THERETO AS TO THE FEASIBILITY OF DEVELOPING A C2H6O ETHANOL PLANT AND DELIVERY SYSTEM WITHIN THE STATE OF DELAWARE. (Passed) p. 270, 281.

HCR 67 CELEBRATING THE 300TH ANNIVERSARY OF THE FOUNDING OF THE HEAD OF CHRISTIANA PRESBYTERIAN CHURCH. (Passed) p. 280, 281.

HCR 68 A RESOLUTION TO COMMEND AND CONGRATULATE THE NATIONAL SOCIETY OF THE SONS OF THE AMERICAN REVOLUTION ON THE OCCASION OF ITS CHARTER CENTENNIAL. (Passed) p. 280, 297.

HCR 69 PROCLAIMING THE MONTH OF JUNE, 2006 "FATHERHOOD AWARENESS MONTH". (Passed) p. 307, 308, 330.

HCR 70 ESTABLISHING A BLUE RIBBON TASK FORCE TO INVESTIGATE AND MAKE RECOMMENDATIONS THERETO AS TO THE FEASIBILITY OF DEVELOPING A C2H6O ETHANOL PLANT AND DELIVERY SYSTEM WITHIN THE STATE OF DELAWARE. (Passed) p. 307, 308, 348.

HCR 71 CREATING THE TASK FORCE ON HARNESS AND HORSE RACING SAFETY. (Passed) p. 313, 330.

HCR 72 DESIGNATING THE MONTH OF OCTOBER AS ITALIAN HERITAGE MONTH. (Passed) p. 325, 348.

HCR 73 RESPECTFULLY REQUESTING THAT THE GOVERNOR AND THE DELAWARE STATE HOUSING AUTHORITY RETAIN A CONSULTANT TO STUDY AND MAKE RECOMMENDATIONS REGARDING THE FUTURE OF AFFORDABLE HOUSING OPPORTUNITIES IN DELAWARE. (Passed) p. 338, 348.

HCR 74 RESPECTFULLY REQUESTING THAT THE CITY OF WILMINGTON'S DEPARTMENT OF LICENSES AND INSPECTIONS AND THE WILMINGTON CITY COUNCIL WAIVE THE VACANT PROPERTY REGISTRATION FEE IN ITS ENTIRETY FOR NONPROFIT ORGANIZATIONS THAT ARE ENGAGED IN THE BUSINESS OF AFFORDABLE HOUSING (Passed) p. 338, 348.

HCR 75 ESTABLISHING A TASK FORCE TO REVIEW CHARTER SCHOOLS IN DELAWARE. (Passed in the House 7/1/06) p. 362, 363.

#### HOUSE JOINT RESOLUTIONS

HJR 1 IN REFERENCE TO OFFICERS. (Signed by the Governor 1/20/05) p. 3, 8, 33.

HJR 2 REJECTING IN ITS ENTIRETY THE REPORT OF THE DELAWARE COMPENSATION COMMISSION. (Senate Labor & Industrial Relations Committee) p. 19.

HJR 3 REQUIRING THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO UPDATE AND RE-BASE MEDICAID INPATIENT REIMBURSEMENT RATES. (Senate Finance Committee) p. 25, 45, 77, 106.

HJR 4 w/SA 2 ESTABLISHING A TASK FORCE TO REVIEW THE BEST PRACTICES OF EDUCATIONAL ASSESSMENTS. (Signed by the Governor 7/7/05) p. 41, 45, 52, 130, 155, 156, 177.

HJR 5 CALLING ON THE FEDERAL COURTS TO ORDER RESUMPTION OF HYDRATION AND NUTRITION TO TERRY SCHIAVO OF FLORIDA. (Defeated in the House 3/23/05) p. 44.

HJR 6 RECOGNIZING THE SELFLESS DEDICATION OF THE AMERICAN RED CROSS IN DELAWARE OVER THE LAST CENTURY. (Signed by the Governor 3/28/05) p. 46, 47, 49, 50.

HJR 7 EXTENDING THE REPORTING DATE OF THE PHILADELPHIA INTERNATIONAL AIRPORT AIR TRAFFIC AND QUALITY OF LIFE ISSUES ACTION GROUP (Signed by the Governor 5/4/05) p. 50, 62, 67, 72, 78.

HJR 8 URGING DELAWARE'S CONGRESSIONAL DELEGATES TO SUPPORT THE RENEWAL OF THE FEDERAL VOTING RIGHTS ACT. (House Administration Committee) p. 68.

HJR 9 SUPPORTING THE STATE BOARD OF EDUCATION'S EFFORTS TO REVISE THE GRADUATION REQUIREMENTS. (Senate Ready List) p. 77, 87, 113.

HJR 10 ENCOURAGING DNREC TO INVESTIGATE BEST MANAGEMENT PRACTICES TO INITIATE YARD WASTE RECYCLING AT DSWA FACILITIES. (House Ready List) p. 88, 101.

HJR 11 SUPPORT FOR THE EVALUATION OF IMPLEMENTING STOCK OR PROTOTYPICAL FLOOR PLANS FOR DELAWARE'S PUBLIC SCHOOLS. (Stricken 6/21/05) p. 111, 119, 129.

HJR 12 PROCLAIMING THE DELAWARE STATE POLICE TROOP 5 AND PARAMEDIC UNIT NO. 107 FACILITY TO BE NAMED THE ADAMS-EWING PUBLIC SAFETY COMPLEX. (Signed by the Governor 7/7/05) p. 122, 123, 127, 177.

HJR 13 ESTABLISHING AN INDEPENDENT, NON-PARTISAN COMMISSION ON THE DEATH PENALTY TO STUDY ALL ASPECTS OF THE DEATH PENALTY AS CURRENTLY ADMINISTERED IN DELAWARE. (Stricken 4/4/06) p. 135, 235.

HJR 14 CONGRATULATING THE DELAWARE FOUNDATION REACHING CITIZENS WITH COGNITIVE DISABILITIES ON THE 50TH ANNIVERSARY OF DELAWARE'S ANNUAL BLUE-GOLD ALL-STAR FOOTBALL GAME. (Signed by the Governor 6/28/05) p. 133, 134, 135, 177.

HJR 15 THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUE FOR FISCAL YEAR 2005 (Signed by the Governor 6/30/05) p. 153, 174, 177.

HJR 16 THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUE FOR FISCAL YEAR 2006 (Signed by the Governor 6/30/05) p. 153, 174, 177.

HJR 17 URGING DELAWARE'S CONGRESSIONAL DELEGATES TO SUPPORT THE RENEWAL OF THE FEDERAL VOTING RIGHTS ACT. (Signed by the Governor 2/1/06) p. 166, 211, 213.

HJR 18 THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUE FOR FISCAL YEAR 2006 (Senate Finance Committee) p. 175.

HJR 19 CREATING A TASK FORCE REGARDING CLASS SIZE AND UNIT COUNT ALLOCATION IN PUBLIC SCHOOLS. (Stricken 1/25/06) p. 195, 207.

HJR 20 EXTENDING THE REPORTING DATE FOR THE TASK FORCE TO REVIEW BEST PRACTICES OF EDUCATIONAL ASSESSMENTS. (Signed by the Governor 5/10/06) p. 223, 231, 244, 263, 275.

HJR 21 THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 2006. (Senate Finance Committee) p. 227, 240, 247.

HJR 22 w/HA 1 ENSURING DELAWARE'S ENERGY FUTURE SUMMIT. (Signed by the Governor 4/6/06) p. 228, 238, 241, 256.

HJR 23 REQUESTING THE DELAWARE PUBLIC SERVICE COMMISSION TO STUDY THE FEASIBILITY OF RE-REGULATING THE ELECTRIC INDUSTRY IN DELAWARE. (House Energy Committee) p. 232.

HJR 24 DIRECTING THE MERIT EMPLOYEE RELATIONS BOARD ESTABLISH A PAGE ON THE STATE WEBSITE FOR INFORMATION DISSEMINATION FOR USE BY STATE EMPLOYEES AND STATE EMPLOYEES CAN DISCUSS THESE MATTERS WITH THEIR LEGISLATORS WITHOUT FEAR OF REPRISAL. (Senate Labor & Industrial Relations Committee) p. 241, 281, 311.

HJR 25 COMMEMORATING THE THREE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF THE 1631 DUTCH SETTLEMENT AT ZWAANENDAEL, WHICH SERVED AS THE BASIS FOR THE FUTURE TOWN OF LEWES AND THE INDEPENDENT STATUS OF THE FUTURE DELAWARE STATE. (Signed by the Governor 4/12/06) p. 242, 247, 256.

HJR 26 DIRECTING THE DELAWARE ENERGY OFFICE AND THE DELAWARE ECONOMIC DEVELOPMENT OFFICE TO PROMOTE COMPETITION IN RESIDENTIAL ELECTRICITY MARKETS IN DELAWARE. (Senate Energy & Transit Committee) p. 252, 253.

HJR 27 URGING THE DELAWARE CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION CALLING FOR FEDERAL APPROVAL OF EXTENSION OF THE LEWIS AND CLARK NATIONAL HISTORIC TRAIL. (House Ready List) p. 261, 290.

HJR 28 COMMENDING THE TASK FORCE ON CLASS SIZE AND UNIT COUNT ALLOCATION IN EDUCATION AND EXTENDING THE DATE BY WHICH THE TASK FORCE IS TO ISSUE ITS FINAL REPORT. (Stricken) p. 276, 286.

HJR 29 EXTENDING THE REPORTING DATE OF THE PHILADELPHIA INTERNATIONAL AIRPORT AIR TRAFFIC AND QUALITY OF LIFE ISSUES ACTION GROUP. (House Administration Committee) p. 284.

HJR 30 RESOLUTION BY THE STATE OF DELAWARE TO MEMORIALIZE THE ESTABLISHMENT OF THE PURPLE HEART TRAIL. (House Veterans Affairs Committee) p. 298.

HJR 31 A RESOLUTION CALLING FOR TIMELY MEDICAL TREATMENT TO INMATES IN FACILITIES OPERATED BY THE DEPARTMENT OF CORRECTION WHO HAVE LIFE THREATENING AND PAINFUL ILLNESSES. (House Corrections Committee) p. 309.

HJR 32 REQUIRING A STUDY OF THE DEATH PENALTY AS CURRENTLY ADMINISTERED IN DELAWARE. (House Judiciary Committee) p. 323, 324.

HJR 33 REQUIRING THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO ISSUE PERMITS TO SHOOT DEER DURING THE GROWING SEASON AND SUMMER MONTHS BASED UPON THEIR CROP DAMAGE INFORMATION. (House Agriculture Committee) p. 339.

HJR 34 REQUIRING THE DELAWARE SOLID WASTE AUTHORITY AND THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO DEVELOP A STATEWIDE COMPOSTING PLAN. (House Natural Resources & Environmental Management Committee) p. 340.

#### SENATE BILLS

SB 1 w/SA 1 & HA 1 & SA 3 AN ACT TO AMEND TITLES 19 AND 29 OF THE DELAWARE CODE TO AFFIRMATIVELY RE-ESTABLISH AND CONTINUE THE FUNCTIONS OF THE UNEMPLOYMENT INSURANCE APPEAL BOARD. (Signed by the Governor 7/7/05) p. 13, 28, 33, 34, 119.

SS1/SB 2 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATED TO INSURANCE (House Ready List) p. 235, 239, 251.

SB 4 AN ACT TO AMEND CHAPTER 128, VOLUME 33, LAWS OF DELAWARE AS AMENDED, ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF MIDDLETOWN, TO CLARIFY CERTAIN PROVISIONS REGARDING INDEBTEDNESS AND DEBT LIMITS BY THE TOWN. (Signed by the Governor 2/9/05) p. 23, 25, 28, 33.

SB 5 AN ACT TO AMEND AN ACT BEING CHAPTER 326, VOLUME 71, LAWS OF DELAWARE, AS AMENDED ENTITLED AN ACT TO REINCORPORATE THE TOWN OF MILTON, THE CHARTER OF THE TOWN OF MILTON, RELATING TO A TOWN MANAGER AND TO ANNEXATION AGREEMENTS AND AMOUNT OF INDEBTEDNESS. (Signed by the Governor 2/7/05) p. 23, 25, 26, 33.

SB 6 AN ACT TO AMEND CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES", TO AMEND SECTION 29, "ENUMERATION OF POWERS", SUBSECTION 30, TO INCREASE THE MAXIMUM AMOUNT TO BE RAISED FROM TAXES ON REAL ESTATE AND IMPROVEMENTS FROM ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000.) TO THREE MILLION DOLLARS (\$3,000,000.). (Signed by the Governor 2/7/05) p. 23, 25, 26, 27, 33.

SB 9 AN ACT TO AMEND THE FISCAL YEAR 2005 BOND AND CAPITAL IMPROVEMENTS ACT AND TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE RECORDS. (Signed by the Governor 2/7/05) p. 23, 24, 33.

SB 13 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO EXEMPTION OF MOTOR VEHICLES OWNED BY EDUCATIONAL FOUNDATIONS FROM REGISTRATION FEES AND FROM REQUIREMENTS APPLICABLE TO MOTOR VEHICLE DEALERS. (Signed by the Governor 5/17/05) p. 41, 44, 57, 67, 94.

SB 16 w/SA 1 AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF DELAWARE RELATING TO APPOINTMENT OF JUDGES. (Enacted without Signature 7/1/05) p. 100, 102, 119, 136, 146, 147, 172, 177.

SB 17 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO PAYMENT OF WORKERS' COMPENSATION BENEFITS. (Signed by the Governor 5/17/05) p. 52, 69, 78, 94.

SB 18 w/SA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE PRESCRIPTION DRUG PAYMENT PROGRAM. (Signed by the Governor 4/26/05) p. 33, 34, 45, 59, 78.

SB 19 w/HA 1, 3 & 4 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL CONSTRUCTION. (Signed by the Governor 7/6/06) p. 70, 73, 132, 178, 231, 342, 349, 351, 368.

SB 20 w/SA 1 AN ACT TO AMEND TITLES 18 AND 21 OF THE DELAWARE CODE TO INCREASE ENFORCEMENT OF DELAWARE'S UNINSURED MOTORIST LAWS (Signed by the Governor 6/23/05) p. 44, 46, 76, 126, 141.

SB 22 AN ACT PERMITTING THE INDIAN RIVER SCHOOL DISTRICT TO TRANSFER CERTAIN MAJOR CAPITAL SCHOOL CONSTRUCTION FUNDS. (Signed by the Governor 2/9/05) p. 25, 28, 33.

SB 24 AN ACT TO PROVIDE FOR THE INTERIM MANAGEMENT OF CERTAIN STATE AGENCIES PENDING FURTHER ADMINISTRATIVE REORGANIZATION. (House Appropriations Committee) p. 29, 30.

SS1/SB 25 w/SA 1 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO ESCHEATS. (Signed by the Governor 4/27/05) p. 45, 46, 57, 59, 78.

SB 27 w/HA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ACCOUNTANCY. (Signed by the Governor 7/7/05) p. 130, 131, 132, 151, 164, 177.

SB 28 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO FUNERAL SERVICES. (Signed by the Governor 6/27/06) p. 283, 285, 304, 314, 315, 331.

SB 29 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ACCOUNTANCY. (Signed by the Governor 7/7/05) p. 130, 131, 151, 163, 177.

SS1/SB 30 w/SA 1 & HA 2 AN ACT ESTABLISHING THE SEED SCHOLARSHIP PROGRAM AT DELAWARE TECHNICAL AND COMMUNITY COLLEGE. (Signed by the Governor 9/6/05) p. 70, 86, 87, 88, 108, 110, 111, 115, 133, 136, 143, 178.

SB 31 w/SA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONAL LAND SURVEYORS. (Signed by the Governor 6/29/06) p. 205, 206, 286, 328, 368.

SB 32 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO LICENSING OF PODIATRIST IN RESIDENCY PROGRAMS. (Signed by the Governor 2/1/06) p. 191, 207, 210, 213.

SB 35 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF MASSAGE AND BODYWORK. (Signed by the Governor 7/7/05) p. 163, 173, 177.

SB 40 AN ACT TO AMEND TITLE 29, CHAPTER 48 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY. (House Gaming & Parimutuels Committee) p. 88, 89.

SB 41 AN ACT TO AMEND TITLES 29, 31, AND 6 OF THE DELAWARE CODE RENAMING THE OFFICE OF HUMAN RELATIONS, AND RELATING TO THE STATE HUMAN RELATIONS COMMISSION, EQUAL ACCOMMODATIONS, AND FAIR HOUSING. (Signed by the Governor 7/6/06) p. 174, 207, 255, 330, 332, 346, 368.

SS 2/SB 43 w/HA 1, 2 & 3 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ABSENTEE BALLOTS. (House Administration Committee) p. 218.

SB 44 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE GREEN ENERGY FUND. (Signed by the Governor 7/12/05) p. 62, 63, 101, 166, 178.

SB 46 w/SA 1 & HA 1 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING. (Signed by the Governor 5/25/05) p. 77, 88, 90, 91, 94.

SB 48 w/SA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PRESCRIPTIONS. (Signed by the Governor 7/12/05) p. 119, 120, 133, 142, 178.

SB 49 w/HA 2 AN ACT TO AMEND TITLE 17 OF THE DELAWARE CODE RELATING TO RIGHT-OF-WAY DEDICATIONS. (Signed by the Governor 5/25/05) p. 53, 54, 69, 79, 94.

SB 50 w/SA 2 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POSSESSION OF INSTRUMENTS OF CERTAIN CRIMES. (Signed by the Governor 7/12/05) p. 60, 77, 115, 153, 178.

SB 52 w/SA 2 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EXPUNGEMENT OF TRUANCY RECORDS. (Signed by the Governor 6/30/05) p. 92, 93, 110, 138, 177.

SS1/SB 53 w/SA 1 & 2 AN ACT TO AMEND TITLES 19 AND 29 OF THE DELAWARE CODE RELATING TO THE PUBLIC EMPLOYMENT RELATIONS ACT AND THE MERIT SYSTEM. (House Appropriations Committee) p. 60, 130, 131, 207, 208, 264, 288.

SB 56 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", (Signed by the Governor 5/17/05) p. 60, 76, 82, 83, 94.

SB 57 w/SA 2 AN ACT TO AMEND THE CHARTER OF THE TOWN OF DAGSBORO, CHAPTER 138, VOLUME 68, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF DAGSBORO" RELATING TO VACANCIES AND FORFEITURE OF OFFICE. (Signed by the Governor 7/12/05) p. 96, 97, 111, 142, 178.

SB 58 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CHILD HELMET REQUIREMENTS. (Laid on the Speaker's Table 6/15/06) p. 62, 63, 76, 138, 231, 311.

SB 60 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO ESTABLISH A STERILE NEEDLE AND SYRINGE EXCHANGE PILOT PROGRAM TO PREVENT AIDS AND OTHER DISEASES. (Signed by the Governor 7/17/06) p. 78, 80, 101, 117, 133, 141, 347, 369.

SB 61 AN ACT CONCURRING IN A PROPOSED 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 ORPHAN'S COURT. (Enacted without Signature 4/26/05) p. 57, 64, 67, 127.

SB 62 w/HA 2 & 4 AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO THE MINIMUM WAGE. (Signed by the Governor 6/28/06) p. 119, 120, 195, 206, 212, 304, 310, 311, 312, 342.

SB 63 w/SA 1 & 2 & HA 1 & 2 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO CIVIL PENALTIES. (Signed by the Governor 7/21/05) p. 65, 66, 76, 81, 133, 151, 155, 178.

SB 64 w/SA 2 & 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ENGINE COMPRESSION BRAKE DEVICES. (Signed by the Governor 7/12/05) p. 156, 157, 164, 168, 178.

SS1/SB 69 AN ACT CREATING A PUBLIC EDUCATION CLASSROOM INSTRUCTION FUND, MAKING A SUPPLEMENTAL APPROPRIATION FOR SUCH PURPOSES AND SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS. (Signed by the Governor 4/21/05) p. 62, 63, 64, 68.

SB 70 w/SA 1 & 2 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO TRAFFIC SIGNS, SIGNALS, AND MARKINGS. (House Public Safety Committee) p. 139, 140.

SB 71 w/SA 1 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 FOR STAGGERED TERMS FOR COMMISSIONERS, TO REQUIRE A MINIMUM OF FOUR COMMISSIONERS AND THE MAYOR BE RESIDENTS AND TO ESTABLISH STANDARDS AND PROCEDURES FOR FORFEITURE OF OFFICE. (Signed by the Governor 7/12/05) p. 100, 102, 119, 142, 178.

SB 72 w/SA 1 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE STATE HIGH SCHOOL DIPLOMA. (Signed by the Governor 5/12/05) p. 66, 69, 84, 94.

SB 73 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ENERGY PERFORMANCE CONTRACTING ACT. (Signed by the Governor 6/28/05) p. 69, 70, 101, 137, 138, 177.

SB 74 w/SA 1, 2 & 3 & HA 1 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO RENEWABLE ENERGY PORTFOLIO STANDARDS. (Signed by the Governor 7/21/05) p. 72, 73, 101, 108, 133, 159, 178.

SB 75 w/SA 1 AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF LAUREL, AS AMENDED, WITH REGARD TO INCREASING THE LIMITS FOR AUTHORIZING GENERAL OBLIGATION BONDS, CERTIFICATES OF INDEBTEDNESS OR OTHER OBLIGATIONS BY THE TOWN COUNCIL WITHOUT THE REQUIREMENT OF A PUBLIC HEARING AND SPECIAL ELECTION, AS WELL AS INCREASING THE CEILING FOR BONDED INDEBTEDNESS FROM 25% TO 50% OF THE ASSESSED VALUE OF REAL PROPERTY WITHIN THE LIMITS OF THE TOWN OF LAUREL. (Vetoed 7/10/06) p. 332, 334, 351, 368.

SB 79 w/SA 2 & HA 1 & HA 1 to HA 1 AN ACT TO AMEND SECTION 904 OF TITLE 4 OF THE DELAWARE CODE RELATING TO OFFENSES BY PERSONS UNDER THE AGE OF 21. (Signed by the Governor 5/15/06) p. 107, 110, 240, 245, 251, 262, 275.

SB 80 w/HA 2 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE BY ADOPTING THE DELAWARE REGENERATIVE MEDICINE ACT, PROHIBITING HUMAN REPRODUCTIVE CLONING, AND AUTHORIZING HUMAN EMBRYONIC STEM CELL RESEARCH. (Senate Small Business Committee) p. 117, 119, 133, 141, 156, 194.

SB 81 w/SA 1 & HA 1 AN ACT TO AMEND TITLE 9 AND TITLE 29 OF THE DELAWARE CODE RELATING TO CERTIFICATES OF RELEASE OR DISCHARGE FROM ACTIVE MILITARY SERVICE (DD FORM 214). (Signed by the Governor 3/21/06) p. 78, 80, 81, 115, 121, 212, 256.

SB 82 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE CONCERNING THE SEQUESTRATION OF ALTERNATE JURORS IN CAPITAL PUNISHMENT CASES. (Signed by the Governor 7/12/05) p. 77, 110, 155, 156, 178.

SB 84 w/SA 1 & 2 AN ACT TO AMEND TITLE 11 AND TITLE 16 OF THE DELAWARE CODE TO BRING PERIODS OF PROBATION FOR FIRST OFFENDERS INTO CONFORMITY WITH SENATE BILL 50. (Signed by the Governor 7/12/05) p. 77, 110, 155, 156, 178.

SB 85 w/SA 1 AN ACT TO AMEND CHAPTER 15, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY PARTNERSHIPS. (Signed by the Governor 6/14/05) p. 78, 80, 87, 103, 127.



SB 86 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. (Signed by the Governor 6/14/05) p. 78, 81, 87, 103, 127.

SB 87 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO GRAFFITI AND GRAFFITI IMPLEMENTS. (Signed by the Governor 6/28/05) p. 106, 107, 119, 138, 177.

SB 89 w/SA 1 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE CIVIL AND ADMINISTRATIVE PENALTIES FOR VIOLATING CHAPTER 60. (Signed by the Governor 7/6/06) p. 81, 82, 101, 343, 368.

SB 90 w/HA 2 & SA 1 & 2 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE PENALTIES FOR VIOLATING CHAPTER 60. (Signed by the Governor 6/7/06) p. 82, 85, 101, 126, 261, 271, 280, 283, 291.

SB 91 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL ASSAULTS. (Signed by the Governor 7/12/05) p. 78, 81, 110, 155, 156, 178.

SB 93 AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATED TO BANKING. (Signed by the Governor 6/23/05) p. 77, 88, 104, 112, 141.

SB 96 w/SA 1 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES. (Laid on the Speaker's Table 6/29/05) p. 133, 135, 154, 155, 168.

SB 97 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. (Signed by the Governor 7/12/05) p. 130, 131, 151, 163, 178.

SB 99 w/SA 2 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL BACKGROUND CHECKS FOR PUBLIC AND PRIVATE SCHOOL EMPLOYEES. (Laid on the Speaker's Table 6/30/06) p. 287, 325, 352, 353.

SB 101 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITY FACILITY RELOCATIONS THAT ARE NON-REVENUE PRODUCING. (Signed by the Governor 7/12/05) p. 130, 131, 154, 178.

SB 102 AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY IN SUSSEX COUNTY TO THE NANTICOKE INDIAN ASSOCIATION. (Signed by the Governor 7/20/05) p. 78, 81, 119, 141, 142, 178.

SB 104 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POLICE MUTUAL ASSISTANCE ACT. (Signed by the Governor 5/17/05) p. 82, 83, 87, 90, 94.

SB 106 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC SCHOOL ELECTIONS. (House Ready List) p. 92, 93, 111, 133.

SB 107 w/SA 1 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO THE PARTIES CHARGED WITH VIOLATIONS OF THE LIQUOR CONTROL ACT. (Signed by the Governor 5/2/06) p. 130, 131, 195, 253, 257.

SB 108 w/SA 1 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO CERTAIN BUSINESS LICENSE FEES. (Signed by the Governor 7/12/05) p. 92, 93, 135, 155, 156, 178.

SS1/SB 109 w/SA 1 & HA 4, 5, 7 & 8 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CLEAN CREDIT AND IDENTITY THEFT PROTECTION ACT. (Signed by the Governor 6/30/06) p. 283, 285, 292, 293, 299, 306, 324, 327, 328, 368.

SS1/SB 110 w/SA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT. (Signed by the Governor 6/14/05) p. 91, 92, 127.

SB 111 w/SA 1 AN ACT TO AMEND CHAPTER 28, TITLE 24 OF THE DELAWARE CODE RELATING TO THE POWERS OF THE COUNCIL OF THE DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS. (Signed by the Governor 6/30/05) p. 125, 126, 133, 139, 177.

SB 112 w/HA 1 AN ACT TO AMEND CHAPTER 79, TITLE 7, OF THE DELAWARE CODE, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AS IT ADOPTS THE UNIFORM ENVIRONMENTAL COVENANTS ACT. THIS ACT WILL MAKE THESE COVENANTS ENFORCEABLE OVER THE LONG TERM AND BE ENFORCEABLE AGAINST SUCCESSIVE OWNERS OF THE PROPERTY AND AGAINST PARTIES LIABLE FOR MAINTAINING INSTITUTIONAL CONTROL OF THE PROPERTY. (Signed by the Governor 7/21/05) p. 92, 93, 97, 110, 132, 145, 178.

SB 113 AN ACT TO AMEND TITLE 7, CHAPTER 60 OF THE DELAWARE CODE RELATING TO THE CLEAN AIR ACT TITLE V OPERATING PERMIT PROGRAM. (Signed by the Governor 7/12/05) p. 92, 93, 110, 146, 147, 178.

SS1/SB 114 AN ACT MAKING A ONE TIME SUPPLEMENTAL GENERAL FUND APPROPRIATION OF TEN MILLION DOLLARS TO THE OFFICE OF THE BUDGET FOR THE CREATION OF A FEDERAL CONTINGENCY FUND. (Signed by the Governor 6/30/05) p. 89, 93, 133, 160, 177.

SB 117 AN ACT TO AMEND CHAPTER 27 OF TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVER'S LICENSES. (House Ready List) p. 94, 97, 119, 122, 133, 172, 175, 208, 306.

SB 118 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PERSONS DIAGNOSED WITH MENTAL RETARDATION AND OTHER SPECIFIC DEVELOPMENTAL DISABILITIES. (Signed by the Governor 6/28/05) p. 92, 93, 110, 137, 138, 177.

SB 119 w/SA 2 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT ENFORCEMENT. (Signed by the Governor 4/4/06) p. 193, 194, 218, 226, 256.

SB 120 w/SA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF STATE SERVICE CENTERS. (Signed by the Governor 6/30/05) p. 94, 97, 110, 137, 138, 177.

SB 121 w/SA 1 AN ACT TO ESTABLISH A FORESTLAND PRESERVATION PROGRAM. (Signed by the Governor 7/20/05) p. 94, 130, 131, 135, 140, 154, 178.

SB 122 w/SA 1 AN ACT TO AMEND THE CHARTER OF THE TOWN OF SOUTH BETHANY, CHAPTER 268, VOLUME 69, LAWS OF DELAWARE, AS AMENDED. (Signed by the Governor 7/12/05) p. 130, 131, 134, 142, 178.

SB 123 w/SA 1 AN ACT TO AMEND CHAPTER 1, TITLE 16 AND CHAPTER 68, TITLE 18 OF THE DELAWARE CODE RELATING TO THE CREATION OF A SPECIAL FUND FOR MEDICAL NEGLIGENCE INSURANCE PREMIUM RELIEF. (House Economic Development/Banking & Insurance Committee) p. 125, 126.

SB 125 w/SA 1 & HA 1 AN ACT TO AMEND CHAPTER 11, TITLE 9 OF THE DELAWARE CODE RELATING TO THE NEW CASTLE COUNTY GOVERNMENT, COUNTY COUNCIL, AND COUNTY COUNCIL VACANCIES. (Signed by the Governor 7/12/05) p. 119, 120, 133, 165, 166, 178.

SB 126 w/SA 1 AN ACT TO REINCORPORATE THE CITY OF DOVER. (Signed by the Governor 7/12/05) p. 139, 140, 156, 167, 178.



SB 127 w/SA 1 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO OUTDOOR LIGHTING. (Signed by the Governor 7/20/05) p. 141, 148, 166, 178.

SB 128 w/SA 1 AN ACT TO AMEND CHAPTER 288, VOLUME 64, LAWS OF DELAWARE, AS AMENDED, THE CHARTER OF THE TOWN OF LAUREL, AS AMENDED, WITH REGARD TO INCREASING THE LIMITS FOR AUTHORIZING GENERAL OBLIGATION BONDS, CERTIFICATES OF INDEBTEDNESS OR OTHER OBLIGATIONS BY THE TOWN COUNCIL AS WELL AS INCREASING THE CEILING FOR BONDED INDEBTEDNESS FROM 25% TO 50% OF THE ASSESSED VALUE OF REAL PROPERTY WITHIN THE LIMITS OF THE TOWN OF LAUREL. (Signed by the Governor 7/12/05) p. 100, 102, 119, 138, 178.

SB 129 w/SA 1 AN ACT PERMITTING THE COLONIAL SCHOOL DISTRICT TO CONVEY TO THE NEW CASTLE SENIOR CENTER THE BUILDING AT 4TH AND SOUTH STREETS, NEW CASTLE, DELAWARE. (Signed by the Governor 6/28/05) p. 130, 131, 137, 177.

SB 130 AN ACT TO AMEND CHAPTER 33, TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION. (Signed by the Governor 7/12/05) p. 133, 135, 146, 178.

SB 131 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO NOTICES OF OPEN MEETINGS. (Signed by the Governor 7/12/05) p. 107, 110, 133, 163, 178.

SB 132 w/SA 2 AN ACT TO AMEND TITLES 6, 7, 16, 29, AND 30 OF THE DELAWARE CODE RELATING TO DIESEL AND BIODIESEL FUEL (House Transportation/Land Use and Infrastructure Committee) p. 141, 148.

SB 133 AN ACT TO AMEND CHAPTER 466, VOLUME 72, LAWS OF DELAWARE, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF LEIPSIC", RELATING TO ANNEXATION. (Signed by the Governor 6/30/05) p. 130, 131, 133, 138, 177.

SB 136 AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO FARM WINERIES. (Signed by the Governor 6/28/05) p. 119, 121, 133, 137, 138, 177.

SB 138 w/SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE USE OF SOCIAL SECURITY NUMBERS ON INSURANCE CARDS. (Signed by the Governor 7/12/05) p. 119, 121, 151, 163, 178.

SB 139 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO PRIMARY ELECTIONS. (House Administration Committee) p. 119, 121.

SB 142 w/SA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE USE OF FORCE IN LAW ENFORCEMENT. (Signed by the Governor 7/12/05) p. 130, 131, 133, 142, 178.

SS1/SB 143 w/SA 1 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXEMPTIONS FROM EXECUTIONS IN BANKRUPTCY AND IN INSOLVENCY. (Signed by the Governor 7/7/05) p. 125, 126, 133, 142, 177.

SB 144 w/SA 1 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO ABANDONED PERSONAL PROPERTY. (Signed by the Governor 4/4/06) p. 174, 208, 233, 256.

SB 146 w/SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE CREATING A DELAWARE HEALTH INSURANCE POOL. (House Appropriations Committee) p. 316, 319, 335.

SB 147 AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO BUILDING LOAN ASSOCIATIONS. (Signed by the Governor 7/12/05) p. 119, 121, 135, 155, 156, 178.

SB 150 w/SA 1 AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO WILLS AND TRUSTS. (Signed by the Governor 6/30/05) p. 119, 121, 133, 138, 139, 177.

SS1/SB 151 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF MEDICAL PRACTICE. (Signed by the Governor 7/6/06) p. 316, 319, 331, 343, 368.

SB 152 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO CHILD SUPPORT ENFORCEMENT. (Signed by the Governor 7/21/05) p. 130, 132, 151, 163, 178.

SS1/SB 153 w/SA 1 AN ACT TO AMEND TITLE 20 OF THE DELAWARE CODE RELATING TO CIVIL DEFENSE. (Signed by the Governor 7/12/05) p. 156, 157, 163, 178.

SB 155 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COMMERCIAL DRIVERS LICENSES AND THE LENGTH OF ISSUANCE FOR A COMMERCIAL DRIVER'S LICENSE WITH A HAZARDOUS MATERIALS ENDORSEMENT. (Signed by the Governor 7/12/05) p. 119, 121, 133, 163, 164, 178.

SB 156 w/SA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MEDICAL STANDARDS PERTAINING TO INTRA-STATE ONLY COMMERCIAL DRIVER LICENSED DRIVERS AND FOR EMPLOYEES WHO OPERATE COMMERCIAL MOTOR VEHICLES FOR STATE AND OTHER GOVERNMENT ENTITIES. (Signed by the Governor 8/17/05) p. 119, 121, 133, 163, 164, 178.

SB 157 w/SA 1 AN ACT TO AMEND TITLE 31, CHAPTER 3 OF THE DELAWARE CODE RELATING TO CHILD WELFARE. (Signed by the Governor 6/1/06) p. 174, 207, 208, 240, 274, 275, 291.

SB 159 AN ACT TO AMEND TITLE 11 AND TITLE 21 OF THE DELAWARE CODE RELATING TO PROBATION BEFORE JUDGMENT AND REQUIRING ALL TRAFFIC CONTROL LAW VIOLATIONS TO BE POSTED ON A COMMERCIAL DRIVER'S LICENSE HOLDER'S DRIVING RECORD. (Signed by the Governor 7/12/05) p. 119, 121, 133, 163, 164, 165, 178.

SB 160 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVER'S LICENSES AND NONDRIVER IDENTIFICATION CARDS. (Signed by the Governor 7/12/05) p. 119, 121, 133, 163, 164, 178.

SB 161 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COMMERCIAL DRIVER'S LICENSES AND PENALTIES. (Signed by the Governor 7/12/05) p. 119, 121, 133, 164, 178.

SB 162 w/SA 1 & 2 AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS. (Signed by the Governor 2/1/06) p. 133, 135, 195, 209, 210, 213.

SB 163 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EDUCATOR MENTORING. (Signed by the Governor 7/21/05) p. 130, 132, 147, 154, 178.

SB 164 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY. (Laid on the Speaker's Table 6/30/05) p. 130, 132, 166.

SB 165 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE PRACTICE OF DENTISTRY AND DENTAL HYGIENE. (Signed by the Governor 6/28/05) p. 130, 132, 133, 139, 177.

SB 166 w/SA 1 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO SERVICE OF PROCESS. (Laid on the Speaker's Table 7/1/06) p. 130, 132, 365, 366.

SB 167 AN ACT TO AMEND AN ACT ENTITLED AN ACT TO REINCORPORATE THE TOWN OF ELSMERE AS FOUND IN 68 DELAWARE LAWS CHAPTER 3 AS AMENDED. (Signed by the Governor 7/12/05) p. 130, 132, 156, 167, 178.

SB 169 w/SA 1 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE COURT OF COMMON PLEAS. (Signed by the Governor 7/12/05) p. 133, 135, 151, 166, 178.

SB 170 AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO DECEDENT'S ESTATES. (Signed by the Governor 7/12/05) p. 130, 132, 164, 167, 168, 178.

SB 173 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATED TO INSURANCE. (House Economic Development/Banking & Insurance Committee) p. 130, 132.

SB 175 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO RATE BASE. (Signed by the Governor 6/28/05) p. 122, 126, 133, 136, 137, 177.

SB 176 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO REGISTRATION OF VEHICLES. (Signed by the Governor 7/12/05) p. 125, 126, 148, 163, 178.

SB 177 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE COURT OF COMMON PLEAS FOR THE STATE OF DELAWARE. (Signed by the Governor 7/21/05) p. 133, 135, 151, 166, 178.

SS1/SB 178 w/SA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF A DISABILITY INSURANCE PROGRAM. (Signed by the Governor 7/12/05) p. 139, 140, 148, 163, 178.

SB 179 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO OCCUPATIONAL THERAPY. (Signed by the Governor 7/21/05) p. 139, 140, 147, 154, 178.

SB 181 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE DELAWARE HEALTH RESOURCES BOARD. (Signed by the Governor 7/12/05) p. 147, 149, 156, 167, 168, 178.

SB 182 w/SA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CRIMINAL JUSTICE COUNCIL. (Signed by the Governor 7/12/05) p. 147, 149, 164, 166, 178.

SB 183 AN ACT TO AMEND CHAPTER 37, TITLE 24 OF THE DELAWARE CODE RELATING TO SPEECH/LANGUAGE PATHOLOGISTS, AUDIOLOGISTS AND HEARING AID DISPENSERS. (Signed by the Governor 7/6/06) p. 297, 298, 331, 343, 368.

SB 184 w/SA 1 AN ACT TO AMEND CHAPTER 33 OF TITLE 24 OF THE DELAWARE CODE RELATING TO VETERINARIANS AND ESTABLISHING VETERINARY TECHNICIANS. (Signed by the Governor 6/27/06) p. 294, 298, 304, 311, 331.

SB 186 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO ESTABLISH THE GEOSPATIAL DATA COORDINATING COUNCIL. (House Transportation/Land Use and Infrastructure Committee) p. 156, 157, 261, 299.

SB 187 w/SA 2 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF ATHLETIC EXAMINERS. (Signed by the Governor 6/15/06) p. 156, 157, 207, 305, 312.

SB 188 w/SA 1 AN ACT TO AUTHORIZE AND APPROVE A TRANSFER OF CERTAIN REAL PROPERTY IN BLACKBIRD HUNDRED TO THE TOWNSEND FIRE COMPANY. (Signed by the Governor 7/21/05) p. 141, 149, 164, 168, 178.

SB 189 w/SA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE CALCULATION OF PENSION BENEFITS IN THE COUNTY AND MUNICIPAL GENERAL EMPLOYEES' PENSION PLAN. (Signed by the Governor 7/7/05) p. 139, 141, 148, 154, 177.

SB 190 A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2006; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING GENERAL FUNDS AND SPECIAL FUNDS OF THE STATE; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS; AND AMENDING THE LAWS OF DELAWARE. (Signed by the Governor 7/1/05) p. 165, 168, 169, 174, 177.

SB 191 w/SA 1 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CALCULATION OF PENSION BENEFITS IN THE COUNTY AND MUNICIPAL POLICE/FIREFIGHTERS' PENSION PLAN. (Signed by the Governor 7/7/05) p. 139, 141, 148, 154, 177.

SB 193 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE PLATES FOR PERSONS WITH DISABILITIES WHICH LIMIT OR IMPAIR THE ABILITY TO WALK. (House Ready List) p. 141, 149, 218.

SB 195 AN ACT TO AMEND TITLE 16 AND TITLE 21 OF THE DELAWARE CODE RELATING TO PRE-HOSPITAL ADVANCED CARE DIRECTIVES. (Signed by the Governor 7/12/05) p. 141, 149, 156, 163, 178.

SB 196 w/SA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF PLUMBING EXAMINERS AND BASIC PLUMBING PRINCIPLES. (Signed by the Governor 6/27/06) p. 294, 299, 304, 315, 331.

SB 197 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO PUBLIC HEALTH AND WELFARE AND PROPERTY MAINTENANCE, TITLE 10 OF THE DELAWARE CODE RELATING TO CODE ENFORCEMENT CONSTABLES, TITLE 11 OF THE DELAWARE CODE RELATING TO JUSTICES OF THE PEACE, AND TITLE 25 OF THE DELAWARE CODE RELATING TO LIENS OF THE STATE AND/OR ITS POLITICAL SUBDIVISIONS. (Signed by the Governor 7/21/05) p. 133, 135, 151, 163, 178.

SS 1/SB 198 w/SA 1 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO RADON. (Signed by the Governor 7/6/06) p. 328, 329, 342, 353, 368.

SB 200 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE CRIME OF ROBBERY. (Signed by the Governor 7/12/05) p. 156, 157, 164, 167, 168, 178.

SS1/SB 201 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO JUDICIAL AND STATE PENSIONS. (Signed by the Governor 7/7/05) p. 172, 177.

SB 203 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO MANUFACTURED HOME INSTALLATION. (Signed by the Governor 7/21/05) p. 141, 149, 151, 168, 178.

SB 205 w/SA 1 AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON. (Signed by the Governor 7/21/05) p. 156, 157, 172, 173, 178.

SB 206 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DIVISION OF PROFESSIONAL REGULATION. (Signed by the Governor 7/21/05) p. 165, 172, 178.

SB 216 AN ACT TO AMEND DELAWARE LAWS, VOLUME 73, CHAPTER 210, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BLADES". (Signed by the Governor 7/12/05) p. 156, 157, 167, 178.

SB 217 w/HA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO REAL PROPERTY ACQUISITION AND THE EXERCISE OF EMINENT DOMAIN. (Signed by the Governor 7/21/05) p. 156, 157, 167, 170, 178.

SB 219 AN ACT TO AMEND CHAPTER 283, VOLUME 21, LAWS OF DELAWARE, AND AMENDED, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF LITTLE CREEK RELATING TO ASSESSMENT AND TAXATION". (Signed by the Governor 7/12/05) p. 157, 167, 178.

SB 221 w/SA 1 & 2 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO CONDEMNATION PROCEEDINGS. (House Judiciary Committee) p. 156, 157, 170.

SB 223 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATED TO PENSION BENEFITS. (Signed by the Governor 7/7/05) p. 156, 157, 166, 177.

SB 225 w/SA 1 & 2 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE DELAWARE SOLID WASTE AUTHORITY, THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, AND THE RECYCLING PUBLIC ADVISORY COUNCIL CONCERNING RESIDENTIAL CURBSIDE RECYCLING. (House Natural Resources & Environmental Management Committee) p. 297, 299.

SB 227 AN ACT TO AMEND TITLES 12 AND 30 OF THE DELAWARE CODE RELATED TO THE ESTATE TAX. (Signed by the Governor 7/12/05) p. 162, 163, 164, 168, 178.

SB 229 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE REALTY TRANSFER TAX AND FARMLAND PRESERVATION FUND. (Signed by the Governor 7/20/05) p. 171, 172, 174, 178.

SB 230 AN ACT TO AMEND TITLE 30, DELAWARE CODE, RELATING TO THE PERSONAL INCOME TAX. (Signed by the Governor 8/22/05) p. 171, 178.

SB 231 w/HA 1 AN ACT MAKING A SUPPLEMENTAL GENERAL FUND APPROPRIATION TO THE POST RETIREMENT HEALTH INSURANCE PREMIUM FUND. (Signed by the Governor 6/30/05) p. 156, 157, 160, 161, 177.

SB 232 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS. (Signed by the Governor 7/7/05) p. 172, 177.

SB 233 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATED TO FUNERAL SERVICES. (Signed by the Governor 4/4/06) p. 174, 175, 207, 226, 256.

SB 234 AN ACT TO AMEND CHAPTER 52, VOLUME 75, LAWS OF DELAWARE RELATING TO CONTROLLED SUBSTANCES. (Signed by the Governor 7/21/05) p. 165, 173, 178.

SB 236 AN ACT TO AMEND CHAPTER 25, TITLE 18 OF THE DELAWARE CODE RELATING TO RATES AND RATING ORGANIZATIONS. (House Economic Development/Banking & Insurance Committee) p. 232.

SB 239 AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO PAYMENT NETWORKS. (Signed by the Governor 2/1/06) p. 202, 203, 207, 209, 213.

SB 241 w/HA 1 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO APPEALS FROM DECISIONS OF THE REGIONAL PLANNING COMMISSION. (Signed by the Governor 6/27/06) p. 229, 230, 241, 255, 295, 302, 303, 331.

SB 242 AN ACT MAKING A ONE TIME SUPPLEMENTAL GENERAL FUND APPROPRIATION OF FIVE MILLION DOLLARS TO THE DEPARTMENT OF EDUCATION FOR THE CREATION OF AN ENERGY FUND. (Signed by the Governor 1/26/06) p. 195, 202, 204, 213.

SS1/SB 243 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DISABILITY INSURANCE PROGRAM. (Signed by the Governor 1/26/06) p. 195, 202, 204, 205, 213.

SB 246 w/SA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE STATE ARTS COUNCIL. (Signed by the Governor 5/10/06) p. 208, 225, 262, 275.

SB 248 AN ACT TO AMEND TITLE 14 AND TITLE 29 OF THE DELAWARE CODE RELATING TO LEAVE OF ABSENCE FOR MILITARY SERVICE. (Signed by the Governor 2/1/06) p. 205, 206, 209, 213.

SB 249 AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE RELATING TO THE BANK FRANCHISE TAX. (Signed by the Governor 1/24/06) p. 205, 213.

SB 251 w/SA 1 & HA 1 & 2 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO FULL-DAY KINDERGARTEN. (Signed by the Governor 9/7/06) p. 251, 281, 290, 320, 354, 370.

SB 254 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO WRONGFUL DEATH. (Signed by the Governor 5/15/06) p. 229, 230, 240, 265, 275.

SB 256 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE TO CREATE A FRAUD BUSTERS PROGRAM TO DISCOURAGE INSURANCE FRAUD IN THE STATE OF DELAWARE. (Signed by the Governor 6/7/06) p. 260, 261, 281, 282, 291.

SB 259 w/SA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT. (Signed by the Governor 5/2/06) p. 235, 239, 251, 252, 257.

SB 260 AN ACT TO AMEND CHAPTER 170, VOLUME 57, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE CITY OF LEWES", RELATING TO THE CITY MANAGER AND THE POLICE FORCE. (Signed by the Governor 4/12/06) p. 222, 223, 231, 245, 246, 256.

SB 261 w/SA 2 & HA 1 & 2 AN ACT TO AMEND CERTAIN PROVISIONS OF CHAPTER 92, TITLE 10 AND CHAPTER 59, TITLE 11 OF THE DELAWARE CODE RELATING TO PROCEDURES IN THE JUSTICE OF THE PEACE COURT. (Signed by the Governor 6/13/06) p. 229, 230, 240, 245, 283, 312.

SB 262 w/SA 1 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE FATAL INCIDENT REVIEW TEAM. (Signed by the Governor 6/13/06) p. 257, 281, 294, 312.

SB 263 AN ACT TO AMEND CHAPTER 13, VOLUME 74, LAWS OF DELAWARE, AS AMENDED, BY ELIMINATING THE SUNSET PROVISION RELATING TO THE PROFESSIONAL STANDARDS BOARD. (Signed by the Governor 5/15/06) p. 234, 235, 251, 264, 265, 275.

SB 264 w/SA 1 & 2 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO INDICIA OF HIGHER EDUCATION. (Defeated in the House 6/13/06) p. 264, 281, 301, 302.

SB 265 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EXECUTION ON JUDGMENTS IN THE JUSTICE OF THE PEACE COURT. (Signed by the Governor 6/15/06) p. 257, 264, 295, 312.

SB 266 AN ACT TO AMEND TITLE 14 OF DELAWARE CODE RELATING TO COMPASSIONATE LEAVE. (Signed by the Governor 6/27/06) p. 290, 291, 308, 321, 322, 331.

SB 267 AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO PROHIBITING THE ADVERTISING AND CONDUCTING OF CERTAIN LIVE MUSICAL PERFORMANCES OR PRODUCTIONS. (House Judiciary Committee) p. 334, 340.

SB 270 w/SA 1 & 2 AN ACT TO AMEND TITLES 11 AND 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE OF DRUGS AND RELATED OFFENSES. (Signed by the Governor 6/28/06) p. 300, 306, 308, 321, 326, 342.

SB 273 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE REGARDING DANGEROUS DOGS. (Laid on the Speaker's Table 7/1/06) p. 332, 334, 335, 362.

SB 274 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE. (Signed by the Governor 6/22/06) p. 254, 255, 290, 303, 331.

SB 275 w/SA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF SERVICES FOR AGING AND ADULTS WITH PHYSICAL DISABILITIES AND TITLE 31 OF THE DELAWARE CODE RELATING TO THE DELAWARE COMMISSION FOR THE BLIND. (Signed by the Governor 7/10/06) p. 297, 299, 337, 365, 368.

SB 276 w/SA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH INFORMATION. (Signed by the Governor 6/30/06) p. 257, 281, 339, 368.

SB 277 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXATION. (Signed by the Governor 7/10/06) p. 283, 285, 308, 353, 368.

SB 278 AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO TAXATION. (Signed by the Governor 7/20/06) p. 283, 285, 308, 365, 369.

SB 280 AN ACT PROVIDING A SUPPLEMENTAL GENERAL FUND APPROPRIATION FOR THE DELAWARE ENERGY ASSISTANCE PROGRAM. (Signed by the Governor 4/13/06) p. 234, 235, 240, 242, 244, 247, 256.

SB 281 AN ACT TO MAKE A SUPPLEMENTAL GENERAL FUND APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL OF EIGHT MILLION DOLLARS FOR THE ENERGY EFFICIENCY PROGRAM. (Signed by the Governor 5/2/06) p. 234, 235, 240, 242, 244, 252, 257.

SB 285 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ACCESS OF THE CHILD DEATH, NEAR DEATH, AND STILL BIRTH COMMISSION TO PROTECTED HEALTH INFORMATION AND OTHER RECORDS AND INFORMATION. (Signed by the Governor 7/6/06) p. 308, 309, 334, 353, 368.

SB 286 AN ACT TO AMEND TITLE 26 RELATING TO PUBLIC SERVICE COMMISSION RATES. (Laid on the Speaker's Table 7/1/06) p. 332, 334, 365, 366.

SB 289 w/SA 2 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE CREATION OF A STATEWIDE HEALTH ADVISORY COUNCIL. (Signed by the Governor 6/30/06) p. 283, 285, 308, 339, 368.

SB 290 w/SA 1 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO LEINS OF TAXES AND OTHER CHARGES. (Signed by the Governor 6/30/06) p. 297, 299, 313, 335, 368.

SB 294 AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF ELLENDALE," TO GRANT THE TOWN COUNCIL OF THE TOWN OF ELLENDALE THE AUTHORITY TO IMPOSE IMPACT FEES FOR NEW DEVELOPMENT OR CONSTRUCTION, FIRST TIME OCCUPANCY OF NEW CONSTRUCTION, AND UPON ANNEXED PROPERTY AND TO ENTER INTO ANNEXATION AGREEMENTS WITH THE OWNERS OF TERRITORIES PROPOSED FOR ANNEXATION. (Signed by the Governor 5/10/06) p. 253, 255, 260, 261, 262, 275.

SB 295 w/SA 1 AN ACT TO AMEND TITLE 16 AND TITLE 18 OF THE DELAWARE CODE RELATING TO MANAGED CARE ORGANIZATIONS. (Signed by the Governor 7/6/06) p. 287, 308, 347, 368.

SB 296 AN ACT TO DEDICATE THE ANGOLA NECK NATURE PRESERVE IN SUSSEX COUNTY TO TIL PURNELL. (House Ready List) p. 251, 253, 254, 255, 264, 269.

SB 297 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND THE PRESCRIPTION DRUG PAYMENT ASSISTANCE PROGRAM. (Signed by the Governor 7/6/06) p. 273, 274, 294, 339, 368.

SB 300 AN ACT TO AMEND TITLES 10 AND 11 OF THE DELAWARE CODE RELATING TO PROBATION BEFORE ADJUDICATION OR JUDGMENT. (Signed by the Governor 7/6/06) p. 290, 292, 334, 353, 368.

SB 302 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE STATE UNIVERSITY BOARD OF TRUSTEES. (House Policy Analysis & Government Accountability Committee) p. 273, 276, 309.

SB 305 AN ACT TO AMEND CHAPTER 87, TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF PROFESSIONAL REGULATION AND THE REGULATION OF BOXING. (Signed by the Governor 6/13/06) p. 273, 274, 285, 295, 312.

SB 307 w/HA 3 AN ACT MAKING A SUPPLEMENTAL APPROPRIATION OF TWENTY MILLION DOLLARS TO THE OFFICE OF MANAGEMENT AND BUDGET TO FUND A RECOVERY LOAN TO THE CHRISTINA SCHOOL DISTRICT. (Signed by the Governor 5/11/06) p. 269, 272, 275.

SB 308 w/HA 3 AN ACT AMENDING TITLE 14 OF THE DELAWARE CODE RELATING TO THE FINANCIAL ACCOUNTABILITY OF PUBLIC SCHOOL DISTRICTS AND CHARTER SCHOOLS. (Signed by the Governor 5/11/06) p. 269, 272, 273, 275.

SB 310 w/SA 1 AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS. (Signed by the Governor 6/27/06) p. 285, 288, 308, 321, 322, 331.

SB 311 AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS. (Signed by the Governor 6/27/06) p. 285, 288, 308, 321, 322, 331.

SB 312 AN ACT AMENDING TITLES 10 AND 12 OF THE DELAWARE CODE RELATING TO TRUSTS. (Signed by the Governor 6/27/06) p. 285, 288, 308, 321, 322, 331.

SB 313 AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO DISCLAIMERS OF INTERESTS IN PROPERTY AND OF POWERS OVER PROPERTY. (Signed by the Governor 6/27/06) p. 285, 288, 308, 321, 322, 331.

SB 314 AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO ESTATES. (Signed by the Governor 6/27/06) p. 285, 288, 308, 321, 322, 331.



SB 316 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DIVISION OF PROFESSIONAL REGULATION AND THE ADMINISTRATIVE PROCEDURES ACT. (Signed by the Governor 7/6/06) p. 309, 331, 343, 368.

SB 317 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE DEFINITION OF "SWEARS FALSELY". (House Ready List) p. 309, 313, 330.

SB 318 w/SA 1 AN ACT TO AMEND TITLES 16 AND 29 OF THE DELAWARE CODE RELATING TO HEALTH AND SAFETY AND STATE GOVERNMENT. (Signed by the Governor 7/10/06) p. 363, 365, 368.

SB 319 w/SA 2 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE DELAWARE PROFESSIONAL ENGINEERS ACT. (Signed by the Governor 6/27/06) p. 300, 306, 316, 321, 322, 331.

SB 320 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DELAWARE STUDENT TESTING PROGRAM. (Signed by the Governor 6/27/06) p. 284, 285, 308, 321, 331.

SB 321 w/SA 1 & 3 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO RECORDING DEVICES. (Signed by the Governor 6/28/06) p. 300, 306, 313, 321, 342.

SB 322 AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (Signed by the Governor 6/27/06) p. 290, 292, 308, 316, 331.

SB 323 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO UNCOLLECTIBLE FEES; PENALTIES. (Signed by the Governor 6/30/06) p. 300, 306, 316, 328, 368.

SB 326 w/SA 1 & 2 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO INSURER RECEIVERSHIPS. (House Economic Development/Banking & Insurance Committee) p. 328, 329.

SB 327 AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO THE JUDICIARY AND THE CHIEF MAGISTRATE OF THE JUSTICE OF THE PEACE COURT. (House Ready List) p. 309, 365.

SB 328 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ABANDONED VEHICLES. (Signed by the Governor 6/30/06) p. 297, 299, 308, 339, 368.

SB 329 AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHANGING BOUNDARIES. (Signed by the Governor 6/30/06) p. 297, 299, 308, 328, 368.

SB 330 w/SA 1 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO EROSION AND SEDIMENT CONTROL AND THE ESTABLISHMENT OF A STORMWATER UTILITY. (House Ready List) p. 290, 292, 318, 326.

SB 331 w/SA 2 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLES AND RULES OF THE ROAD. (Signed by the Governor 7/6/06) p. 300, 306, 308, 326, 327, 368.

SB 333 AN ACT PROPOSING AN AMENDMENT TO ARTICLE IV, SECTION 11 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO CERTIFICATION OF QUESTIONS OF LAW TO THE SUPREME COURT. (Enacted without Signature 6/30/06) p. 309, 325, 350, 368.

SB 334 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO STATUTES OF LIMITATIONS. (Signed by the Governor 7/6/06) p. 316, 319, 330, 353, 368.

SB 336 w/SA 1 AN ACT TO AMEND TITLE 11, CHAPTER 43, RELATING TO DEPARTMENT OF CORRECTION RECORDS. (Signed by the Governor 7/6/06) p. 316, 319, 334, 354, 368.

SB 337 w/SA 2 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PARENTS AND CHILDREN IN THE FAMILY COURT OF THE STATE OF DELAWARE. (Signed by the Governor 7/10/06) p. 337, 341, 352, 363, 364, 368.

SB 339 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE COMPOSITION OF THE DELAWARE HEALTH INFORMATION NETWORK. (Signed by the Governor 7/10/06) p. 342, 348, 366, 368.

SB 340 w/SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO MILITARY DEPLOYMENT. (House Economic Development/Banking & Insurance Committee) p. 334, 341.

SB 343 AN ACT TO AMEND TITLE 5 OF THE DELAWARE CODE AND VOLUMES 70 AND 72 OF THE LAWS OF THE STATE OF DELAWARE RELATING TO THE BANK FRANCHISE TAX. (Signed by the Governor 6/30/06) p. 297, 299, 316, 328, 368.

SB 345 w/SA 1 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO PROPERTY. (Signed by the Governor 6/27/06) p. 300, 306, 308, 315, 331.

SB 346 w/HA 1 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PHARMACY (Passed in the House with amendment 7/1/06) p. 363, 366.

SB 350 AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2007; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Signed by the Governor 7/1/06) p. 359, 360, 363, 368.

SB 351 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE DELAWARE COLLEGE INVESTMENT PLAN ACCOUNTS. (House Appropriations Committee) p. 332, 334.

SB 352 AN ACT TO AUTHORIZE AND APPROVE THE TRANSFER OF CERTAIN REAL PROPERTY FROM THE BOARD OF TRUSTEES OF DELAWARE TECHNICAL AND COMMUNITY COLLEGE TO THE DELAWARE TECHNICAL AND COMMUNITY COLLEGE EDUCATIONAL FOUNDATION. (Signed by the Governor 7/20/06) p. 328, 329, 352, 365, 369.

SB 354 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO ADJUDICATION. (Signed by the Governor 7/10/06) p. 328, 329, 352, 365, 366, 368.

SB 356 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EVIDENCE OF JUVENILE ADJUDICATIONS. (Signed by the Governor 7/6/06) p. 316, 319, 330, 353, 368.

SS1/SB 357 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO FLOODING, EROSION AND SEDIMENTATION CONTROL, AND STORMWATER MANAGEMENT. (Signed by the Governor 7/20/06) p. 332, 334, 365, 366, 369.

SB 358 w/SA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COMMERCIAL DRIVER LICENSES AND COMMERCIAL MOTOR VEHICLES. (Signed by the Governor 7/10/06) p. 328, 329, 342, 361, 362, 368.

SB 359 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF JUSTICE. (Signed by the Governor 7/6/06) p. 316, 319, 330, 351, 352, 368.

SB 361 AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SEX OFFENSES. (Signed by the Governor 7/10/06) p. 337, 341, 352, 366, 368.

SB 365 AN ACT TO AMEND TITLE 24, OF THE DELAWARE CODE RELATING TO THE BOARD OF MENTAL HEALTH AND CHEMICAL DEPENDENCY PROFESSIONALS. (Signed by the Governor 7/10/06) p. 363, 365, 368.

SB 366 w/SA 2 AN ACT TO AMEND TITLE 2 OF THE DELAWARE CODE RELATING TO TRANSPORTATION. (House Transportation/Land Use and Infrastructure Committee) p. 328, 329.

SB 367 AN ACT TO AMEND VOLUME 43, CHAPTER 184, LAWS OF DELAWARE AS AMENDED ENTITLED "AN ACT CHANGING THE NAME OF THE TOWN OF SEAFORD TO THE CITY OF SEAFORD AND ESTABLISHING A CHARTER THEREFOR", RELATING TO THE SALE OF TOWN PROPERTY. (Signed by the Governor 7/10/06) p. 332, 334, 351, 368.

SB 368 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO TESTING OF PREGNANT WOMEN FOR HIV INFECTION. (Signed by the Governor 7/20/06) p. 331, 332, 337, 365, 369.

SB 369 w/SA 1 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE FOR PURPOSES OF REGULATING DISCOUNT MEDICAL PLANS. (House Economic Development/Banking & Insurance Committee) p. 329, 330.

SB 370 AN ACT TO AMEND TITLE 24, CHAPTER 29 OF THE DELAWARE CODE RELATING TO THE DELAWARE REAL ESTATE COMMISSION. (Signed by the Governor 7/10/06) p. 342, 348, 366, 368.

SB 371 AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE TRANSFER OF CRIMINAL PROCEEDINGS IN COURT OF COMMON PLEAS, JUSTICE OF THE PEACE COURTS, AND FAMILY COURT. (Signed by the Governor 7/6/06) p. 328, 329, 342, 353, 368.

SB 372 w/SA 1 & HA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE STATE DEPARTMENT OF JUSTICE. (Signed by the Governor 7/10/06) p. 328, 329, 342, 354, 355, 368.

SB 373 AN ACT TO AMEND CHAPTER 13, TITLE 24 OF THE DELAWARE CODE RELATING TO REGULATION OF PRIVATE SECURITY AGENCIES. (Signed by the Governor 7/6/06) p. 328, 330, 334, 343, 368.

SB 374 w/SA 1 & HA 2 & 3 AN ACT AMENDING TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC EDUCATION FINANCIAL ACCOUNTABILITY. (Signed by the Governor 8/17/06) p. 328, 330, 341, 342, 349, 353, 354, 370.

SB 375 AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO EXPERT WITNESSES IN HEALTH CARE AND MEDICAL NEGLIGENCE ACTIONS. (House Economic Development/Banking & Insurance Committee) p. 316, 319.

SB 376 w/SA 1 & 2 & HA 1 AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVING UNDER THE INFLUENCE. (Signed by the Governor 7/10/06) p. 330, 332, 334, 346, 368.

SB 377 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO BEACH PRESERVATION. (Signed by the Governor 7/20/06) p. 337, 341, 342, 361, 362, 369.

SB 379 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONAL LAND SURVEYORS. (Signed by the Governor 7/6/06) p. 337, 341, 342, 351, 352, 368.

SS1/SB 382 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE PROVIDING FOR THE RECOVERY AND RECYCLING OF USED ELECTRONIC DEVICES. (House Telecommunication Internet & Technology Committee) p. 332, 334.

SB 383 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE EXAMINING BOARD OF PHYSICAL THERAPISTS AND ATHLETIC TRAINERS. (Signed by the Governor 7/10/06) p. 337, 341, 342, 361, 362, 368.

SB 385 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICE ACT. (Signed by the Governor 7/10/06) p. 342, 348, 362, 368.

SB 386 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO GEOLOGY. (Signed by the Governor 7/6/06) p. 332, 334, 342, 351, 352, 368.

SB 388 AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE MANUFACTURED HOME OWNERS AND COMMUNITY OWNERS ACT. (Signed by the Governor 7/6/06) p. 337, 341, 348, 350, 368.

SB 389 AN ACT AMENDING TITLE 23 OF THE DELAWARE CODE RELATING TO PILOTAGE. (Signed by the Governor 7/10/06) p. 337, 341, 348, 351, 352, 368.

SB 390 w/SA 1 AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATED TO HEALTH AND SAFETY AND EXPLOSIVE MATERIALS. (Signed by the Governor 7/10/06) p. 342, 348, 362, 368.

SB 392 AN ACT MAKING A SUPPLEMENTAL APPROPRIATION OF SIX MILLION FIVE HUNDRED THOUSAND DOLLARS FOR THE CREATION OF A PUBLIC EDUCATION CLASSROOM INSTRUCTION FUND, FOR THE PURCHASE OF INFLUENZA ANTIVIRALS AND TO SUPPORT THE HOUSING DEVELOPMENT FUND. (Signed by the Governor 6/30/06) p. 332, 334, 368.

SB 394 AN ACT AUTHORIZING FAMILY COURT TO GRANT EXTENDED JURISDICTION OVER MARILU SANDOVAL RAMIREZ AND ELVIRA CHILEL NIZ. (Signed by the Governor 7/10/06) p. 342, 348, 352, 362, 368.

SB 395 w/SA 1 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE REGARDING EMPLOYEE DISABILITY BENEFITS. (Signed by the Governor 7/1/06) p. 337, 341, 348, 362, 368.

SB 396 AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS. (Signed by the Governor 7/10/06) p. 363, 364, 368.

SB 397 AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO STATE RESOURCE MAPS. (Vetoed 7/17/06) p. 348, 364, 365, 369.

SB 398 AN ACT TO AMEND CHAPTER 51 OF TITLE 29 OF THE DELAWARE CODE RELATING TO LEAVE OF ABSENCE FOR MILITARY SERVICE. (Signed by the Governor 7/17/06) p. 342, 348, 366, 369.

SB 400 AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2007; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS, AMENDING THE FISCAL YEAR 2007 APPROPRIATIONS ACT; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (Signed by the Governor 7/1/06) p. 363, 364, 368.

SB 401 w/SA 1 & 3 AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO SEWERS. (Signed by the Governor 7/10/06) p. 363, 365, 366, 367, 368.

SB 402 AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATED TO RENEWABLE ENERGY PORTFOLIO STANDARDS. (House Energy Committee) p. 342, 348.

SB 403 AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS. (Signed by the Governor 7/20/06) p. 342, 349, 366, 369.

## SENATE CONCURRENT RESOLUTIONS

SCR 1 PROVIDING FOR A JOINT SESSION OF THE HOUSE AND SENATE FOR THE PURPOSE OF ANNOUNCING THE VOTE FOR GOVERNOR AND LT. GOVERNOR OF THE STATE OF DELAWARE. (Passed) p. 5, 7, 8.

SCR 2 PROVIDING THAT A JOINT SESSION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES BE CONVENED FOR THE PURPOSE OF RECEIVING THE ANNUAL STATE OF THE STATE ADDRESS BY THE HONORABLE RUTH ANN MINNER, GOVERNOR OF THE STATE OF DELAWARE. (Passed) p. 13.

SCR 3 HONORING THE MEMORY AND CELEBRATING THE LIFE OF GENEVIEVE WALTON GORE. (Passed) p. 23, 24.

SCR 4 COMMENDING ALL THOSE INVOLVED WITH THE "MIRACLE WORKERZ" ORGANIZATION FOR THEIR OUTSTANDING EFFORTS AND RECOGNIZING MARCH 6, 2005 AS "MIRACLE WORKERZ DAY" IN THE STATE OF DELAWARE. (Passed) p. 26, 28.

SCR 5 CONGRATULATING THE DELAWARE STATE UNIVERSITY HORNETS MEN'S BASKETBALL TEAM ON WINNING THE MID-EASTERN ATHLETIC CONFERENCE CHAMPIONSHIP AND EARNING ITS FIRST EVER BERTH IN THE NCAA TOURNAMENT. (Passed) p. 38, 61.

SCR 6 RECOGNIZING AND COMMENDING THE ESTABLISHMENT OF APRIL 11, 2005 AS "RAINBOW BLUE DAY" IN DELAWARE. (Passed) p. 42, 45.

SCR 7 CREATING A TASK FORCE TO EXPLORE THE FEASIBILITY OF ESTABLISHING A FAMILY JUSTICE CENTER TO SERVE DOMESTIC VIOLENCE VICTIMS AND THEIR CHILDREN IN A MORE EFFICIENT AND EFFECTIVE MANNER. (Passed) p. 52, 56, 57.

SCR 8 PROCLAIMING THE WEEK OF APRIL 24 THROUGH APRIL 30, 2005, AS ADMINISTRATIVE PROFESSIONALS WEEK. (Passed) p. 62, 69.

SCR 9 RECOGNIZING APRIL AS CHILD ABUSE PREVENTION MONTH IN DELAWARE. (Passed) p. 60, 61.

SCR 10 COMMENDING DELAWARE STATE DENTAL SOCIETY ON THE ACHIEVEMENTS OF ITS SECOND ANNUAL GIVE KIDS A SMILE PROGRAM. (Passed) p. 62, 69.

SCR 11 HONORING THE EXEMPLARY LIFE AND MOURNING THE PASSING OF HIS HOLINESS, POPE JOHN PAUL II. (Passed) p. 60, 61.

SCR 12 w/HA 1, 2 & 3 ESTABLISHING A TASK FORCE TO EXAMINE HOW TO IMPLEMENT A "SHORT-FORM" ADVANCED HEALTH CARE DIRECTIVE TO BE ASSOCIATED WITH A NOTATION ON DELAWARE DRIVER LICENSES AND NON-DRIVER IDENTIFICATION CARDS. (Passed) p. 82, 88, 93, 97, 110, 219.

SCR 13 RECOGNIZING JUNE 10, 2005 AS NATIONAL NURSING ASSISTANTS' DAY AND RECOGNIZING THE VITAL ROLE THAT CERTIFIED NURSING ASSISTANTS PLAY IN PROVIDING HEALTH CARE SERVICES. (Passed) p. 74, 75.

SCR 14 COMMENDING THE STUDENTS SELECTED AS SECRETARY OF EDUCATION'S SCHOLARS OF 2005 (Passed) p. 74, 75.

SCR 15 RECOGNIZING MAY 2005 AS AMERICAN STROKE MONTH. (Passed) p. 89.

SCR 16 CREATING A TASK FORCE TO STUDY THE USE OF REFORMULATED GASOLINE CONTAINING OXYGENATES IN DELAWARE. (House Natural Resources & Environmental Management Committee) p. 108, 110, 111.

SCR 17 RECOGNIZING JUNE 9, 2005 AS NATIONAL NURSING ASSISTANTS' DAY AND RECOGNIZING THE VITAL ROLE THAT CERTIFIED NURSING ASSISTANTS PLAY IN PROVIDING HEALTH CARE SERVICES. (Passed) p. 112, 118.

SCR 18 COMMENDING THE CLASS OF 2004-2005 EAGLE SCOUTS FOR HAVING ATTAINED THE HIGHEST RANK ONE CAN EARN IN THE BOY SCOUTS OF AMERICA (Passed) p. 122, 132.

SCR 20 HONORING THE YOUNG WOMEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2005 SESSION OF DELAWARE'S GIRLS' STATE. (Passed) p. 135, 140.

SCR 22 DECLARING 2005 TO BE THE DELAWARE STATE YEAR OF PHYSICS. (Passed) p. 174, 191.

SCR 24 URGING THE MEMBERS OF THE RED CLAY DISTRICT SCHOOL BOARD TO PRESERVE THE RICH TRADITION AND HONOR OF THE STATE OF DELAWARE BY NAMING THE PROPOSED SCHOOL FOR THE BIOTECHNOLOGY AND HEALTH FIELDS AFTER HENRY C. CONRAD (Passed) p. 174, 191.

SCR 25 HONORING THE LIFE AND ACCOMPLISHMENTS OF ROSA PARKS AND EXPRESSING CONDOLENCES ON HER PASSING. (Passed) p. 192, 194.

SCR 26 COMMENDING DELAWARE'S 2006 TEACHER OF THE YEAR, GARRETT WALTON LYDIC OF NORTH LAUREL ELEMENTARY SCHOOL, FOR THE OUTSTANDING RECORD OF SERVICE WHICH HAS RESULTED IN HIS WELL-DESERVED DESIGNATION. (Passed) p. 191, 192.

SCR 27 DESIGNATING THE MONTH OF FEBRUARY 2006 AS TEEN DATING VIOLENCE AWARENESS AND PREVENTION MONTH IN DELAWARE. (Passed) p. 202, 206.

SCR 28 COMMENDING DELAWARE'S 2006 TEACHER OF THE YEAR, GARRETT WALTON LYDIC, AND THE STATE'S DISTRICT TEACHERS OF THE YEAR, FOR THE OUTSTANDING CONTRIBUTIONS TO THE BETTERMENT OF EDUCATION IN DELAWARE. (Passed) p. 205, 206.

SCR 29 COMMENDING THE WORK OF COMMUNITIES IN SCHOOLS AND DESIGNATING MARCH 15TH AS COMMUNITIES IN SCHOOLS OF DELAWARE DAY. (Passed) p. 218, 225.

SCR 30 CONGRATULATING ERNEST G. TALBERT UPON BEING NAMED THE FIRST AFRICAN AMERICAN BRIGADIER GENERAL IN THE HISTORY OF THE DELAWARE NATIONAL GUARD. (Passed) p. 203, 205.

SCR 31 HONORING LIBERTY DAY IN DELAWARE AS MARCH 30, 2006 (Passed) p. 225, 230.

SCR 32 RECOGNIZING MAY 2006 AS MENTAL HEALTH AWARENESS MONTH IN DELAWARE. (Passed) p. 247, 250.

SCR 33 PROCLAIMING APRIL 5, 2006, "EARLY CHILD CARE AND EDUCATION PROFESSIONALS APPRECIATION DAY". (Passed) p. 240, 250.

SCR 34 PROCLAIMING THE WEEK OF APRIL 23 THROUGH APRIL 29, 2006, AS ADMINISTRATIVE PROFESSIONALS WEEK. (Passed) p. 247, 250.

SCR 35 PROVIDING THAT A CEREMONIAL SESSION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES BE CONVENED IN THE CITY OF LEWES IN COMMEMORATION OF THE 375TH

ANNIVERSARY OF THE 1631 DUTCH SETTLEMENT AT SWAANENDAEL, THE EVENT WHICH LAID THE FOUNDATION FOR DELAWARE STATEHOOD. (Passed) p. 247, 250.

SCR 36 DECLARING MAY 2006 AS MELANOMA AND SKIN CANCER DETECTION AND PREVENTION MONTH IN DELAWARE (Passed) p. 263, 266.

SCR 37 OBSERVING THE 400TH ANNIVERSARY OF CAPTAIN JOHN SMITH'S VISIT TO DELAWARE DURING HIS EXPLORATION OF THE NANTICOKE RIVER AND URGING THE U.S. CONGRESS TO ESTABLISH THE CAPTAIN JOHN SMITH CHESAPEAKE NATIONAL HISTORIC WATER TRAIL. (Passed) p. 264, 266.

SCR 38 EXTENDING SINCERE CONGRATULATIONS TO THE ARTESIAN WATER COMPANY ON THE OCCASION OF THE ONE HUNDREDTH ANNIVERSARY OF ITS ESTABLISHMENT IN 1906. (Passed) p. 285, 299, 300.

SCR 39 ESTABLISHING THE HEALTH SERVICE CORPORATION TASK FORCE. (Laid on the Speaker's Table 7/1/06) p. 297, 308, 366.

SCR 40 RECOGNIZING JUNE 15, 2006 AS NATIONAL NURSING ASSISTANTS DAY AND RECOGNIZING THE VITAL ROLE THAT CERTIFIED NURSING ASSISTANTS PLAY IN PROVIDING HEALTH CARE SERVICES. (Passed) p. 297, 308.

SCR 41 w/SA 1 URGING THE PRESIDENT OF THE UNITED STATES TO DEMAND THAT THE CHINESE GOVERNMENT ALLOW AN INTERNATIONAL INVESTIGATION OF ALL LABOR CAMPS, PRISONS, HOSPITALS, AND RELATED FACILITIES IN CHINA WHERE FALUN GONG PRACTITIONERS ARE BEING DETAINED. (Laid on the Speaker's Table 6/28/06) p. 316, 320, 330, 338.

SCR 42 COMMENDING THE CLASS OF 2005-2006 EAGLE SCOUTS FOR HAVING ATTAINED THE HIGHEST RANK ONE CAN EARN IN THE BOY SCOUTS OF AMERICA (Passed) p. 309, 320.

SCR 43 HONORING THE YOUNG WOMEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2006 SESSION OF DELAWARE'S GIRLS' STATE. (Passed) p. 320, 322.

SCR 44 A RESOLUTION CREATING A LAND PROTECTION OVERSIGHT Committee (House Policy Analysis & Government Accountability Committee) p. 348, 350, 351, 362, 368.

SCR 45 ESTABLISHING A BLUE RIBBON TASK FORCE TO INVESTIGATE AND MAKE RECOMMENDATIONS THERETO AS TO THE FEASIBILITY OF DEVELOPING A SUSTAINABLE ENERGY UTILITY WITHIN THE STATE OF DELAWARE. (Passed) p. 348, 362, 363.

SCR 46 RESOLVING THAT THE CITY OF WILMINGTON IS URGED TO CONDUCT A PHASE II SITE ASSESSMENT OF THE BANCROFT MILL PROPERTY. (Passed) p. 348, 362, 363.

SCR 47 CONGRATULATING JOHN AND GRACE MODICA ON THE CELEBRATION OF THEIR FIFTIETH WEDDING ANNIVERSARY (Passed) p. 362, 363.

#### SENATE JOINT RESOLUTIONS

SJR 1 DIRECTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY TO UPDATE AND REVISE EXISTING SCHOOL SAFETY EMERGENCY PROCEDURES IN LIGHT OF THE INCREASED THREAT OF TERRORIST ATTACKS IN DELAWARE. (Signed by the Governor 5/17/05) p. 45, 46, 62, 67, 94.

SJR 2 w/HA 1 REJECTING THE REPORT OF THE DELAWARE COMPENSATION COMMISSION. (Passed in the House with amendment 1/27/05) p. 23, 27, 28.

SS 1 FOR SJR 3 DIRECTING THE OFFICE OF MANAGEMENT AND BUDGET AND THE CONTROLLER GENERAL TO HIRE AN INDEPENDENT CONSULTANT TO STUDY THE EFFECTS OF UTILITY RE-REGULATION IN DELAWARE. (Signed by the Governor 6/13/06) p. 241, 245, 264, 269, 281, 296, 312.

SJR 4 DEDICATING THE ANGOLA NECK NATURE PRESERVE IN SUSSEX COUNTY TO TIL PURNELL. (Signed by the Governor 5/24/06) p. 270, 273, 291.

SJR 6 EXTENDING THE LIFE OF THE DELAWARE RIVER AND BAY OVERSIGHT COMMITTEE FOR THE PURPOSE OF STUDYING AND CONSIDERING ADDITIONAL MATTERS, INCLUDING THE EFFECT OF THE REGULATION 24, SECTION 46, CONTROL OF VOC EMISSIONS AND THE ESTABLISHMENT OF A PERMANENT DELAWARE RIVER AND BAY OVERSIGHT COMMISSION. (Signed by the Governor 6/30/05) p. 92, 93, 110, 138, 139, 177.

SJR 7 ESTABLISHING AN INDEPENDENT, BI-PARTISAN TASK FORCE TO DEVELOP STRATEGIES TO PREVENT THE BASE REALIGNMENT AND CLOSURE COMMISSION FROM APPROVING THE MAY 13, 2005, DEPARTMENT OF DEFENSE RECOMMENDATIONS TO REALIGN THE DELAWARE AIR NATIONAL GUARD BY TRANSFERRING ALL (8) EIGHT C130 AIRCRAFT TO OTHER STATES AND ELIMINATING HUNDREDS OF ASSOCIATED POSITIONS IN THE DELAWARE AIR NATIONAL GUARD. (Signed by the Governor 6/21/05) p. 107, 110, 124, 141.

SJR 8 w/SA 1 EXTENDING THE TIME FRAMES FOR THE PROMULGATION OF REGULATIONS RELATED TO HOME HEALTH AGENCIES. (Signed by the Governor 1/26/06) p. 192, 201, 213.

SJR 9 THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2006 (Signed by the Governor 1/26/06) p. 195, 196, 202, 204, 213.

SJR 11 DIRECTING THE SECRETARY OF THE OFFICE OF MANAGEMENT AND BUDGET TO DEDICATE THE WING OF THE ABSALOM JONES COMMUNITY CENTER HOUSING THE WAGSTAFF DAY CARE CENTER AND NEW CASTLE COUNTY HEAD START CLASSROOMS IN HONOR OF ETHEL MAE COOPER. (Signed by the Governor 7/10/06) p. 332, 334, 337, 361, 362, 368.

SJR 12 THE OFFICIAL GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2007. (Signed by the Governor 7/1/06) p. 359, 363, 368.

SJR 13 THE OFFICIAL GENERAL FUND REVENUE FOR FISCAL YEAR 2006. (Signed by the Governor 7/1/06) p. 359, 363, 368.

# QUICK REFERENCE INDEX

| <u>SUBJECT</u>                             | <u>SPONSOR</u> | <u>BILL NUMBER</u> |     |
|--------------------------------------------|----------------|--------------------|-----|
| Abraham Lincoln Bicentennial Act           | Smith          | HB                 | 491 |
| Adult Abuse Registry/Definitions           | Maier          | HB                 | 167 |
| <u>AGING, DIVISION OF</u>                  |                |                    |     |
| Services/Case Manager/Other Agency         | Valihura       | HB                 | 355 |
| <u>AGRICULTURE</u>                         |                |                    |     |
| Animal Population Control Program          | Spence         | HB                 | 425 |
| Crop Dusters/Start at Sunrise              | Atkins         | HB                 | 276 |
| Ferrets/Rabies Vaccine Required            | Maier          | HB                 | 260 |
| Land Preservation Consulting Fund          | Lavelle        | HB                 | 523 |
| Pesticides/Penalty/Misdemeanor/Sale        | Thornburg      | HB                 | 536 |
| Purchase of Farmland/Assist Farmers        | Lavelle        | HB                 | 524 |
| Sale/Contract Requirements/Farmland        | Lavelle        | HB                 | 522 |
| <u>ALCOHOL</u>                             |                |                    |     |
| Bartenders/No Consumption on Duty          | Miro           | HB                 | 149 |
| Beer/Grocery Store Sales                   | Roy            | HB                 | 437 |
|                                            | Roy            | HB                 | 465 |
|                                            | Miro           | HB                 | 176 |
| Beverage Server Training                   | Miro           | HB                 | 176 |
| Boating Under the Influence                | Outten         | HB                 | 328 |
| Dinner Theater/Serve/No Meal               | Miro           | HB                 | 343 |
| Farm Wineries/License                      | Spence         | HB                 | 336 |
| Licenses                                   |                |                    |     |
| Allow Five Per Holder                      | Roy            | HB                 | 474 |
| Rules Violation                            | Spence         | HB                 | 429 |
| Open Container/Motor Vehicle               | Wagner         | HB                 | 37  |
| Out-of-State Investigator/Register         | Roy            | HB                 | 24  |
| Remote Monitoring/Probationers             | Keeley         | HB                 | 38  |
|                                            | Keeley         | HB                 | 86  |
|                                            | Keeley         | HB                 | 515 |
| Underage                                   |                |                    |     |
| Consumption/Identify Server                | Oberle         | HB                 | 42  |
| False ID                                   | Spence         | HB                 | 431 |
| Revoke Driver's License                    | Keeley         | HB                 | 283 |
| Wine Importer/Limited Amount               | Booth          | HB                 | 379 |
| Ambulance Attendants/Suspension            | Ennis          | HB                 | 18  |
| Archaeological Resources                   | Booth          | HB                 | 229 |
| Asbestos Liability/Successor Corporations  | Valihura       | HS1/HB             | 452 |
| <u>BOARDS</u>                              |                |                    |     |
| Adult Entertainment/Appointments           | Oberle         | HB                 | 447 |
| Architectural Registration/Licensing       | Ulbrich        | HB                 | 311 |
| Chiropractic/Non-Resident License          | Cathcart       | HB                 | 472 |
| Dental Examiners                           |                |                    |     |
| License Reciprocity/Volunteer              | Hocker         | HB                 | 476 |
| Volunteer License                          | Maier          | HB                 | 67  |
| Health Resources/Charity Care              | Oberle         | HB                 | 513 |
| Medical Practices/Rewrite Act              | Ulbrich        | HB                 | 75  |
| Mental and Behavioral Health Professionals | Hall-Long      | HB                 | 215 |
| Nursing/Criminal Background Checks         | Hall-Long      | HB                 | 498 |
| Nursing Home Administrators                | Oberle         | HB                 | 72  |
| Pawnbrokers & Junk Dealers/Reporting       | Lee            | HS1/HB             | 243 |
| Reporting/Licenses                         | Viola          | HB                 | 172 |
| Pension Trustees/Personnel Office          | Oberle         | HB                 | 74  |
| Pharmacy                                   |                |                    |     |
| Benefit Manager Practices Act              | Maier          | HB                 | 516 |



BOARDS(continued)

## Pharmacy (continued)

|                                          |           |    |     |
|------------------------------------------|-----------|----|-----|
| Clinical & Technical Expertise           | Wagner    | HB | 50  |
| No Prescription/Notify Physician         | Wagner    | HB | 255 |
| Prescription/Label Content               | Buckworth | HB | 418 |
| Symptom on Label                         | Miro      | HB | 33  |
| Vaccine/No Prescription                  | Wagner    | HB | 51  |
| Private Investigator/Computer Specialist | Spence    | HB | 494 |
| Psychology/Reciprocity                   | Hall-Long | HB | 266 |
| Real Estate/Common Law Agent             | Hudson    | HB | 122 |
| Real Estate Appraisers                   |           |    |     |
| Home Inspectors                          | Booth     | HB | 347 |
|                                          | Booth     | HB | 534 |
| Sunset Recommendations                   | Oberle    | HB | 73  |
| Uniform Cease and Desist Authority       | Valihura  | HB | 484 |
|                                          | Valihura  | HB | 517 |

BOND BILL

|                      |          |    |     |
|----------------------|----------|----|-----|
| FY '06/Amend         | Roy      | HB | 338 |
|                      | Roy      | HB | 400 |
| FY '07/Governor      | Gilligan | HB | 350 |
| FY '07/Committee     | Roy      | HB | 535 |
| Introduce by June 27 | Lavelle  | HB | 390 |

BUDGET

|                                |          |    |     |
|--------------------------------|----------|----|-----|
| Budget Bill/FY '06/Committee   | DiPinto  | HB | 300 |
| FY '06/Amend/Summer Youth Work | Spence   | HB | 403 |
| Governor's/FY '06              | Gilligan | HB | 35  |
| Introduce by June 22           | Lavelle  | HB | 390 |

|                               |           |    |     |
|-------------------------------|-----------|----|-----|
| Buyer Property Protection Act | Hall-Long | HB | 201 |
|-------------------------------|-----------|----|-----|

CHARTER CHANGES

|                        |              |    |     |
|------------------------|--------------|----|-----|
| Bethany Beach          | Hocker       | HB | 426 |
| Bridgeville            | Ewing        | HB | 21  |
|                        | Ewing        | HB | 157 |
|                        | Ewing        | HB | 339 |
|                        | Ewing        | HB | 434 |
| Cheswold               | Thornburg    | HB | 14  |
| Dagsboro               | Atkins       | HB | 234 |
| Georgetown             | Booth        | HB | 161 |
|                        | Booth        | HB | 380 |
| Laurel                 | Lee          | HB | 139 |
|                        | Lee          | HB | 140 |
| Lewes                  | Booth        | HB | 19  |
| Millsboro              | Atkins       | HB | 231 |
|                        | Atkins       | HB | 237 |
|                        | Atkins       | HB | 510 |
| Millville              | Hocker       | HB | 481 |
| Ocean View             | Hocker       | HB | 405 |
| Rehoboth Beach         | Schwartzkopf | HB | 326 |
|                        | Schwartzkopf | HB | 530 |
| Smyrna                 | Ennis        | HB | 353 |
| Townsend               | Hall-Long    | HB | 487 |
| Wilmington             | DiPinto      | HB | 298 |
|                        | DiPinto      | HB | 399 |
| Checks/Dishonored/Fees | Miro         | HB | 152 |

CHILD

|                                      |           |        |     |
|--------------------------------------|-----------|--------|-----|
| Abduction/False Report               | Keeley    | HB     | 189 |
|                                      | Keeley    | HB     | 230 |
| Abuse/Police Investigate             | Ulbrich   | HB     | 250 |
| Custody                              |           |        |     |
| Modify/Petition                      | Buckworth | HB     | 441 |
| Residence Relocation                 | Hudson    | HB     | 98  |
| Dental Care/Healthy Children Program | Keeley    | HB     | 235 |
| Guardianship/Publication             | Valihura  | HB     | 449 |
| Newborn Hearing Screening            | Schooley  | HB     | 205 |
| Parental Rights/Terminate/Final      | Buckworth | HB     | 442 |
| Protection from Harmful Materials    | Keeley    | HS1/HB | 360 |
| Sexual Abuse/Statute of Limitations  | Lavelle   | HS1/HB | 450 |
| Support/Petition to Modify           | Buckworth | HB     | 331 |

|                                            |        |    |     |
|--------------------------------------------|--------|----|-----|
| Church Sponsored Health Ministry/Liability | Hocker | HB | 246 |
|--------------------------------------------|--------|----|-----|

|                                        |           |    |     |
|----------------------------------------|-----------|----|-----|
| Clean Indoor Air/Enclosed Smoking Area | Thornburg | HB | 275 |
|----------------------------------------|-----------|----|-----|

COMMISSIONS

|                                      |         |    |     |
|--------------------------------------|---------|----|-----|
| Italian Heritage Culture/Add Members | DiPinto | HB | 543 |
| Revolutionary War Monument           | Smith   | HB | 120 |

COMPENSATION COMMISSION

|                      |           |    |     |
|----------------------|-----------|----|-----|
| Eliminate            | Smith     | HB | 539 |
| Issue Two Reports    | Thornburg | HB | 110 |
| Report Advisory Only | Valihura  | HB | 48  |

|                                       |          |    |     |
|---------------------------------------|----------|----|-----|
| Computer Breach/Financial Data/Notify | Gilligan | HB | 116 |
|---------------------------------------|----------|----|-----|

CONSTITUTION, AMEND

|                                           |          |    |     |
|-------------------------------------------|----------|----|-----|
| Attorney General/Delaware Resident        | Hudson   | HB | 402 |
| Elected Officials/Salary Increase         | Valihura | HB | 318 |
| Gaming Facilities                         | DiPinto  | HB | 440 |
| General Assembly Sessions                 | Valihura | HB | 253 |
|                                           | Valihura | HB | 457 |
| Municipalities/Allow Property Tax         | DiPinto  | HB | 545 |
| Superior & Family Courts/Associate Judges | Valihura | HB | 125 |
| Vote at Age 18                            | Lavelle  | HB | 393 |
| Voting/Felony Conviction                  | Plant    | HB | 135 |

CORPORATIONS

|                         |          |    |     |
|-------------------------|----------|----|-----|
| Voting Powers/Directors | Valihura | HB | 150 |
|-------------------------|----------|----|-----|

CORRECTION, DEPARTMENT OF

|                                 |        |    |     |
|---------------------------------|--------|----|-----|
| Inmate/Emergency/Notify Contact | Caulk  | HB | 333 |
| Prisoner Work Program/Sussex    | Atkins | HB | 340 |
| Remote Alcohol Monitoring       | Keeley | HB | 38  |
|                                 | Keeley | HB | 86  |
|                                 | Keeley | HB | 515 |

COUNTIES

|                                      |           |        |     |
|--------------------------------------|-----------|--------|-----|
| Comprehensive Plans/Local Area Plans | Lavelle   | HB     | 477 |
| Kent                                 |           |        |     |
| Board of Assessment/Location         | Wagner    | HB     | 85  |
| Building Permit Surcharge            | Buckworth | HB     | 367 |
| Property Tax                         | Stone     | HB     | 76  |
| Sewer Arrears/Monition Sale          | Wagner    | HB     | 65  |
| New Castle                           |           |        |     |
| Auditor/Functions & Duties           | Lavelle   | HS1/HB | 55  |
| Building Code/Update                 | Oberle    | HB     | 227 |
| Council/Districts & Terms            | Lavelle   | HB     | 284 |
| Executive/Appoint Agency Heads       | Smith     | HB     | 29  |
| Executive/Term Limit                 | Lavelle   | HB     | 121 |

COUNTIES (continued)

## New Castle(continued)

|                                        |              |        |     |
|----------------------------------------|--------------|--------|-----|
| Seats/Supplemental Appropriation       | Smith        | HB     | 314 |
| Vacancy on Council/Election            | Lavelle      | HS1/HB | 12  |
| Real Property Electronic Recording Act | Roy          | HB     | 79  |
| Realty Transfer Tax/Open Space         | Lavelle      | HB     | 506 |
| Roadside Stand/Size                    | Hall-Long    | HB     | 313 |
| Sidewalks/Maintenance                  | Valihura     | HB     | 224 |
| Sussex                                 |              |        |     |
| Council/Add Members                    | Booth        | HB     | 143 |
|                                        | Hocker       | HB     | 170 |
| Planning Commission/Add Members        | Booth        | HB     | 169 |
| Subdivision Road Design                | Schwartzkopf | HB     | 102 |
|                                        | Hocker       | HB     | 103 |
| Tax Collection/Unidentified Owner      | Ennis        | HB     | 223 |
| Tax Increment Financing                | Valihura     | HB     | 451 |

COURTS

|                                     |          |        |     |
|-------------------------------------|----------|--------|-----|
| Chancery/Deed Restriction Disputes  | Smith    | HB     | 454 |
| Family                              |          |        |     |
| Criminal Case/Common Pleas          | Valihura | HB     | 137 |
| Custody Order/Violate/Post Bond     | Valihura | HB     | 124 |
| Divorce/File Separately for Custody | Hudson   | HB     | 466 |
| Expunge/Age 21                      | Spence   | HB     | 305 |
| Guardianship/Publication            | Valihura | HB     | 449 |
| Juvenile/Interest Account/Bail      | Wagner   | HB     | 123 |
| Juvenile Record/Expunge/Pardon      | Roy      | HB     | 158 |
| Open Access to Proceedings          | Valihura | HB     | 540 |
| Interpretation of Laws              | Smith    | HB     | 31  |
| Medical Care/Unanticipated Outcome  | Ulbrich  | HS1/HB | 412 |
| Structured Settlement/Transfer      | VanSant  | HB     | 168 |

CRIMES

|                                           |              |        |     |
|-------------------------------------------|--------------|--------|-----|
| Animal Cruelty/Penalty                    | Cathcart     | HS1/HB | 375 |
| Assault/HIV-positive/Bodily Fluid         | Ewing        | HB     | 417 |
| Child Abduction/False Report              | Keeley       | HB     | 189 |
|                                           | Keeley       | HB     | 230 |
| Disorderly Conduct/Military Funeral       | Oberle       | HB     | 371 |
| Electronic Mail/Intent to Deceive         | Roy          | HB     | 20  |
| Gun Trail/Suppliers                       | Spence       | HB     | 308 |
| Graffiti/Sale of Spray Paint              | Miro         | HB     | 409 |
| Identity Theft/Victim Passport            | Schooley     | HB     | 334 |
| Illegal Drugs/Remove Minimum              |              |        |     |
| Mandatory Sentence                        | DiPinto      | HB     | 181 |
| Jessica's Law/Child Sex Offenders         | Spence       | HB     | 404 |
| Misdemeanor/Expungement Automatic         | Valihura     | HB     | 511 |
| Motor Vehicle Offenses/Civil Infractions  | Valihura     | HS1/HB | 312 |
| Motor Vehicle Theft/Felony                | Valihura     | HB     | 374 |
| Pirated Sound Recordings/Sell/Penalty     | Miro         | HS1/HB | 388 |
| Predatory Sex Offender/Life Sentence      | Spence       | HB     | 290 |
|                                           | Smith        | HB     | 307 |
| Prostitution/Penalty                      | Mulrooney    | HB     | 439 |
| Resisting Arrest/Penalty                  | Ewing        | HB     | 362 |
| Sexual Abuse/Child/Statute of Limitations | Lavelle      | HS1/HB | 450 |
| Shoplifting/Civil Recovery                | Hocker       | HB     | 267 |
| Street Gangs/Recruit/Felony               | Spence       | HB     | 485 |
| Stun Gun Possession                       | Miro         | HB     | 240 |
|                                           | Miro         | HB     | 270 |
| Terroristic Threatening/Internet          | Schwartzkopf | HB     | 356 |
| Theft/Penalty/Non-Profit Organization     | Keeley       | HB     | 310 |
| Tobacco/Possession/Underage               | Hudson       | HB     | 288 |
| Tracking Device/Motor Vehicle             | Hudson       | HB     | 392 |
| Trademark Counterfeiting                  | Ewing        | HB     | 225 |
| Trafficking of Persons                    | Smith        | HB     | 241 |

|                                             |              |         |     |
|---------------------------------------------|--------------|---------|-----|
| <u>CRIMES(continued)</u>                    |              |         |     |
| Undetectable Knives/Ban                     | Marshall     | HB      | 500 |
| Witness Intimidation                        | Williams     | HB      | 154 |
| Crime Victim/Mental Health Services         | Williams     | HS 2/HB | 84  |
| Criminal Procedure/Search and Seizure       | Valihura     | HB      | 92  |
| <u>CRIMINALS</u>                            |              |         |     |
| Sex Offender/Community Notification         | Oberle       | HB      | 117 |
| Sexually Violent/Involuntary Commitment     | Smith        | HB      | 43  |
| <u>DEADLY WEAPONS</u>                       |              |         |     |
| Concealed/Permit                            | Hudson       | HB      | 359 |
| Fugitive/Prohibition                        | Wagner       | HB      | 148 |
| Possession During Felony                    | Schwartzkopf | HB      | 164 |
| Swords & Nunchakus                          | Maier        | HB      | 193 |
| Debt-Management Provider/Regulate           | Keeley       | HB      | 430 |
| Diamond State Port Corporation              | Miro         | HB      | 277 |
| Dogs – See Natural Resources                |              |         |     |
| Domestic Violence Coordinating Council      | Hudson       | HB      | 391 |
| Education – see Schools                     |              |         |     |
| <u>ELECTIONS</u>                            |              |         |     |
| Absentee Ballots/Count Votes Centrally      | Ewing        | HB      | 206 |
| Absentee Voting/Open Ballots Early          | Smith        | HB      | 547 |
| Ballot Envelope Problems                    | Hudson       | HB      | 358 |
| File to Run/Register in Party               | Smith        | HB      | 9   |
|                                             | Smith        | HB      | 10  |
| Municipal/Procedures                        | Lavelle      | HB      | 410 |
| Primary/Independents Vote                   | Valihura     | HB      | 247 |
| <u>ELECTRICITY</u>                          |              |         |     |
| Electric Utility Retail Customer Supply Act | Valihura     | HB      | 4   |
| Generation Facility/Read Meter Quarterly    | Valihura     | HB      | 507 |
| Procurement/State/Prequalify Suppliers      | Smith        | HB      | 5   |
| Stabilize Pricing                           | Valihura     | HB      | 6   |
| Emergency Communication/Dead Zones          | Ennis        | HB      | 297 |
| Emergency, State of/Price Gouging           | Keeley       | HB      | 101 |
| <u>FINANCIAL DISCLOSURE</u>                 |              |         |     |
| Notary Not Required on Form                 | Smith        | HB      | 104 |
| Public Officials/Gifts/Website              | Lavelle      | HB      | 411 |
| Report Gifts                                | Lavelle      | HB      | 427 |
| <u>FIREFIGHTERS</u>                         |              |         |     |
| Advisory Council/Membership                 | Lee          | HB      | 282 |
| Retirees/Pensions/Wilmington                | Spence       | HB      | 268 |
| <u>FREEDOM OF INFORMATION</u>               |              |         |     |
| Legislative Caucuses                        | Valihura     | HB      | 354 |
| Public Records/Citizens                     | Wagner       | HB      | 461 |
| Reports Public/Public Funding               | Wagner       | HB      | 320 |
| <u>GAMING</u> – also see Lottery            |              |         |     |
| No Limit Texas Hold’Em Poker                | Lee          | HS1/HB  | 211 |

GASOLINE

|                      |          |    |     |
|----------------------|----------|----|-----|
| MTBE Banned          | Cathcart | HB | 105 |
| Pump for Disabled    | Viola    | HB | 113 |
| Grants-in-Aid/FY '06 | DiPinto  | HB | 315 |

HEALTH

|                                            |              |        |     |
|--------------------------------------------|--------------|--------|-----|
| Access to Data/Compile Statistics          | Maier        | HB     | 261 |
| Confidentiality of Personal Information    | Valihura     | HB     | 448 |
| Cord Blood Bank/Establish                  | Maier        | HB     | 281 |
| Hospital Infections Disclosure Act         | Oberle       | HB     | 26  |
| Immunizations/No Mercury                   | Maier        | HS2/HB | 108 |
| Immunization/No Prescription               | Wagner       | HB     | 278 |
| Mother & Infant Consortium/Establish       | Maier        | HB     | 202 |
| Patient Safety and Quality Improvement Act | Maier        | HS1/HB | 184 |
|                                            | Maier        | HB     | 197 |
| Patients' Trust Fund                       | Maier        | HB     | 324 |
| Plumbing Permit/Fee                        | Schwartzkopf | HB     | 503 |
| Personal Assistance Services Agency        | Oberle       | HB     | 190 |

HEALTH & SOCIAL SERVICES, DEPARTMENT OF

|                                  |        |    |     |
|----------------------------------|--------|----|-----|
| Drinking Water Lead Levels       | Hocker | HB | 528 |
| Helpline/211                     | Maier  | HB | 107 |
| Medical School Grads/Visa Waiver | Maier  | HB | 325 |

HORSE RACING

|                                          |        |    |     |
|------------------------------------------|--------|----|-----|
| Injured Driver/Jockey/Transport/Hospital | Oberle | HB | 519 |
| Non-profit Steeplechase                  | Hudson | HB | 68  |
| Safety Act                               | Oberle | HB | 518 |

|                               |          |    |     |
|-------------------------------|----------|----|-----|
| Housing/Custodianship Process | Valihura | HB | 226 |
|-------------------------------|----------|----|-----|

INSURANCE

|                                      |       |    |     |
|--------------------------------------|-------|----|-----|
| Automobile Club/License Required     | Stone | HB | 196 |
| Captive Companies/Revise Statute     | Stone | HB | 218 |
| Disability/Line-of-Duty/Firefighters | Ennis | HB | 493 |
| Form Filings/Fees                    | Stone | HB | 254 |

## Guaranty Association

|                       |       |    |     |
|-----------------------|-------|----|-----|
| Claim Filing Date     | Stone | HB | 216 |
| Net Worth Limitations | Stone | HB | 217 |

## Health

|                                        |          |        |     |
|----------------------------------------|----------|--------|-----|
| Arbitration/Providers                  | Hudson   | HB     | 438 |
| Audiological Screening                 | Spence   | HB     | 293 |
| Cover Newborn Hearing Screening        | Schooley | HB     | 205 |
| Cover Prescribed Drug                  | George   | HS1/HB | 39  |
| Dependent Children/Age 24              | Stone    | HB     | 446 |
| Medical Testimony/Negligence           | Smith    | HB     | 285 |
| Small Business Participation           | Booth    | HB     | 66  |
| Unfair Practices                       | Keeley   | HB     | 257 |
| Investments in Foreign Countries/20%   | Stone    | HB     | 463 |
| Life                                   |          |        |     |
| Benefits/Mutual Association/Limit      | Lee      | HB     | 464 |
| Life Settlements Act                   | Stone    | HB     | 538 |
| Line of Duty Death/Military            | Lofink   | HB     | 407 |
| Medical Malpractice/Report Settlements | Oberle   | HB     | 133 |
| Pharmacy Benefit Manager Practices     | Maier    | HB     | 541 |
| Unfair Practice/Penalty                | Keeley   | HS1/HB | 90  |

JUSTICE, DEPARTMENT OF

|                                    |           |    |     |
|------------------------------------|-----------|----|-----|
| Approve State Contracts            | Cathcart  | HB | 473 |
| Attorney General/Delaware Resident | Hudson    | HB | 342 |
| Line of Duty Death Benefits        | Mulrooney | HB | 533 |
| Residency Requirement              | Oberle    | HB | 366 |

JUSTICE, DEPARTMENT OF (continued)

|                                         |              |        |     |
|-----------------------------------------|--------------|--------|-----|
| Victim Notification System              | Wagner       | HB     | 352 |
| <u>LABOR</u>                            |              |        |     |
| Blue Collar Job Training/Tax Rate       | Oberle       | HB     | 180 |
| Right to Work                           | Hocker       | HB     | 188 |
| Service Members Civil Relief Act        | Stone        | HB     | 13  |
| Summer Youth Employment Program         | Spence       | HB     | 1   |
|                                         | Spence       | HS1/HB | 186 |
| Limited Liability Company               | Valihura     | HB     | 414 |
| Limited Partnerships/Domestic & Foreign | Valihura     | HB     | 415 |
| <u>LOTTERY</u>                          |              |        |     |
| Advertising on Machines                 | Wagner       | HB     | 345 |
| Live Drawing Required                   | Smith        | HB     | 62  |
| Low-income Fuel Assistance              | Williams     | HB     | 155 |
| Proceeds/Farmland Preservation          | Oberle       | HB     | 41  |
| Video                                   |              |        |     |
| Additional Site                         | DiPinto      | HB     | 348 |
| 24 Hours                                | Lofink       | HB     | 332 |
| Wilmington Waterfront                   | DiPinto      | HB     | 25  |
| Low Income Energy Assistance            | Booth        | HB     | 323 |
| <u>MANUFACTURED HOMES</u>               |              |        |     |
| Dispute Resolution                      | Valihura     | HB     | 531 |
| Exempt from Document Fee                | Atkins       | HB     | 130 |
| New Community Moratorium                | Valihura     | HB     | 222 |
| Stick-built Homes                       | Gilligan     | HB     | 384 |
| <u>MARRIAGE</u>                         |              |        |     |
| Campbell/Ulmer                          | Viola        | HB     | 138 |
| Federal Judge Officiate                 | Johnson      | HB     | 165 |
| Minor/Consent Form                      | Viola        | HB     | 171 |
| Records/Confidential                    | Longhurst    | HB     | 173 |
| <u>MEDICAID</u>                         |              |        |     |
| Preferred Drug List Exemptions          | Spence       | HB     | 317 |
| Prescription Drug Payment               | Spence       | HB     | 291 |
| Provide Dental Care                     | Ulbrich      | HB     | 259 |
| Restrictions on Prescriptions           | Spence       | HB     | 93  |
| Medical Personnel/Volunteer/Emergency   | Miro         | HS1/HB | 134 |
| <u>MILITARY</u>                         |              |        |     |
| Emergency Evacuation/Any Vehicle        | Spence       | HB     | 386 |
| Emergency Income Maintenance Program    | Smith        | HB     | 114 |
| Funeral/Disorderly Conduct              | Oberle       | HB     | 371 |
| Life Insurance Reimbursement            | Schwartzkopf | HB     | 69  |
| Line of Duty Death Benefit              | Hudson       | HB     | 99  |
|                                         | Lofink       | HB     | 407 |
| Servicemembers Civil Relief Act         | Stone        | HB     | 13  |
| <u>MOTOR VEHICLES</u>                   |              |        |     |
| Accident/Death/Test for Drugs, Alcohol  | Ulbrich      | HB     | 501 |
| Alcohol/Open Container Prohibited       | Wagner       | HB     | 37  |
| Bicycles/Electric                       | Ennis        | HB     | 304 |
| Cameras/Enforcement/Red Lights          | Keeley       | HB     | 100 |
| Child Restraint Offense/No Dismissal    | Schwartzkopf | HB     | 23  |
| Cranes/Blanket Permit/One Year          | Carey        | HB     | 221 |
| Drive in Right Lane                     | Valihura     | HB     | 508 |
| Driver's Education/Traffic Laws         | Wagner       | HB     | 49  |



MOTOR VEHICLES (continued)

## Driver's License

Commercial/National Guard

Evacuations Spence HB 386

Learner Permit

Increase Age VanSant HB 256

No Cell Phone Miro HB 63

No Radar Detector Hudson HB 144

Minimum Age/17 Smith HB 112

Points Assessed/Letter/Under Age 22 Hudson HB 127

Searchable Database/License Status Smith HB 111

Under 17/Passengers Valihura HB 191

Unlawful Use/Penalty Ewing HB 428

Ewing HB 432

Fail to Stop/Police Officer Ewing HB 363

Handicapped Permits/Nurse Sign Permit Hall-Long HB 489

Insurance Verification/Daily Updates Spence HB 214

## License Plates

Add State Website Wagner HB 232

No Cover or Masking Ewing HB 364

Motor Carriers/Financial Responsibility Miro HB 492

Motor Carrier Safety Atkins HB 15

## Motorcycles

Handlebar Height Ennis HB 96

Special Plates Fallon HB 89

Off-Highway Vehicle Violations/Fines Lofink HB 497

Parking/Mailboxes Roy HB 27

Parking Offense/Civil Penalty Wagner HB 95

Prohibit Offensive Movies, Bumper Stickers Hudson HB 126

Prohibit Video Receivers Hudson HB 128

Right Lane Only Oberle HB 199

Registration/Include Color Hocker HB 245

School Bus Drivers/Medical Exam Ewing HB 514

## Special Plates

Alfred I. duPont Hospital Lavelle HB 70

Bicycle Safety Smith HB 178

FBI Academy Graduates Ewing HB 16

Organ &amp; Tissue Donor Buckworth HB 34

911 Call Center Oberle HB 131

Patriotic Atkins HB 488

US Submarine Veterans Valihura HB 248

Vietnam War Veterans Spence HB 213

Speed Limits/School Zones Outten HB 486

Theft/Felony Valihura HB 374

Tinted Windows/Dealer Resales Miro HB 453

Municipalities/Annex/Comprehensive Plan Cathcart HB 210

NATURAL RESOURCES & ENVIRONMENT CONTROL, DEPARTMENT OF

Archaeological Resources Booth HB 229

Charter Boat/Head Boat License Fee Booth HB 520

Crop Damage Threshold/Wildlife Atkins HB 537

Deer/Destruction of Crops Atkins HB 387

Dogs/Unprovoked Attack Spence HB 470

Eagle's Nest Destruction/Penalty Atkins HB 341

Atkins HB 370

Fishing License Requirements Booth HB 520

Hazardous Substance Establishment/Closure Smith HB 294

## Hunting

Internet George HS1/HB 83

Junior License Booth HB 525

License/Persons Prohibited Hudson HB 368

Red Fox/Expand Season Outten HB 423

Landfills/Yard Waste Prohibition Smith HB 8

NATURAL RESOURCES & ENVIRONMENT CONTROL, DEPARTMENT OF(continued)

|                                         |           |    |     |
|-----------------------------------------|-----------|----|-----|
| Landscape Irrigation Systems/Standards  | Buckworth | HB | 316 |
| Litter/Increase Penalty                 | Booth     | HB | 183 |
|                                         | Booth     | HB | 212 |
|                                         | Booth     | HB | 469 |
| Parks/Lifetime Permit/Military/20 Years | Spence    | HB | 207 |
| Petroleum Product Surcharge             | Booth     | HB | 456 |
| Scrap Tire Piles/Regulate               | Ewing     | HB | 455 |
| Septic Permit/Transfer                  | Lavelle   | HB | 526 |
| Sprawl Prevention Act                   | Valihura  | HB | 280 |
| Surface Water Management                | Roy       | HB | 239 |

|                                     |       |    |     |
|-------------------------------------|-------|----|-----|
| Nurses/Interstate Licensure Compact | Maier | HB | 194 |
|-------------------------------------|-------|----|-----|

|                                   |           |    |     |
|-----------------------------------|-----------|----|-----|
| Organ Donation/HIV Positive Donor | Buckworth | HB | 177 |
|-----------------------------------|-----------|----|-----|

|                                                        |       |    |     |
|--------------------------------------------------------|-------|----|-----|
| Patient Safety and Health Care Quality Improvement Act | Maier | HB | 197 |
|--------------------------------------------------------|-------|----|-----|

|                                         |        |    |     |
|-----------------------------------------|--------|----|-----|
| Personal Assistance Services Agency Act | Oberle | HB | 190 |
|-----------------------------------------|--------|----|-----|

POLICE

|                                     |              |    |     |
|-------------------------------------|--------------|----|-----|
| Capitol/Powers and Duties           | Oberle       | HB | 482 |
| Training                            | Williams     | HB | 443 |
| Transport Mentally Ill/Mileage Rate | Schwartzkopf | HB | 502 |
| Uniform Pay Plan                    | Spence       | HB | 44  |

POLICE, STATE

|                                       |              |    |     |
|---------------------------------------|--------------|----|-----|
| Definition Does Not Include Sheriff   | Schwartzkopf | HB | 458 |
|                                       | Schwartzkopf | HB | 459 |
| Dispatchers/Uniform Pay               | Spence       | HB | 59  |
| Jurisdiction/Kent & Sussex Counties   | Buckworth    | HB | 88  |
| Primary Survivor/Health Insurance     | Atkins       | HB | 182 |
| Residency Requirement                 | Oberle       | HB | 269 |
| Retired/Ready Reserve                 | Smith        | HB | 7   |
| Survivor Health Benefits              | Atkins       | HB | 162 |
| Survivor's Pension/Line of Duty Death | Ewing        | HB | 209 |

|                                     |       |    |     |
|-------------------------------------|-------|----|-----|
| Prescription Monitoring Program Act | Smith | HB | 295 |
|-------------------------------------|-------|----|-----|

PRISONS

|                                 |        |    |     |
|---------------------------------|--------|----|-----|
| Education Program               |        |    |     |
| Drug Tests                      | Wagner | HB | 385 |
| Three Tiered License            | Wagner | HB | 145 |
| Prisoners/Parole Considerations | Miro   | HB | 46  |

PRIVATE BILLS

|                             |           |    |     |
|-----------------------------|-----------|----|-----|
| Alper/Pension               | Roy       | HB | 262 |
| Franklin/Pension            | Wagner    | HB | 174 |
| Fulmer/Educational Benefits | Stone     | HB | 301 |
| Malenfant/Pension           | Thornburg | HB | 242 |

|                                          |        |    |     |
|------------------------------------------|--------|----|-----|
| Property/Vacant/County or Municipal Lien | Keeley | HB | 166 |
|------------------------------------------|--------|----|-----|

PUBLIC ASSISTANCE

|                                |        |    |    |
|--------------------------------|--------|----|----|
| Pharmacy Service/No Co-payment | Spence | HB | 45 |
|--------------------------------|--------|----|----|

PUBLIC UTILITIES

|                                    |          |        |     |
|------------------------------------|----------|--------|-----|
| Cable TV Assessment                | Roy      | HB     | 78  |
| Notify Community/Service Change    | Cathcart | HS1/HB | 406 |
| Senior Citizen/Nonpayment/180 days | Keeley   | HB     | 467 |

|                              |         |    |     |
|------------------------------|---------|----|-----|
| Radiation Control/Fines/Fund | DiPinto | HB | 309 |
|------------------------------|---------|----|-----|

|                                             |            |        |     |
|---------------------------------------------|------------|--------|-----|
| Religious Society/Election of Trustees      | Smith      | HB     | 179 |
| Restroom Access Act                         | Roy        | HB     | 329 |
| Right to Work                               | Hocker     | HB     | 188 |
| Safe Arms for Babies/Continue               | Wagner     | HB     | 200 |
| Service Members Civil Relief Act            | Stone      | HB     | 13  |
| <u>SCHOOLS</u>                              |            |        |     |
| Advisory Council/Career Education Boards    | Oberle     | HB     | 71  |
| Elections/Christina/Add Members             | Johnson    | HB     | 327 |
| Elections/Nominating District               | Valihura   | HB     | 273 |
| Liability Exemption/Votes                   | Booth      | HB     | 361 |
| Member Recall Program                       | Ulbrich    | HB     | 504 |
| Terms of Office/Reduce                      | Valihura   | HB     | 271 |
| Term of Office/End of Term                  | Valihura   | HB     | 272 |
| Bullying Prevention Act                     | Ulbrich    | HB     | 483 |
| Buses                                       |            |        |     |
| Drivers/Medical Exam                        | Ewing      | HB     | 514 |
| Flashing White Light                        | Ewing      | HB     | 337 |
| How Am I Driving Signs                      | Spence     | HB     | 187 |
| Business/Renew Certificate Annually         | McWilliams | HB     | 233 |
| Cape Henlopen/Transfer Property             | Carey      | HB     | 57  |
|                                             | Carey      | HB     | 91  |
| Charter                                     |            |        |     |
| Admission Preference/Aptitude               | Roy        | HB     | 244 |
| Funding                                     | Hudson     | HB     | 422 |
| Minor Modifications                         | Ulbrich    | HB     | 156 |
| Choice/Relative Caregiver                   | Ulbrich    | HB     | 142 |
| Christina District/Termination/Delay        | Oberle     | HB     | 433 |
| College Tuition Incentive                   | Wagner     | HB     | 53  |
| Colonial District/Transfer Property         | Spence     | HB     | 28  |
| Construction                                |            |        |     |
| Bond/Ten Million Dollars                    | Roy        | HB     | 338 |
| Eliminate Prevailing Wage                   | Smith      | HB     | 286 |
| No Impact Fees                              | Smith      | HB     | 287 |
| Construction Market Pressure Fund           | Roy        | HB     | 302 |
| Corporal Punishment/Allow                   | Atkins     | HB     | 376 |
| Counselors/K-6/500 Pupils                   | Maier      | HB     | 289 |
| Curriculum/Uniform State-wide               | Ulbrich    | HS1/HB | 47  |
| Delaware State University/Board of Trustees | Wagner     | HB     | 204 |
| Department of Education/Financial Audits    | Schooley   | HB     | 413 |
| Districts/Insolvent/Receivership            | Valihura   | HB     | 444 |
| Driver's Education/Parent Postpone          | Smith      | HB     | 495 |
| Election Records/Five Years                 | Lavelle    | HB     | 115 |
| Financial Reporting Requirements            | Valihura   | HB     | 274 |
| Foster Children/Attendance                  | Maier      | HB     | 279 |
| High Schools                                |            |        |     |
| Diploma Requirements                        | Maier      | HS2/HB | 2   |
|                                             | Maier      | HB     | 3   |
|                                             | Oberle     | HB     | 80  |
| Higher Educational Facilities Authority     | Wagner     | HB     | 462 |
| Law School/Loan Repayment Assistance        | Valihura   | HB     | 357 |
| National Board Certification/Salary         | Spence     | HB     | 52  |
| Nurses/Funding Formula                      | Booth      | HB     | 60  |
|                                             | Booth      | HB     | 346 |
| P-20 Council                                | Wagner     | HB     | 175 |
| Physical Education/Pilot Program            | Ulbrich    | HB     | 471 |
| Professional Standards Board                | Wagner     | HB     | 87  |
| Professional Standards Board/Sunset         | Wagner     | HB     | 94  |

SCHOOLS (continued)

## Scholarships

|                                   |        |        |     |
|-----------------------------------|--------|--------|-----|
| SEED Funding                      | Wagner | HB     | 263 |
| Delaware State University/Funding | Wagner | HS1/HB | 389 |

## Students

|                                   |         |    |     |
|-----------------------------------|---------|----|-----|
| Drivers Ed. Class Work/9th Grade  | Hocker  | HB | 401 |
| IEPs/Testing                      | Smith   | HB | 377 |
| Physical Fitness Assessment       | Ulbrich | HB | 372 |
| Physically Impaired/Brain Injured | Wagner  | HB | 236 |
| Replace DSTP with National Test   | Smith   | HB | 351 |
| Testing in May/Accountability     | Smith   | HB | 349 |

## Teachers

|                                     |              |        |     |
|-------------------------------------|--------------|--------|-----|
| Classroom Control/Use of Force      | Smith        | HB     | 265 |
| Criminal Conviction/Notify District | Wagner       | HS1/HB | 509 |
| Licensure & Certification           | Wagner       | HB     | 147 |
| Termination/Formal Communication    | Schwartzkopf | HB     | 22  |

|                             |          |    |     |
|-----------------------------|----------|----|-----|
| Truancy/Charge Both Parents | Maier    | HB | 109 |
| Veteran's Day Holiday       | Cathcart | HB | 373 |
| Vouchers/Disabled Children  | Spence   | HB | 185 |

|                                            |        |        |    |
|--------------------------------------------|--------|--------|----|
| Sexual Orientation/Prohibit Discrimination | Oberle | HS1/HB | 36 |
|--------------------------------------------|--------|--------|----|

|                                     |        |    |     |
|-------------------------------------|--------|----|-----|
| Sex Offender/Community Notification | Oberle | HB | 117 |
|-------------------------------------|--------|----|-----|

STATE

|                                            |         |        |     |
|--------------------------------------------|---------|--------|-----|
| Affordable Energy Credit Fund              | Spence  | HB     | 369 |
| Agencies/Consent Decree/Public Participate | Oberle  | HB     | 192 |
| Archaeology/Resources                      | Booth   | HB     | 229 |
| Boundary/Northern                          | Smith   | HS1/HB | 296 |
| Buildings/Art Works                        | DiPinto | HB     | 490 |
| Cabinet Secretary/Delaware Resident        | Atkins  | HB     | 82  |
| Contracts/Mandatory Drug Test              | Oberle  | HB     | 106 |
|                                            | Viola   | HB     | 119 |
| Disaster Relief Fund/Create                | Outten  | HB     | 544 |

## Employees

|                                  |           |        |     |
|----------------------------------|-----------|--------|-----|
| Casual/Seasonal to Permanent     | Wagner    | HB     | 208 |
| Complaint/Prohibit Retaliation   | Wagner    | HB     | 58  |
| Donated Leave Program            | Williams  | HB     | 30  |
| E-mail/Acceptable Use Policy     | Wagner    | HB     | 395 |
|                                  | Wagner    | HS1/HB | 505 |
| Merit/Higher Position/Compensate | Williams  | HB     | 408 |
| Mileage Reimbursement            | Booth     | HB     | 61  |
| Non-resident/State Car Use       | Atkins    | HB     | 81  |
| Occupational Health Program      | Hall-Long | HB     | 219 |
| Ombudsman/Create Office          | Wagner    | HB     | 394 |

## Pensions

|                             |         |    |     |
|-----------------------------|---------|----|-----|
| Military Service Credit     | Spence  | HB | 512 |
| Survivor's/Former Spouse    | Lavelle | HB | 546 |
| Veterans/Active Duty Credit | Spence  | HB | 129 |

|                                 |        |    |     |
|---------------------------------|--------|----|-----|
| Personnel Management Training   | Wagner | HB | 396 |
| Sick Leave/Adoption/Overseas    | Spence | HB | 198 |
| Sick Leave/Retired State Police | Ennis  | HB | 17  |

|                                     |          |    |     |
|-------------------------------------|----------|----|-----|
| Energy Office/Market Programs       | Booth    | HB | 322 |
| Facilities/Construct on Brownfields | Valihura | HB | 251 |

## Holidays

|                                    |       |    |    |
|------------------------------------|-------|----|----|
| Presidents' Day/Washington/Lincoln | Smith | HB | 64 |
|------------------------------------|-------|----|----|

|                                      |          |    |     |
|--------------------------------------|----------|----|-----|
| Macroinvertebrate/Stonefly           | Hudson   | HB | 77  |
| Office of Management & Budget        | DiPinto  | HB | 299 |
| Official Language/English            | Outten   | HB | 436 |
| Property/Convey to New Castle County | Gilligan | HB | 416 |
| Public Works Contract Funding Out    | Ulbrich  | HB | 496 |
| Service Centers/Background Checks    | Maier    | HB | 378 |
|                                      | Maier    | HB | 383 |
| Symbol/Dog/Pug                       | Valihura | HB | 420 |

|                                             |          |        |     |
|---------------------------------------------|----------|--------|-----|
| Stockley Center/Voluntary Admissions        | Maier    | HB     | 258 |
| Summer Youth Employment Program             | Spence   | HB     | 1   |
|                                             | Spence   | HS1/HB | 186 |
| <u>TATTOO PARLORS</u>                       |          |        |     |
| Body Piercing/Regulate                      | Maier    | HB     | 468 |
| Criteria for Permit                         | Maier    | HB     | 365 |
| <u>TAXES</u>                                |          |        |     |
| Business                                    |          |        |     |
| Credit/Defibrillator                        | Wagner   | HB     | 54  |
| Credit/Research & Development               | Hudson   | HB     | 56  |
| Corporation Income Tax                      |          |        |     |
| Foreign Sales Corporations/<br>Eliminate    | Hudson   | HB     | 398 |
| Credits                                     |          |        |     |
| Land & Historic Resource                    | Hudson   | HB     | 228 |
| Second Chance Employment Tax                | Plant    | HB     | 306 |
| Debt Collection/State Agencies              | Oberle   | HB     | 153 |
| Delinquent/Maintain List                    | Hudson   | HS1/HB | 118 |
| Gross Receipts                              |          |        |     |
| Exemption/Fire School Contractors           | Ennis    | HB     | 382 |
| Prescriptions/Eliminate                     | Hudson   | HB     | 160 |
| Reduce                                      | Hudson   | HB     | 159 |
|                                             | Hudson   | HB     | 303 |
| Headquarters Management Corporations        | Hudson   | HB     | 264 |
| Income                                      |          |        |     |
| Check-off/Special Olympics                  | Valihura | HB     | 252 |
| Credits                                     |          |        |     |
| Long Term Care Insurance                    | Miro     | HB     | 146 |
| Renewable Energy                            | Oberle   | HB     | 132 |
| Teachers/School Supplies                    | Wagner   | HB     | 203 |
| Volunteer Firemen                           | Ennis    | HB     | 163 |
| Deductions                                  |          |        |     |
| College Investment Plan                     | Oberle   | HB     | 136 |
| Four Stoke Motorboat                        | Oberle   | HB     | 40  |
| Juvenile Diabetes Fund                      | Spence   | HB     | 220 |
| Exclusions/Federal Retirees                 | Hocker   | HB     | 97  |
| Exemptions                                  |          |        |     |
| Sale of Agricultural Property               | Lavelle  | HB     | 527 |
| Pension Income Exempt                       | Valihura | HB     | 249 |
| Interest Rates/Late Payments                | Hudson   | HB     | 397 |
| Motor Fuel/Suspend Date                     | Spence   | HB     | 421 |
| Municipal Lodging/Continue                  | Keeley   | HB     | 141 |
| Public Utilities                            |          |        |     |
| Internet Service Exemption                  | Roy      | HB     | 11  |
| Realty Transfer                             |          |        |     |
| Agricultural Property Exempt                | Lavelle  | HB     | 521 |
| Merger Loophole                             | Hudson   | HB     | 330 |
| Tobacco Products/Internet Sales             | Hudson   | HB     | 460 |
| Traffic – See Motor Vehicles                |          |        |     |
| <u>TRANSPORTATION, DEPARTMENT OF</u>        |          |        |     |
| Advertising Permitted                       | Wagner   | HB     | 344 |
| Local Area Plan/Public/Private Partnerships | Lavelle  | HB     | 479 |
| Road Construction/Pedestrian Access         | Lavelle  | HB     | 478 |
| Outdoor Advertising/Allow Digital           | Spence   | HB     | 499 |
| Public Road/Closure/Coordinate Locally      | Lavelle  | HB     | 480 |
| Tax Ditch/Record Notice                     | Carey    | HB     | 475 |

|                                          |           |    |     |
|------------------------------------------|-----------|----|-----|
| Trusts, Statutory/Clarification          | Stone     | HB | 445 |
| <u>UNEMPLOYMENT COMPENSATION</u>         |           |    |     |
| Remove Cap/Experience Factor             | Oberle    | HB | 419 |
| <u>UNIFORM ACTS</u>                      |           |    |     |
| Electronic Postmark/Legal Requirements   | Stone     | HB | 532 |
| Domestic & Foreign Limited Partnerships  | Valihura  | HB | 424 |
| Foreign Limited Partnerships             | Valihura  | HB | 151 |
| Interstate Family Support Act            | Buckworth | HB | 195 |
| Real Property Electronic Recording Act   | Roy       | HB | 79  |
| <u>UNIFORM COMMERCIAL CODE</u>           |           |    |     |
| Deposit Accounts                         | Stone     | HB | 435 |
| Secured Transactions                     | Stone     | HB | 238 |
| Utility Meters/Standards                 | Valihura  | HB | 529 |
| <u>VETERANS</u>                          |           |    |     |
| State Home/Administration                | Spence    | HB | 335 |
| Video Games/Clearly Display Rating       | Keeley    | HB | 319 |
| <u>WATER</u>                             |           |    |     |
| Surface Water Management                 | Roy       | HB | 239 |
| Weatherization/Appropriation             | Booth     | HB | 321 |
| Welfare –see Public Assistance           |           |    |     |
| <u>WILMINGTON</u>                        |           |    |     |
| Residency Requirement/Reduce             | Oberle    | HB | 32  |
| <u>WORKERS' COMPENSATION</u>             |           |    |     |
| List Health Care Providers               | Smith     | HB | 292 |
| Sports Officials/Independent Contractors | Maier     | HB | 381 |



**HOUSE SESSION DATES**  
**2005**

**JANUARY**

1st Day      11th  
2nd Day      12th  
3rd Day      13th  
4th Day      18th  
5th Day      19th  
6th Day      25th  
7th Day      26th  
8th Day      27th

**APRIL**

15th Day      12th  
16th Day      13th  
17th Day      14th  
18th Day      19th  
19th Day      20th  
20th Day      21st  
21st Day      26th  
22nd Day      27th  
23rd Day      28th

**JUNE**

31st Day      1st  
32nd Day      2nd  
33rd Day      8th  
34th Day      9th  
35th Day      14th  
36th Day      15th  
37th Day      16th  
38th Day      21st  
39th Day      22nd  
40th Day      23rd  
41st Day      28th  
42nd Day      29th  
43rd Day      30th

**MARCH**

9th Day      15th  
10th Day      16th  
11th Day      17th  
12th Day      22nd  
13th Day      23rd  
14th Day      24th

**MAY**

24th Day      3rd  
25th Day      4th  
26th Day      5th  
27th Day      10th  
28th Day      11th  
29th Day      12th  
30th Day      31st

**1st SPECIAL SESSION**

**JULY**

1st Day      1st  
**2nd SPECIAL SESSION**

**NOVEMBER**

1st Day      3rd

**HOUSE SESSION DATES**  
**2006**

**JANUARY**

1st Day      10th  
2nd Day      11th  
3rd Day      12th  
4th Day      17th  
5th Day      18th  
6th Day      19th  
7th Day      24th  
8th Day      25th  
9th Day      26th

**APRIL**

19th Day      4th  
20th Day      5th  
21st Day      6th  
22nd Day      11th  
23rd Day      12th  
24th Day      13th

**JUNE**

32nd Day      1st  
33rd Day      6th  
34th Day      7th  
35th Day      8th  
36th Day      13th  
37th Day      14th  
38th Day      15th  
39th Day      20th  
40th Day      21st  
41st Day      22nd  
42nd Day      27th  
43rd Day      28th  
44th Day      29th  
45th Day      30th

**MARCH**

10th Day      14th  
11th Day      15th  
12th Day      16th  
13th Day      21st  
14th Day      22nd  
15th Day      23rd  
16th Day      28th  
17th Day      29th  
18th Day      30th

**MAY**

25th Day      2nd  
26th Day      3rd  
27th Day      4th  
28th Day      10th  
29th Day      11th  
30th Day      30th  
31st Day      31st

**1st SPECIAL SESSION**

**JULY**

1st Day      1st