

Brings me to cost effectiveness. The beauty of the three-branch harmony and interdependence that is the hallmark of Delaware government's culture is that we are able to work together. To me, that means not only that we must limit spending to vital needs and judiciously raise revenues, but that we also have to oversee our fiscal policies so that we can be considering value-enhancing opportunities.

Let me list a few things that we have done and are doing in the Judicial Branch to work with you toward this goal.

We have cooperated with the Governor and the Budget Director to trim our FY '03 positions to bare bones minimum.

We've cut back our FY '04 budget request to rock bottom. We do need \$727,300 to address the ever-growing and constitutionally mandated costs of indigent defense services and we hope that will be forthcoming.

We have judiciously raised court fees so that we will have additional \$2 million of additional revenue that we expect to generate in '04 out of our court fees and it's already in the revenue stream. This \$2 million, or near \$2 million is almost enough to cover our down payment of 2.5 million on COTS. We have significantly enhanced our collection of fines, costs and restitutions.

This joint effort of Senate Bill 58 will raise additional revenue because of the high filing fees that will be required either on the technology side or the mediation side of that.

And then finally let me say we're implementing the recommendations of the Court Resources Task Force that was chaired by Jim Gilliam, Jr. Among the cost-effective initiatives of the Task Force are:

Streamlining the Administrative Office of the Courts.

Appointing a liaison justice, Justice Holland, to oversee the functioning of the Administrative Office of the Courts.

Designating each of our presiding judges of the trial courts as a point person for other recommendations of the Gilliam Task Force.

I will not go into any further detail on the many business-like recommendation of the Court Resources Task Force except to note that I have taken the very first step to implement the recommendation of the Task Force that an Equal Justice Fund be established within the Delaware Community Foundation. This task force worked diligently. Citizens doing public service on a pro bono basis most effectively and expertly and I am delighted that Jim Gilliam is with us today. He headed this superb team and I want to thank him publicly for the outstanding public service.

Cost effectiveness is more than just internal modernization. It requires that all the pieces of the justice system work together.

We start out with the premise that every part of our criminal justice system has a cost. Capitol cases have a cost. I'm not asking you to repeal the death penalty but you have to recognize that the apparatus necessary to prosecute, defend and appeal a capitol case are enormous so we must continue to recognize that as we go forward with our cost analysis. And we have a lot of capitol cases to process.

Justice Walsh, said in his Law Day Speech on May 1st the following:

When I joined the Superior Court in 1972, the Court had on its docket 5 to 6 murder cases each year in New Castle County and not more than a total of 10 statewide. That pattern continued for most of the seventies. Today in New Castle County alone we have 25 capital murder cases on the docket. One of these cases requires weeks of jury selection, trial and penalty determination. The number of judges in the Superior Court has increased from 11 to 19—not quite double—while the number of serious felony prosecutions has increased five fold. That's from Justice Walsh.

The criminal justice apparatus must staff those cases with prosecutors, defense lawyers Public Defenders, clerks, bailiffs, capitol police. And so we have the inevitable costs of the appeals as well.

You were very kind today to pay tribute to Justice Walsh and I just want to thank him publicly. He is here with his wife, Maddie and he has deserved the superlative words that you've given him, that have been "spread on the record". He has asked me on more than one occasion to tone down my tendency to be effusive when I'm complimenting him. But now, on behalf of the Judicial Branch, I want to echo what you have done and thank him for his exemplary service. Justice Walsh.

One of his many contributions is speedy trials. He has headed two committees the most recent of which is the Delivery of Criminal Justice Policy Committee and Justice Myron T. Steele will be taking over that responsibility and Justice Steele has great expertise in the area. He also served on all constitutional courts, he's our Liaison Justice to SENTAC and he has also headed up our efforts for indigent services. That process will be going forward. But we have to recognize that, as we look at speedy trials, as we look at the fine work that SENTAC is doing, we have to recognize what Commissioner Stan Taylor told us in his report to the Joint Finance Committee. And that is that the Department of Correction admits and releases over 20,000 offenders each year and that number is growing by 225 or 250 a year. And he says that because of that growth we're going to have to start planning a 1000-bed facility that will cost \$85 million in construction costs and \$20 to \$35 million in operating costs. So he says that it's time to review the sentencing policies and practices of the state in order to mitigate those costs.

SENTAC and others are studying the wisdom relating to reform of mandatory minimum sentences. You have two bills in the House, House Bill 35 and House Bill 52, people are talking about the compromises and permutations of those provisions. And I'm not going to get into which is better or what other system should be done. But every time we turn around we see what's happening with mandatory minimums. At least eight states have abolished them or adjusted them significantly as a cost-cutting measure.

Just this week we saw in the News Journal about the federal legislation relating to the Amber Alert Law that ties a judge's hands so that the inflexible aspect of a one size fits all problem is going to result in enormous costs.

The American Bar Association has adopted what they call a "Blueprint for Cost-Effective Pretrial, Detention, Sentencing and Corrections Systems." And I have had that handed out to each of you with a copy of the State of the Judiciary message, the Bond Bill presentation and the budget presentation of the judicial branch of government and I really request that you look at it, I don't want to take your time today to go through it but in that blueprint, for example, they call on each state government to review sentencing laws, probation and parole guidelines, mandatory sentencing alternatives and the like. I'm not saying that these are the way to go or that any one of these things should be studied. I think we can get some grants to study them but I do think that what we really need to do is to look at that 107 of the ABA, consider what needs to be done and go from there.

Given Commissioner Taylor's gloomy prediction about the 1,000 prison bed facility, and the \$85 million, Judge Gebelein wrote to me recently and he said:

Now is the time to abolish "mandatory minimum" sentences. For one thing, they are a throwback to pre "truth in sentencing" times when various statutes were enacted to require a specific sentence and to require it be served. Continued study, he said, of the entire sentencing structure must go on. SENTAC has begun to study it and it has become clear that the policy decisions in one area of the system greatly impact the other.

Which brings me to my conclusion and that is that we have two kinds of demands on our system. One is a healthy demand and one is a toxic demand. The healthy demand includes business and civil litigation that serves our injured citizens, families in need and our business enterprises. The toxic demand is the demand placed on our criminal justice from police, court, corrections. Crime is toxic. We have to bring individuals accused of crime to a fair and swift trial and we have to incarcerate violent and repeat offenders. It is the criminal justice system that places incredible stress on our resources and the people who work in the system. We have made substantial progress toward reducing backlogs and getting criminal cases to trial. We need more help in that connection. All through the system, from the Public Defender, the prosecutors to the courts and corrections.

We cannot expect our judges, and our other employees to continue to keep up with the pace. At the same time we cannot ask you for everything that we need. We do ask you for the minimum \$727,000 for indigent services, and the minimal \$2.5 million in the Bond Bill Committee for COTS. We have to do that, in my opinion, this year.

But we need to find, however, ways to reduce the toxic aspects of the demand. We need the cost-benefit study of all of our sentencing systems from A to Z, we ought to look at that ABA "Blueprint," and we ought to look at every way we can be more cost-effective throughout the system and I know that you're doing that.

It is a high honor to serve you as Chief Justice of this great State of my birth. My wife, Suzy is here and we both look back on the challenging eleven years that we've already had in this public service and we look forward to one more year to work with you in accomplishing these goals.

Mr. Speaker, President pro Tempore, Lieutenant Governor, I want to thank you very much for the privilege of presenting this Message to you today.

Mr. Speaker Spence thanked the Chief Justice for his presentation. Representatives Wagner & George made comments.

Representatives Keeley, Hudson, Hocker, Cathcart, Houghton & Hall-Long requested that they be marked present.

Representative Lee introduced and brought **HCR 24**, jointly sponsored by Representative Spence & Representative Smith & Representative Gilligan & Representative VanSant on behalf of All Representatives & Senator Adams & Senator McDowell & Senator Still & Senator Sorenson on behalf of All Senators, before the House for consideration.

**HCR 24 - EXTENDING SINCERE THANKS TO THE CAREER AND TECHNICAL STUDENT ORGANIZATIONS OF DELAWARE FOR THE PRESENTATION OF THE BEAUTIFUL GERANIUMS AND EXTENDING BEST WISHES FOR MUCH SUCCESS TO EACH OF THESE EXEMPLARY STUDENTS.**

Representative Lee requested and was granted privilege of the floor for Rachel Chillias, President, Future Farmers of America, Roy Willey, IV, Vice-President, Business Professionals of America; Hunter Emory, President, DECA, an Association of Marketing Students; Kellie Wise, President, Technology

Student Organization, Dynez Bolden, representing the Family Career & Community Leaders of America, Lindsey Shipley, President, Vocational Industrial Clubs of America, representing V.I.C.A. Students, who addressed the House.

Mr. Speaker Spence appointed Representative Quillen as Acting Speaker.

**HCR 24** was adopted by voice vote and was sent to the Senate for concurrence.

Mr. Acting Speaker assigned **HB 147** to the Appropriations Committee.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has defeated **HB 24** and is returning same to the House.

Representatives Mulrooney & Gilligan requested that they be marked present.

The Majority Whip moved to recess for caucus at 3:05 p.m.

The House reconvened at 4:21 p.m. with Representative Buckworth as Acting Speaker.

Representatives Williams & Smith requested that they be marked present.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis brought **HB 101**, jointly sponsored by Senator Vaughn & Representatives Atkins, Buckworth, Caulk, Ewing, Hall-Long, Houghton, Lee, Quillen, Spence, Stone, Thornburg & Wagner, before the House for consideration.

**HB 101** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE GENERAL POWERS OF THE GOVERNMENT OF KENT COUNTY.

Representative B. Ennis brought **HA 1** to **HB 101**, jointly sponsored by Representatives Buckworth, Caulk, Ewing, Hall-Long, Quillen, Stone, Thornburg & Wagner, before the House for consideration.

Representative B. Ennis made comments.

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

The roll call on **HB 101 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Thornburg - 1.

Therefore, having received a constitutional majority, **HB 101 w/HA 1** was sent to the Senate for concurrence.

Representatives Caulk, Lavelle, Reynolds, Stone, Boulden & Oberle requested that they be marked present during the roll call.

Representative Smith brought **HB 112 w/SA 1**, sponsored by Representative Lee & Representative George & Senator Henry & Representatives Booth, Buckworth, Carey, Cathcart, Caulk, DiPinto, Ewing, Hudson, Lavelle, Lofink, Reynolds, Ulbrich, VanSant, B. Ennis, Hall-Long, Keeley, Houghton & Viola & Senators Still, Sorenson, Amick, Bunting, Cloutier, Connor & Simpson & cosponsored by Representative Spence, before the House for concurrence on **SA 1**.

**HB 112** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO FIRE PREVENTION. (2/3 bill)

Representative Smith deferred to Representative B. Ennis.

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

Representative Smith made a comment.

The roll call on **HB 112 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 112 w/SA 1** was sent to the Governor.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HB 154**, jointly sponsored by Senator Henry & Representatives Buckworth, Carey, Caulk, DiPinto, Ewing, Fallon, Hall-Long, Hudson, Lavelle, Maier, Mulrooney, Quillen & Viola & Senators Blevins, Simpson & Sorenson, before the House for consideration.

**HB 154** - AN ACT TO AMEND TITLES 9 AND 22 OF THE DELAWARE CODE RELATING TO PERSONS WITH DISABILITIES.

Representative Valihura made comments.

The roll call on **HB 154** was taken and revealed:

YES: 38.

ABSENT: Representatives Cathcart, Lee & Spence - 3.

Therefore, having received a constitutional majority, **HB 154** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **HB 129**, jointly sponsored by Representative Wagner & Senator Blevins & Senator Vaughn, before the House for consideration.

**HB 129** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE TOBACCO SETTLEMENT ACT. (2/3 bill)

Representative Hudson made comments.

The roll call on **HB 129** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 129** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 133**, jointly sponsored by Senator Vaughn & Senator Henry, before the House for consideration.

**HB 133** - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE ACCOUNTING AND DISTRIBUTION OF A DECEDENT'S PROPERTY WITHOUT GRANT OF LETTERS.

Representative Wagner introduced and brought **HA 1** to **HB 133** before the House for consideration. Representative Wagner made a comment. **HA 1** was adopted by voice vote.

Representative Wagner made a comment.

The roll call on **HB 133 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 133 w/HA 1** was sent to the Senate for concurrence.

Representative Wagner introduced a guest.

Representative Wagner brought **HB 135**, jointly sponsored by Senator Blevins & cosponsored by Representative Thornburg, before the House for consideration.

**HB 135** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO DESIGNER DRUGS OR OTHER CONTROLLED SUBSTANCES. (F/N)

Representative Wagner made comments.

Representative Wagner brought **HA 1** to **HB 135** before the House for consideration. Representative Wagner made a comment. **HA 1** was adopted by voice vote.

The roll call on **HB 135 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 135 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier brought **SCR 6**, sponsored by Senator Amick & Senators Henry, Simpson & Sokola & Representatives B. Ennis, Miro & Stone, before the House for consideration.

**SCR 6** - URGING THE DIVISION OF SOCIAL SERVICES TO PROVIDE FOR A CAP OR WAIVER OF THEIR NON-EMERGENCY TRANSPORTATION CO-PAY POLICY FOR HARDSHIP CASES.

Representative Maier made comments.

**SCR 6** was adopted by voice vote and was returned to the Senate.

Representative Lee deferred to Representative Hudson.

Representative Hudson brought **HB 130**, cosponsored by Senator Blevins & Representative Wagner & Senator Vaughn, before the House for consideration.

**HB 130** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE TOBACCO SETTLEMENT ACT.

Representative Hudson made comments.

The roll call on **HB 130** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 130** was sent to the Senate for concurrence. The Reading Clerk read the following communication into the record:

Memorandum

TO: Terry R. Spence, Speaker of the House of Representatives  
FROM: Representative Joseph E. Miro  
DATE: May 13, 2003  
RE: Absence From Session

Please excuse my absence from session tomorrow, May 14th, as I will be out of town.

If you require additional information, please let me know.

Representative Smith made an announcement.

The Majority Leader moved to recess to the call of the Chair at 4:59 p.m.

Mr. Acting Speaker Roy called the House to order at 2:07 p.m. on May 14, 2003.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 93 w/SA 1** and requests the concurrence of the House; **HCR 24** and is returning same to the House.

MEMORANDUM

TO: Speaker Terry Spence  
FROM: Representative Bruce Reynolds

DATE: May 13, 2003  
SUBJECT: Absence from Session

Please excuse my absence from session on Thursday, May 15, 2003 due to personal business. Representative Ewing made an announcement. The Majority Leader moved to adjourn at 2:08 p.m., thereby ending the current legislative day. The House reconvened at 2:09 p.m.

**28th LEGISLATIVE DAY - 142nd GENERAL ASSEMBLY - First Session  
May 14, 2003**

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Lofink & Miro – 2.

A prayer was offered by Representative Pamela S. Maier, Twenty-First Representative District.

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

The following prefiled legislation was introduced:

**HB 166 - BUCKWORTH & SENATOR STILL - HOUSE ADMINISTRATION - An Act to Amend Chapter 272, Volume 63, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the Town of Camden". (2/3 bill)**

**HB 169 - WILLIAMS & SENATOR HENRY; REPRESENTATIVES CATHCART, B. ENNIS, GILLIGAN, HALL-LONG, HOUGHTON, KEELEY, MAIER, OBERLE, PLANT - BUSINESS/CORPORATIONS/COMMERCE - An Act to Amend Title 6, Chapter 24 of the Delaware Code Relating to Consumer Credit.**

**HB 170 - GEORGE & SENATOR BLEVINS; REPRESENTATIVES BUCKWORTH, B. ENNIS, HALL-LONG, LEE, MULROONEY, PLANT, SCHWARTZKOPF, SPENCE, VALIHURA, VIOLA; SENATOR SOKOLA - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Abandoned Vehicles.**

**HB 171 - REYNOLDS & SENATOR SOKOLA; REPRESENTATIVES B. ENNIS, MAIER; SENATORS AMICK, BLEVINS, CONNOR, HENRY, SIMPSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Student Loans.**

**HB 172 - HUDSON & SENATOR HENRY - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 and Title 22 of the Delaware Code Relating to Signage on Parking Spaces or Zones Designated for Use by Persons with Disabilities. (2/3 bill)**

**HB 173 - REYNOLDS & SENATOR SOKOLA; REPRESENTATIVE MAIER - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Exceptional Persons.**

**HB 174 - 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 175 - MAIER & SENATOR BLEVINS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to DNA Analysis and Data Bank.**

**HB 176 - FALLON & SENATOR BLEVINS & SENATOR SORENSON; REPRESENTATIVES SPENCE, SMITH, CAREY, CAULK, HOCKER, MAIER, B. ENNIS, HOUGHTON, PLANT, WILLIAMS; SENATORS MCBRIDE, PETERSON, SOKOLA, AMICK - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Dentistry and Dental Hygiene.**

**HB 181 - SMITH & SENATOR VENABLES; REPRESENTATIVES ATKINS, BUCKWORTH, DIPINTO, EWING, FALLON, HOCKER, HUDSON, MAIER; SENATORS BUNTING, SORENSON, AMICK, COPELAND, SIMPSON - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to the Protection of Continued Access to Health Care.**

**HB 182 - SMITH & SENATOR VENABLES; REPRESENTATIVES ATKINS, BUCKWORTH, DIPINTO, EWING, FALLON, HOCKER, HUDSON, MAIER; SENATORS BUNTING, SORENSON, AMICK, COPELAND, SIMPSON - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to the Protection of Continued Access to Health Care.**

**HA 1 to HS 1 for HB 19 - LAVELLE - Placed with the Bill.**

**HA 1 to HB 49 - B. ENNIS - Placed with the Bill**

**SB 93 w/SA 1 - MCDOWELL & SENATOR HENRY & REPRESENTATIVE WILLIAMS; SENATORS ADAMS, AMICK, BLEVINS, CLOUTIER, DELUCA, MARSHALL; REPRESENTATIVES BUCKWORTH, CAREY, CATHCART, DIPINTO, D. ENNIS, FALLON, GEORGE, HOCKER, HUDSON, KEELEY, LOFINK, MIRO, OBERLE, PLANT, REYNOLDS, ROY, SPENCE, STONE, ULBRICH, VALIHURA, WAGNER - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Titles 26 and 29 of the Delaware Code Relating to State Government, the State Energy Office, and Electric Utility Public Purpose and Consumer Education Programs.**

Representative Gilligan requested that he be marked present.

Representative Gilligan requested and was granted personal privilege of the floor and requested that **HB 94** be stricken.

Representatives Hudson & Keeley requested that they be marked present.

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

Representative Wagner requested that she be marked present.

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

Mr. Acting Speaker, Representatives Maier & Gilligan made comments.

Representative Williams requested that he be marked present.

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

The House reconvened at 4:45 p.m. with Representative Quillen 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 Vincent A. Lofink

DATE: May 14, 2003

RE: Absence from Session

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

Representatives Ulbrich, George & Atkins requested that they be marked present.

Representative Smith deferred to Representative Lee.

Representative Lee introduced and brought **HR 29**, jointly sponsored by Representative Spence & Representative Smith & Representative Gilligan & Representative VanSant, before the House for consideration.

**HR 29 - PERTAINING TO THE RELEASE OF LISTS OF HIGH SCHOOL GRADUATES TO THE HOUSE OF REPRESENTATIVES.**

Representative Lee made comments.

**HR 29** was adopted by voice vote.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought **SB 35**, jointly sponsored by Senator Simpson & Representative Quillen & Senators Amick, Cloutier, Henry & Still & Representatives Booth, Buckworth, Carey, DiPinto, B. Ennis, Hall-Long, Hocker, Houghton, Lavelle, Lee, Lofink, Miro & Schwartzkopf, before the House for consideration.

**SB 35 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO COMMERCIAL WINDOW TINTING. (2/3 bill)**

Representative Ewing made a comment. Representative Ewing introduced and brought **HA 1 to SB 35** before the House for consideration. Representative Ewing made a comment. **HA 1** was adopted by voice vote. Representative Ewing made a comment.

The roll call on **SB 35 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Lofink & Miro - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 35 w/HA 1** was returned to the Senate for concurrence on **HA 1**.

Representatives Buckworth, DiPinto, D. Ennis, Oberle, Plant, Reynolds, Spence, Stone & Cathcart requested that they be marked present during the roll call.

Representative Lee made comments regarding **SB 35**.

Representative Smith deferred to Representative Lavelle.

Representative Lavelle brought **HS 1 for HB 19** before the House for consideration.

**HB 19 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTION OFFICERS.**

Representative Lavelle brought **HA 1 to HS 1 for HB 19** before the House for consideration.

Representative Lavelle made a comment. **HA 1** was adopted by voice vote. Representatives Lavelle & Maier made comments. Representative Lavelle requested and was granted privilege of the floor for Ron Smith, House Attorney. Representatives Lavelle & Ewing made comments.

The roll call on **HS 1 for HB 19 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Lofink, Miro & Spence - 3.

Therefore, having received a constitutional majority, **HS 1 for HB 19 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner moved to lift **HR 25** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Wagner brought **HR 25** before the House for consideration.

**HR 25** - A RESOLUTION TO ESTABLISH A MEDIATION TECHNOLOGY TASK FORCE TO EXAMINE WAYS TO CREATIVELY APPLY NEW TECHNOLOGIES TO THOSE DISPUTES MEDIATED IN THE COURT OF CHANCERY.

Representatives Wagner & Booth made comments.

**HR 25** was adopted by voice vote.

Representative Lee deferred to Representative Lavelle.

Representative Lavelle brought **HB 63**, jointly sponsored by Representative Smith & Senator Sokola & Senator Sorenson & Representatives Gilligan, Hudson, Miro, Spence & VanSant & Senators Cloutier & Henry, before the House for consideration.

**HB 63** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO REFLECTIVE MATERIAL ON LARGE TRASH CONTAINERS LOCATED ON HIGHWAYS. (2/3 bill)

Representative Lavelle brought **HA 1 to HB 63** before the House for consideration. Representative Lavelle made a comment. **HA 1** was adopted by voice vote. Representatives Lavelle & DiPinto made comments.

The roll call on **HB 63 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives Lofink, Miro, Roy & Smith - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House,

**HB 63 w/HA 1** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Hocker.

Representative Hocker brought **HB 148**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 148** - AN ACT TO AMEND CHAPTER 295, VOLUME 65, LAWS OF DELAWARE, AS AMENDED, BEING AN ACT ENTITLED: "AN ACT TO AMEND THE TOWN CHARTER OF BETHANY BEACH," TO AUTHORIZE THE TOWN COUNCIL TO PROVIDE, BY ORDINANCE, FOR THE COUNTING OF ABSENTEE BALLOTS PRIOR TO THE CLOSING OF THE POLLS, PROVIDED THAT THE COUNT OF SUCH ABSENTEE BALLOTS BE KEPT SECRET UNTIL SUCH TIME THE POLLS ARE CLOSED. (2/3 bill)

Representative Hocker made comments.

Mr. Speaker Spence resumed the Chair.

The roll call on **HB 148** was taken and revealed:

YES: 38.

ABSENT: Representatives Lofink, Miro & Smith - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House,

**HB 148** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Quillen.

Representative Quillen brought **HB 141**, jointly sponsored by Senator Bonini, before the House for consideration.

**HB 141** - AN ACT TO AMEND AN ACT ENTITLED AN ACT TO REINCORPORATE THE CITY OF HARRINGTON, BEING CHAPTER 115, VOLUME 69, LAWS OF DELAWARE, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF THE CITY OF HARRINGTON, DELAWARE. (2/3 bill)

Representative Quillen brought **HA 1 to HB 141** before the House for consideration. Representative Quillen made a comment. **HA 1** was adopted by voice vote. Representative Quillen made a comment.

The roll call on **HB 141 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Lofink, Miro & Smith - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House,

**HB 141 w/HA 1** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Carey.

Representative Carey introduced a guest.

Representatives Lavelle & DiPinto made comments.

Mr. Speaker Spence reassigned **HB 164** to the Land Use and Infrastructure Committee.

Representative Lee deferred to Representative Ulbrich.

Representatives Ulbrich & Maier made announcements.

The Majority Leader moved to recess for caucus at 5:24 p.m.

The House reconvened at 5:41 p.m.

Mr. Speaker Spence made an announcement.

Representative Lee deferred to Representative Wagner.

Representative Wagner brought **SB 58**, jointly sponsored by Senator Adams & Representative Smith & Senator Vaughn, before the House for consideration.

**SB 58 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE COURT OF CHANCERY.**

Representative Wagner made a comment.

The roll call on **SB 58** was taken and revealed:

YES: 37.

ABSENT: Representatives Lofink, Miro, Oberle & Smith - 4.

Therefore, having received a constitutional majority, **SB 58** was returned to the Senate.

Representative Lee deferred to Representative Ewing.

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

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with action on **SB 93 w/SA 1**. The motion was properly seconded and adopted by voice vote.

Representative Roy brought **SB 93 w/SA 1**, jointly sponsored by Senator McDowell & Senator Henry & Representative Williams & Senators Adams, Amick, Blevins, DeLuca & Marshall & Representatives Buckworth, Carey, Cathcart, DiPinto, D. Ennis, Fallon, George, Hocker, Hudson, Keeley, Lofink, Miro, Oberle, Plant, Reynolds, Spence, Stone, Ulbrich, Valihura & Wagner, before the House for consideration.

**SB 93 - AN ACT TO AMEND TITLES 26 AND 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT, THE STATE ENERGY OFFICE, AND ELECTRIC UTILITY PUBLIC PURPOSE AND CONSUMER EDUCATION PROGRAMS.**

Representative Roy made comments.

The roll call on **SB 93 w/SA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Lavelle, Lofink & Miro - 3.

Therefore, having received a constitutional majority, **SB 93 w/SA 1** was returned to the Senate.

Mr. Speaker Spence made an announcement.

Representative Smith deferred to Representative Gilligan.

Representative Gilligan introduced **HB 187**, jointly sponsored by Representative Smith & Representative Roy & Representative VanSant & Representatives DiPinto & Hudson & Senators Amick & Sorenson.

**HB 187 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE NEIGHBORHOOD SCHOOLS ACT OF 2000.**

Mr. Speaker Spence assigned **HB 187** to the Desegregation Committee.

Representative Gilligan requested that **HB 162** be stricken.

The Majority Leader moved to recess to the call of the Chair at 6:10 p.m.

Mr. Acting Speaker D. Ennis called the House to order at 2:10 p.m. on May 15, 2003.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SB 47 w/SA 1**, **SB 49 & SB 75** and requests the concurrence of the House; **HB 2 w/HA 1, 2 & 4** & **HB 109** and is returning same to the House.

Representative Smith brought the following prefiled **Consent Calendar #8** before the House for consideration.

**HR 27 - Ulbrich - A RESOLUTION CREATING A PARENTAL ACCOUNTABILITY TASK FORCE.**

**HCR 27 - Miro & Senator Cook - REQUESTING THAT THE STATE EMPLOYEE BENEFITS COMMITTEE REVIEW GROUP SUPPLEMENTAL BENEFITS THAT ARE AVAILABLE TO STATE EMPLOYEES AND OFFICIALS AND TO PROVIDE RECOMMENDATIONS CONCERNING THOSE SUPPLEMENTAL BENEFITS.**

**Consent Calendar #8** was adopted by voice vote and **HR 27** was declared passed and **HCR 27** was sent to the Senate for concurrence.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #21

DATE: May 15, 2003

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>
H142-436	Ewing	4/15/2003	T	Florence & Herman Kauffman - Outstanding Poultry Producers
H142-437	Houghton	4/26/2003	T	Brian Thompson - Junior Firefighter of the Year - Minquadale
H142-438	Houghton	4/26/2003	T	Dave Tortorotot - Firefighter of the Year -

H142-439	Houghton	4/26/2003	T	Minquadale George Blunt - 50 Years - Minquadale Fire Company
H142-440	Houghton	4/26/2003	T	Cullen Edwards - 50 Years - Minquadale Fire Company
H142-441	Houghton	4/26/2003	T	Edward Hojinicki, Sr. - 55 Years - Minquadale Fire Company
H142-442	Buckworth	4/17/2003	T	Rigby's Karate Academy - 30th Anniversary
H142-443	DiPinto	4/25/2003	T	Amy Captain & Michael Hammon - Marriage
H142-444	Williams	5/2/2003	T	Wilbert Miller - Retirement
H142-445	Hocker	4/11/2003	T	Cleo McCann - Jefferson Award Recipient
H142-446	Spence	4/17/2003	T	Mike O'Neill - Speedy Recovery
H142-447	Stone	4/18/2003	M	Charles Peter Hagadorn
H142-448	Spence	4/28/2003	M	Anthony Domino
H142-449	Atkins	4/15/2003	M	James Mitchell
H142-450	Atkins	4/13/2003	M	Nels P. Nelson
H142-451	Ewing	4/26/2003	T	Pam Tull/National Sales Director/Mary Kay, Inc.
H142-452	Buckworth	3/11/2003	M	Ruth Porter Field
H142-453	Roy	5/7/2003	T	Tyler Jordan/Eagle Scout
H142-454	Fallon	5/1/2003	T	Sonja Carson-Performance of Play-Ben Carson, M.D.
H142-455	Schwartzkopf	5/1/2003	T	Master Corporal Ronald Thomas-Retirement-25+ Years-State Police
H142-456	Schwartzkopf	5/1/2003	T	Master Corporal Eddie Cathell-Retirement-21+ Years-State Police
H142-457	Maier cosponsor: Rep. Gilligan	4/27/2003	M	Henry B. Leach, Jr.
H142-458	DiPinto	5/4/2003	T	Baudy Grier-Induction-University of Delaware Sports Hall of Fame
H142-459	Oberle	5/2/2003	T	Winner-First Annual Charles Lockhart Meatball Cookoff
H142-460	Hocker	3/8/2003	T	Ann & Fred Kahler-50th Wedding Anniversary

HOUSE TRIBUTE ANNOUNCEMENT #22

DATE: May 15, 2003

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
H142-461	Hocker	3/28/2003	T	Eleanor & John Breasure-50th Wedding Anniversary
H142-462	Wagner	5/3/2003	T	Jennie Arculin & Jonathan Street-Marriage
H142-463	B. Ennis	5/2/2003	T	Mary Agnes Draper-75th Birthday
H142-464	D. Ennis	5/3/2003	T	Betty Lee Wingert Moore-83rd Birthday
H142-465	Hudson	4/24/2003	M	Lowell William Parke
H142-466	Hudson	5/14/2003	T	Frederick Dawson-Entrepreneur of the Year
H142-467	Reynolds	5/8/2003	T	Marie Berk-27 Years-Colonial School District
H142-468	Lofink cosponsor: Rep. Boulden	5/6/2003	T	Sonrisa Lewis-Teenager of the Year-Newark Lions Club
H142-469	Hudson cosponsor: Rep. Boulden	5/6/2003	T	Alexandra Schuck-Teenager of the Year-Newark Lions Club
H142-470	Spence	5/6/2003	T	Nursing Staff-St. Francis Hospital-National Nurses Week
H142-471	Spence	5/10/2003	T	Delaware State Police-80th Anniversary-Memorial Garden
H142-472	Buckworth	5/2/2003	T	Spence's Bazaar & Auction-70th Anniversary
H142-473	Stone	5/5/2003	T	Colonel Scott Wuesthoff-Base Commander-Dover-Appreciation
H142-474	Buckworth cosponsors: Reps. Carey, Caulk, Quillen, Stone, Thornburg & Wagner	4/26/2003	T	Adrian Rigby-Gold Medals-World Martial Arts Games
H142-475	Quillen	5/19/2003	T	Coach Pat Borowski-Lake Forest High-32 Years
H142-476	Roy	5/2/2003	T	Arthur Wilson-Retirement-12 Years-PACE International

H142-477	Buckworth & Quillen	5/5/2003	M	Marguerite P. Smith cosponsors: All Representatives
H142-478	DiPinto	5/6/2003	T	Honorable William Carpenter, Jr.-Board of Directors Chairman-YMCA
H142-479	Booth	5/6/2003	T	Chris Tinsman-Youth Governor-Youth in Government
H142-480	George	5/6/2003	T	Guy Sapp-Volunteer of the Year-YMCA
H142-481	George	5/6/2003	T	Norm Perez-Volunteer of the Year-YMCA
H142-482	George	5/6/2003	T	Tony Edwards-Volunteer of the Year-YMCA
H142-483	George	5/6/2003	T	Phil Reggio-Volunteer of the Year-YMCA
T- Tribute				
M - Memoriam				

Representative Smith introduced and brought **HCR 28**, jointly sponsored by Representative B. Ennis on behalf of All Representatives & Senator Sorenson & Senator DeLuca on behalf of All Senators, before the House for consideration.

**HCR 28** - COMMENDING THE 2002 EAGLE SCOUTS FOR HAVING ATTAINED THE HIGHEST RANK ONE CAN EARN IN THE BOY SCOUTS OF AMERICA.

Representative Smith made comments and requested and was granted personal privilege of the floor for Senator Liane M. Sorenson and the 2002 Eagle Scouts, who announced their names for the record.

**HCR 28** was adopted by voice vote and was sent to the Senate for concurrence.

Mr. Acting Speaker & Representative Smith made comments.

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.

#### **29th LEGISLATIVE DAY - 142nd GENERAL ASSEMBLY - First Session May 15, 2003**

The Chief Clerk called the roll:

Members Present: 25.

Members Absent: Representatives Boulden, Buckworth, Carey, DiPinto, Fallon, Gilligan, Hudson, Keeley, Miro, Quillen, Reynolds, Roy, Stone, Wagner, Williams & Spence - 16.

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

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

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

The following prefiled legislation was introduced:

**HB 177** - BOULDEN; REPRESENTATIVES SMITH, HOCKER, HUDSON, LAVELLE, QUILLEN; SENATORS VENABLES, SORENSON, BONINI, SIMPSON - LABOR - An Act to Amend Titles 14 and 19 of the Delaware Code Relating to the Right to Work.

**HB 178** - WAGNER & SENATOR COOK; REPRESENTATIVES LEE, ATKINS, BUCKWORTH, CAULK, D. ENNIS, EWING, QUILLEN, VANSANT, B. ENNIS, HOUGHTON, WILLIAMS - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**HB 179** - CATHCART; REPRESENTATIVES BUCKWORTH, CAULK, B. ENNIS, FALLON, HUDSON, WAGNER; SENATORS CONNOR, HENRY, SORENSON - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Prescription Medication.

**HB 180** - CATHCART; REPRESENTATIVES BUCKWORTH, CAREY, B. ENNIS, EWING, FALLON, HOCKER, HUDSON, KEELEY, LEE, LOFINK, MIRO, PLANT, QUILLEN, STONE, ULBRICH, WAGNER; SENATORS AMICK, CLOUTIER, CONNOR, COPELAND, SIMPSON, SORENSON - REVENUE & FINANCE - An Act to Amend Titles 6, 7, and 30 of the Delaware Code Relating to Methyl Tertiary-Butyl Ether.

**HB 184** - SPENCE & SENATOR ADAMS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 31 of the Delaware Code Relating to the State Public Assistance Code.

**HB 185** - EWING - PUBLIC SAFETY - An Act to Amend Title 21 Relating to Motor Vehicles and Special Registration Plates.

**HA 1 to HS 1 for HB 90** - OBERLE - Placed with the Bill.

**SB 47 w/SA 1** - ADAMS & REPRESENTATIVE EWING - JUDICIARY - An Act to Amend Section 2702 of Title 11 of the Delaware Code Relating to the Jurisdiction of the Justice of the Peace Court. (2/3 bill)

**SB 49** - ADAMS & REPRESENTATIVE BOOTH - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicle Registration Plates for Certain Officers of the State of Delaware. (F/N)

**SB 75 - MARSHALL & REPRESENTATIVE SMITH; SENATORS ADAMS, COOK & STILL; REPRESENTATIVE SPENCE - HOUSE ADMINISTRATION - An Act to Amend Title 15, Chapter 33 Relating to Nominations of Candidates.**

Representative Houghton requested that he be marked present.

The Reading Clerk read the following communications into the record:

Memorandum

TO: Rep. Terry R. Spence  
Speaker of the House of Representatives  
FROM: Rep. Helene M. Keeley  
DATE: May 15, 2003  
RE: Absence from Session

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

Memorandum

TO: Rep. Terry R. Spence  
Speaker of the House of Representatives  
FROM: Rep. Robert F. Gilligan  
House Minority Leader  
DATE: May 15, 2003  
RE: Absence from Session

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

Representative Ulbrich made an announcement.

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

The Majority Leader moved to recess to the call of the Chair at 2:28 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 2:28 P.M.: Representatives B. Ennis, Oberle & Thornburg

Mr. Speaker Spence called the House to order at 2:05 p.m. on June 3, 2003.

Representatives Quillen, Buckworth, Ewing, DiPinto, Roy, Fallon, Carey, Miro & Keeley requested that they be marked present for the current Legislative Day.

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

EDUCATION: **HB 3** - 7M; **HB 123** - 7M; **HB 126** - 7M; **SB 57** - 7M.

HEALTH & HUMAN DEVELOPMENT: **HB 136** - 6M; **HB 161** - 6M; **HB 175** - 6M.

LAND USE AND INFRASTRUCTURE: **HB 164** - 1F,4M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **SB 60 w/SA 1** - 6M; **HB 118** - 6M; **HB 150** - 6M; **HB 160** - 2F,4M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 156** - 1F,3M; **HB 176** - 4M.

PUBLIC SAFETY: **HB 170** - 5M; **SB 69** - 5M.

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

Representative Oberle introduced **HB 1**, jointly sponsored by Representative Reynolds & Senator Sokola & Senator Marshall & Representatives Buckworth, D. Ennis, Fallon, Miro, Roy, Stone, George, Houghton, Hall-Long, Mulrooney, Viola & Spence & Senators Amick, Blevins, Connor, Cook, Peterson, Cloutier & Simpson & cosponsored by Representative DiPinto & Senator DeLuca.

**HB 1 - AN ACT TO AMEND CHAPTER 40, TITLE 14 OF THE DELAWARE CODE RELATING TO THE PUBLIC SCHOOL EMPLOYMENT RELATIONS ACT.**

Mr. Speaker Spence assigned **HB 1** to the Education Committee.

The Reading Clerk read the following communication into the record:

May 13, 2003

Ms. JoAnn M. Hedrick  
Chief Clerk of the House of Representatives  
State of Delaware  
Legislative Hall  
Dover, Delaware 19901  
U.S.A.

Dear Ms. Hedrick:

I am writing on behalf of President Chen Shui-bian to thank you for sending him a copy of the House Concurrent Resolution No. 12 adopted by the House of Representatives of Delaware on April 9, 2003, calling on the Bush administration to support a free trade agreement between the Republic of China on Taiwan and the United States.

President Chen appreciates the strong support and assistance that the people of Delaware have rendered to Taiwan and to the relationship between our two countries. We shall cherish this document as a testament of the warm friendship shown to us by the people of Delaware.

President Chen and I send you our best wishes.

Sincerely yours,

Jaushieh Joseph Wu

Deputy Secretary-General to the President

The Majority Whip 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 - 142nd GENERAL ASSEMBLY - First Session  
June 3, 2003**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Gregory F. Lavelle, Eleventh Representative District.

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

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

The following prefiled legislation was introduced:

**HB 1 for HB 35** - VANSANT & REPRESENTATIVE DIPINTO & REPRESENTATIVE B. ENNIS & SENATOR SORENSON; REPRESENTATIVES BUCKWORTH, CAREY, D. ENNIS, EWING, FALLON, GEORGE, GILLIGAN, HALL-LONG, HOUGHTON, HUDSON, KEELEY, LAVELLE, LEE, LOFINK, MAIER, MULROONEY, OBERLE, PLANT, QUILLEN, REYNOLDS, SPENCE, WILLIAMS; SENATORS CLOUTIER, HENRY, MARSHALL, MCDOWELL, PETERSON, SIMPSON, STILL, VENABLES - JUDICIARY - An Act to Amend Title 16 and Title 11 of the Delaware Code Relating to Drug Offenses.

**HB 186** - MAIER & SENATOR SOKOLA & REPRESENTATIVE ULBRICH; SENATORS BLEVINS, AMICK, SIMPSON - EDUCATION - An Act to Amend Title 10, 11, 14 and 31 of the Delaware Code Relating to Truancy.

**HB 188** - WAGNER & SENATOR COOK - CAPITAL INFRASTRUCTURE - An Act to Amend Title 29, Chapter 69 of the Delaware Code Relating to the Provisions of Capital Project Coordinator Services to School Districts.

**HB 189** - MAIER & SENATOR BLEVINS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Registration of Death.

**HB 190** - SMITH & REPRESENTATIVE THORNBURG & SENATOR COOK - JUDICIARY - An Act to Amend Titles 10 and 21 of the Delaware Code Relating to Vehicular Crimes. (2/3 bill)

**HB 195** - SMITH & REPRESENTATIVE ROY - CAPITAL INFRASTRUCTURE - An Act to Amend Title 14 and Title 29 of the Delaware Code Relating to School Districts and School Construction Bond Authorization and Reimbursement.

**HA 1 to HB 123** - MAIER & REPRESENTATIVE BOOTH - Placed with the Bill.

**HA 1 to HB 160** - ATKINS - Placed with the Bill.

Representatives Hocker, George & Cathcart requested and were granted personal privilege of the floor to introduce guests.

Representative Lee deferred to Representative Caulk.

Representative Caulk requested and was granted privilege of the floor to present a House Tribute to Kirsten Winston, National winner of the Young Patriots essay contest. Kirsten read her essay.

Mr. Speaker Spence, Representatives Lee, D. Ennis & Ewing made comments.

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

Representatives B. Ennis, Boulden & Wagner requested that they be marked present.

Representative Buckworth requested and was granted privilege of the floor for himself and Representative Thornburg to present a House Tribute to John Sigler, Second Vice-President, National Rifle Association.

Mr. Speaker Spence made comments.

Representative Lee deferred to Representative Stone.

Representative Stone requested and was granted privilege of the floor for Susan Collins, Business Manager for the Miss Delaware Pageant and the 2003 Miss Delaware contestants who announced their names for the record. Miss Delaware 2002 addressed the House.

Representative Lee deferred to Representative DiPinto.

Representative Valihura requested that he be marked present.

Representative DiPinto introduced **HB 132**, jointly sponsored by Representative Roy & Representative Houghton & Representative Keeley & Representatives Plant & Williams & Senators McDowell, Henry & Marshall.

**HB 132 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS.**

Mr. Speaker Spence assigned **HB 132** to the Business/Corporations/Commerce Committee. Representative Booth requested and was granted personal privilege of the floor to introduce guests. The Majority Whip moved to recess for caucus at 2:50 p.m. The House reconvened at 5:25 p.m. with Representative Quillen 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 82 w/SA 1**, **SB 65 w/SA 2 & 3** and requests the concurrence of the House; **HCR 27 & HCR 28** and is returning same to the House.  
May 28, 2003

#### LEGISLATIVE ADVISORY #4

Governor Ruth Ann Minner signed the following legislation on the date indicated:  
5/15/03 - **SB 41 aab SA 2**, **HB 98 aab HA 1**, **HB 34**, **HB 53 aab HA 1**, **HB 100**, **HB 112 aab SA 1 & HJR 2**; 5/27/03 - **HB 2 aab HA 1, 2 & 4.**

#### MEMORANDUM

TO: Representative Terry R. Spence, Speaker  
FROM: Representative J. Benjamin Ewing  
DATE: June 3, 2003  
SUBJECT: Absent from Session

I will be absent from session on Thursday, June 5, 2003. I will be attending a funeral of a close friend.

Thank you.

Representatives Hudson, Gilligan & Smith requested that they be marked present. Representative Smith deferred to Representative Atkins.

Representative Atkins brought **HB 160**, jointly sponsored by Senator DeLuca & Senator McDowell & Representatives Lee, Thornburg & Valihura & Senators Simpson, Still & Bonini, before the House for consideration.

**HB 160 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO THE PROHIBITION AGAINST SUNDAY HUNTING. (F/N)**

Representative Atkins requested that **HA 1 to HB 160** be stricken.

Representatives Williams, Reynolds & Plant requested that they be marked present.

Representative Atkins introduced and brought **HA 2 to HB 160** before the House for consideration. Representative Atkins made comments. **HA 2** was adopted by voice vote.

Representative Atkins made comments.

The roll call on **HB 160 w/HA 2** was taken and revealed:

YES: 37.

NO: Representative Carey - 1.

ABSENT: Representatives Buckworth, DiPinto & D. Ennis - 3.

Therefore, having received a constitutional majority, **HB 160 w/HA 2** was sent to the Senate for concurrence.

Representatives Stone & Ulbrich requested that they be marked present during the roll call.

Representative Smith deferred to Representative Fallon.

Representative Fallon requested and was granted privilege of the floor to present a House Tribute to Representative J. Benjamin Ewing, Jr. on the occasion of his 50th Wedding Anniversary.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought **HB 164**, jointly sponsored by Representatives Lee, Buckworth, Ewing, Fallon, Hocker, Hudson, Lavelle, Reynolds, Thornburg, Valihura, B. Ennis, Mulrooney, Plant & Senators Cook, DeLuca, Marshall, Vaughn, Venables, Still, Amick, Bonini, Bunting, Cloutier, Copeland & Simpson, before the House for consideration.

**HB 164 - AN ACT TO AMEND CHAPTER 81 OF TITLE 10 OF THE DELAWARE CODE PERTAINING TO PERSONAL ACTIONS.**

Representative Cathcart made comments.

The roll call on **HB 164** was taken and revealed:

YES: 38.

ABSENT: Representatives Buckworth, DiPinto & D. Ennis - 3.

Therefore, having received a constitutional majority, **HB 164** was sent to the Senate for concurrence. Representative Smith deferred to Representative Fallon.

Representative Fallon brought **HB 176**, jointly sponsored by Senator Blevins & Senator Sorenson & Representatives Spence, Smith, Carey, Caulk, Hocker, Maier, B. Ennis, Houghton, Plant & Williams & Senators McBride, Peterson, Sokola & Amick, before the House for consideration.

**HB 176 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO DENTISTRY AND DENTAL HYGIENE.**

Representative Fallon made comments.

The roll call on **HB 176** was taken and revealed:

YES: 24.

NO: Representatives Atkins, Boulden, Cathcart, Hudson, Lavelle, Lee, Lofink, Miro, Mulrooney, Oberle, Roy, Schwartzkopf, Valihura, VanSant & Viola - 15.

ABSENT: Representatives Buckworth & DiPinto - 2.

Therefore, having received a constitutional majority, **HB 176** was sent to the Senate for concurrence.

Representative Smith brought **HB 123**, jointly sponsored by Senator Sokola & Senator Henry & Representative Ulbrich, before the House for consideration.

**HB 123 - AN ACT TO AMEND CHAPTER 7, TITLE 14 OF THE DELAWARE CODE RELATING TO THE LAWFUL AUTHORITY OF TEACHERS AND ADMINISTRATORS OVER STUDENTS.**

Representative Smith brought **HA 1 to HB 123**, sponsored by Representative Maier & Representative Booth, before the House for consideration. Representative Smith made comments. **HA 1** was adopted by voice vote.

Representative Smith introduced and brought **HA 2 to HB 123** before the House for consideration. Representative Smith made comments. **HA 2** was adopted by voice vote.

The roll call on **HB 123 w/HA 1 & 2** was taken and revealed:

YES: 37.

ABSENT: Representatives Buckworth, DiPinto, Hall-Long & Plant - 4.

Therefore, having received a constitutional majority, **HB 123 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Smith deferred to Representative George.

Representative George brought **HB 170**, jointly sponsored by Senator Blevins & Representatives Buckworth, B. Ennis, Hall-Long, Lee, Mulrooney, Plant, Schwartzkopf, Spence, Valihura & Viola & Senator Sokola, before the House for consideration.

**HB 170 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO ABANDONED VEHICLES.**

Representatives George, Lee, Oberle, Ewing, Reynolds, B. Ennis, D. Ennis, Caulk & Fallon made comments.

The roll call on **HB 170** was taken and revealed:

YES: 37.

ABSENT: Representatives Buckworth, DiPinto, Hall-Long & Plant - 4.

Therefore, having received a constitutional majority, **HB 170** was sent to the Senate for concurrence.

Representative Smith brought **HB 3**, jointly sponsored by Senator Sokola & Representatives DiPinto & Maier, before the House for consideration.

**HB 3 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CHARTER SCHOOLS.**

Representative Smith introduced and brought **HA 1 to HB 3** before the House for consideration. Representative Smith made comments. **HA 1** was adopted by voice vote.

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

YES: 37.

ABSENT: Representatives Buckworth, DiPinto, Hall-Long & Valihura - 4.

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

Representative Smith deferred to Representative Ewing.

Representative Ewing brought **SB 69**, jointly sponsored by Senators Adams & Simpson & Representatives Hudson & Ulbrich, before the House for consideration.

**SB 69 - AN ACT TO AMEND TITLE 21 DELAWARE CODE RELATING TO LICENSE PLATES.**

Representative Ewing made comments.

The roll call on **SB 69** was taken and revealed:

YES: 37.

ABSENT: Representatives Buckworth, DiPinto, Hall-Long & Valihura - 4.

Therefore, having received a constitutional majority, **SB 69** was returned to the Senate.

Representatives Smith & Wagner made announcements.

Representative Smith requested that **HB 181** be stricken.

The Majority Leader moved to recess to the call of the Chair at 6:26 p.m.  
Mr. Acting Speaker Quillen called the House to order at 2:11 p.m. on June 4, 2003.  
The Reading Clerk read the following communications into the record:  
The Senate wishes to inform the House that it has passed **SB 63** & **SB 64** and requests the concurrence of the House.  
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.

**31st LEGISLATIVE DAY - 142nd GENERAL ASSEMBLY - First Session  
June 4, 2003**

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. Acting Speaker led those present in the pledge of allegiance to the American Flag.  
The following prefiled legislation was introduced:  
**HB 183** - HOCKER; REPRESENTATIVES SPENCE, CAREY, CAULK, DIPINTO, D. ENNIS, EWING, MIRO, REYNOLDS, VALIHURA; SENATORS BUNTING, SORENSON, SIMPSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 25 of the Delaware Code Relating to Unit Properties.  
**HB 192** - LAVELLE & REPRESENTATIVE SMITH & REPRESENTATIVE D. ENNIS & REPRESENTATIVE VALIHURA & SENATOR HENRY & SENATOR CLOUTIER; REPRESENTATIVES BOOTH, BUCKWORTH, GEORGE, HUDSON; SENATORS AMICK, CONNOR, PETERSON, SIMPSON - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Establishing a Community Environmental Fund.  
**HB 193** - STONE & SENATOR DELUCA - JUDICIARY - An Act Amending Title 12 of the Delaware Code Relating to Wills and Trusts.  
**HB 194** - STONE & SENATOR DELUCA - JUDICIARY - An Act to Amend Title 25 of the Delaware Code Relating to the Rule Against Perpetuities and Powers of Appointment.  
**HB 196** - B. ENNIS & SENATOR VAUGHN; REPRESENTATIVES CATHCART, CAULK, D. ENNIS, GILLIGAN, HALL-LONG, HOCKER, HOUGHTON, KEELEY, MULROONEY, OBERLE, PLANT, SPENCE, THORNBURG, VANSANT, VIOLA, WILLIAMS; SENATORS BONINI, VENABLES - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Hunting, Trapping and Fishing Licenses.  
**HB 197** - B. ENNIS & SENATOR BLEVINS; REPRESENTATIVE ULBRICH - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Paramedic Services.  
**HB 198** - HALL-LONG & SENATOR SOKOLA; REPRESENTATIVES BUCKWORTH, B. ENNIS, GEORGE, KEELEY, MULROONEY, PLANT - JUDICIARY - An Act to Amend Title 8 of the Delaware Code Relating to Approval by the State Board of Education of Certificates of Incorporation or Any Amendment Thereof Prior to Filing.  
**HB 199** - SMITH & SENATOR MCDOWELL - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to School Board Members' Compensation.  
**HB 200** - WAGNER & SENATOR VAUGHN; REPRESENTATIVES GEORGE, PLANT, VALIHURA - JUDICIARY - An Act to Amend Chapter 15, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Partnerships and the Registration and Regulation of Foreign Limited Liability Partnerships.  
**HB 201** - WAGNER & SENATOR VAUGHN; REPRESENTATIVES GEORGE, PLANT, VALIHURA - JUDICIARY - An Act to Amend Chapter 17, Title 6 of the Delaware Code Relating to the Creation, Regulation, Operation and Dissolution of Domestic Limited Partnerships and the Registration and Regulation of Foreign Limited Partnerships.  
**HB 202** - WAGNER & SENATOR VAUGHN; REPRESENTATIVES GEORGE, PLANT, VALIHURA - JUDICIARY - An Act to Amend Chapter 27, Title 6 of the Delaware Code Relating to Exculpatory Clauses in Certain Contracts.  
**HA 1 to HB 182** - LAVELLE - Placed with the Bill.  
**HA 2 to HB 182** - LAVELLE - Placed with the Bill.  
**SB 63** - MARSHALL & SENATOR BLEVINS; REPRESENTATIVE MAIER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Long Term Care Services.  
**SB 65 w/SA 2 & 3** - ADAMS & REPRESENTATIVE CATHCART; SENATORS BUNTING, DELUCA, HENRY, SOKOLA, VENABLES, CLOUTIER, COPELAND, SIMPSON, STILL,

SORENSEN; REPRESENTATIVES CAREY, LOFINK, ROY, SMITH, STONE, B. ENNIS, HALL-LONG, SCHWARTZKOPF - LAND USE AND INFRASTRUCTURE - An Act to Amend Titles 9 and 29 of the Delaware Code Relating to Land Use Planning.

**SB 82 w/SA 1 - STILL & REPRESENTATIVE BUCKWORTH - HOUSE ADMINISTRATION - An Act to Amend an Act Entitled "An Act to Re-incorporate the Town of Wyoming" Being 43 Laws of Delaware, Chapter 189, as Amended. (2/3 bill)**

Representatives Hudson & Maier requested that they be marked present.

Representative Smith deferred to Representative Wagner.

Representative Wagner made comments.

Representative Lofink requested that he be marked present.

Representative Wagner introduced **HB 205**, jointly sponsored by Representative Williams & Representative Plant & Senator Henry & cosponsored by Representative Keeley.

**HB 205 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO BAIL.**

Mr. Acting Speaker assigned **HB 205** to the Judiciary Committee.

Representatives Oberle, Keeley, Thornburg & Gilligan requested that they be marked present.

Representatives Maier & Smith requested and were granted personal privilege of the floor to introduce guests.

Representative Smith brought the following prefiled **Consent Calendar #9** before the House for consideration.

**HCR 30 - Ulbrich & Representative Maier & Senator Blevins & Senator Henry & Senator Sorenson - RECOMMENDING THAT THE MEDICAL SOCIETY OF DELAWARE AND THE BOARD OF MEDICAL PRACTICES URGE ALL DOCTORS IN THE STATE OF DELAWARE TO LEGIBLY PRINT OR TYPE ALL PRESCRIPTIONS.**

**HCR 31 - Roy & Senator Venables - SUPPORTING THE CONCEPT OF GREEN INFRASTRUCTURE AND RECOGNIZING THE NEED TO CONSIDER THE STRATEGIES AND RECOMMENDATIONS OF THE GREEN INFRASTRUCTURE SUBCOMMITTEE.**

**Consent Calendar #9** was adopted by voice vote and **HCR 30 & HCR 31** were sent to the Senate for concurrence.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #23

DATE: June 4, 2003

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
H142-484	George	5/6/2003	T	Louise McGinniss-Volunteer of the Year-YMCA
H142-485	George	5/6/2003	T	Dr. Edward Goate-Volunteer of the Year-YMCA
H142-486	George	5/6/2003	T	Brendan O'Neill-Volunteer of the Year-YMCA
H142-487	George	5/6/2003	T	Dennis Talley-Volunteer of the Year-YMCA
H142-488	George	5/6/2003	T	Lea Narwold-Volunteer of the Year-YMCA
H142-489	Maier	5/7/2003	T	Etta J. Wilson Elementary School-School of Excellence
H142-490	Miro	5/8/2003	T	Jobs for Delaware Graduates-24th Anniversary
H142-491	Buckworth	5/5/2003	M	Frederic Walls Brown
H142-492	Smith	6/1/2003	T	Joan Downs-Retirement-33+ Years-Brandywine Schools
H142-493	Maier	5/8/2003	T	Honorable Steven Taylor-Induction-Sports Hall of Fame
H142-494	Atkins	5/8/2003	T	Sergeant Keith Marvel-Trooper of the Year
H142-495	Plant	5/11/2003	T	Reverend Alean Marbury-20 Years-Early Childhood Education
H142-496	Booth	5/9/2003	T	Robert Lawson-Retirement-34 Years-Sussex Schools
H142-497	Maier	5/10/2003	T	Alliance for the Mentally Ill-Namiwalks
H142-498	Thornburg	5/12/2003	T	Michael Desmond, Jr.-Eagle Scout
H142-499	Lofink	5/3/2003	T	Thomas Quann-50th Birthday
H142-500	Hudson	5/12/2003	T	Anna Bradley-90th Birthday
H142-501	Spence	5/8/2003	T	Dolly McMillan - Outstanding Adult Student Award
H142-502	Valihura	4/19/2003	M	Carol M. Dodds
H142-503	Carey	6/28/2003	T	Evelyn & Bill Irwin - 55th Wedding Anniversary
H142-504	Carey	5/13/2003	T	Genice Hughes - Public Speaking - Third in Nation

H142-505	Carey	5/13/2003	T	Dr. Jim White - Milton Fire Department - 60 Years
H142-506	Carey	5/13/2003	T	Elmer Ennis - Sussex County Fireman of the Year
H142-507	Maier	5/15/2003	T	Lucille Bell - 91st Birthday
H142-508	Gilligan	5/9/2003	T	Joseph & Lorraine Mirabella - 50th Wedding Anniversary
H142-509	Gilligan	4/4/2003	T	Edward & Elizabeth Stahl - 50th Wedding Anniversary

HOUSE TRIBUTE ANNOUNCEMENT #24

DATE: June 4, 2003

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
H142-510	Gilligan	4/14/2003	T	Robert & Roseann Davis - 50th Wedding Anniversary
H142-511	Mulrooney	4/12/2003	T	Julia & Francesco Hernandez - 50th Wedding Anniversary
H142-512	VanSant	4/25/2003	T	Dorothy & Marlin Weaver - 50th Wedding Anniversary
H142-513	Hall-Long	4/16/2003	T	Beulah & Clarence Schwatka - 65th Wedding Anniversary
H142-514	B. Ennis	5/10/2003	M	James C. Truax
H142-515	Ewing	5/16/2003	T	R. Keller Hopkins - Community Leader
cosponsors: Reps. Atkins, Booth, Carey, Fallon, Hocker & Lee				
H142-516	Hall-Long	5/31/2003	T	Phil Gosser - Retirement - 30+ Years - DeIDOT
H142-517	Atkins	5/10/2003	M	Lloyd Clifton Mumford
H142-518	Wagner	5/24/2003	T	Janelle Augustus & Andre Davis - Marriage
H142-519	Stone	5/25/2003	T	Rebecca Gazze & Cliff McIlroy - Marriage
H142-520	Wagner	6/8/2003	T	Ross Anton Radnich - Eagle Scout
H142-521	Roy	5/20/2003	T	Jacqueline Skinner - Friends of Delaware Archives, Inc.
H142-522	Lee & Smith	5/16/2003	T	J. Everett Moore - Leadership
cosponsors: Reps. Atkins, Booth, Carey, Ewing, Fallon & Hocker				
H142-523	Hudson	5/16/2003	T	Jeffrey Ferris - Retirement - New Castle County Libraries
H142-524	Caulk	5/12/2003	M	Wayne L. Hill
cosponsors: Reps. Carey & Quillen				
H142-525	Gilligan	5/17/2003	T	Master Corporal Dominic Giofre - Heroic Actions
H142-526	Gilligan	5/17/2003	T	Master Corporal Henry Brown - Heroic Actions
H142-527	Gilligan	5/17/2003	T	Officer Dominic Mairiano - Heroic Actions
H142-528	Gilligan	5/17/2003	T	Joseph Dierolf - Heroic Actions
H142-529	Ewing	5/18/2003	T	Reverend Olin & Dorothy Shockley, Jr. - 50th Anniversary - Ministry
H142-530	Carey	5/17/2003	T	Elizabeth Barriga - Hispanic Student of the Year - Sussex County
cosponsors: Reps. Keeley & Miro				
H142-531	Fallon	5/17/2003	T	Daniel Garmendia - Hispanic High School Student of the Year - Sussex County
cosponsors: Reps. Keeley & Miro				

HOUSE TRIBUTE ANNOUNCEMENT #25

DATE: June 4, 2003

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
H142-532	Fallon	5/17/2003	T	Christina Garmendia - Hispanic Sussex County Student of the Year
cosponsors: Reps. Keeley & Miro				
H142-533	Cathcart	5/17/2003	T	Nina Figueroa - Hispanic Middle School Student of the Year
cosponsors: Reps. Keeley & Miro				
H142-534	Keeley	5/17/2003	T	Beatrice Arreola - Hispanic New Castle County Student of the Year
cosponsor: Rep. Miro				
H142-535	Oberle	5/17/2003	T	Amanda Collazo - Hispanic New Castle County Student of the Year
cosponsors: Reps. Keeley & Miro				

H142-536	Oberle	5/17/2003	T	Angel Collazo - Hispanic Middle School Student of the Year
H142-537	cosponsors: Reps. Keeley & Miro Hudson	5/17/2003	T	Frances Cone - Hispanic High School Student of the Year
H142-538	cosponsors: Reps. Keeley & Miro Lofink	5/17/2003	T	Angela Anacay - Hispanic New Castle County Student of the Year
H142-539	Ulbrich	5/17/2003	T	Matthew Flocco Day
H142-540	Valihura	5/16/2003	T	Karen Valihura - 40th Birthday
H142-541	VanSant	5/15/2003	T	Preston Ward - Eagle Scout
H142-542	VanSant	5/15/2003	T	Tyler Faux-Dugan - Eagle Scout
H142-543	Quillen	5/15/2003	T	Robert Tjaden, III - Eagle Scout
H142-544	Booth	5/23/2003	T	Jay Toomey - 50th Birthday
H142-545	Hall-Long	5/30/2003	T	James Reynolds - Retirement - 35 Years - DelDOT
H142-546	Spence	5/23/2003	T	Thelma & John Pedicone - 50th Wedding Anniversary
H142-547	B. Ennis	5/6/2003	T	Clara & Donald Careron - 59th Wedding Anniversary
H142-548	Booth	5/23/2003	T	Overfalls Lightship - 65th Anniversary
H142-549	Atkins	5/15/2003	T	Lou Betton - Georgetown Branch Office - Alzheimer's Association
H142-550	Atkins	5/15/2003	T	Allen Lathbury, Jr. - Assistant Principal of the Year
H142-551	Ewing	5/15/2003	T	Minnie O'Day - Hall of Honor - Delmarva Ladies Auxiliary Association
H142-552	Quillen	5/19/2003	T	Gail Ralph - President - Lake Forest Athletic Boosters
H142-553	Atkins	5/22/2003	T	Miguel Berrios, III - Graduation - Municipal Police
H142-554	Maier	7/26/2003	T	Sandra Wood & Lee Peoples - Marriage

HOUSE TRIBUTE ANNOUNCEMENT #26

DATE: June 4, 2003

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
H142-555	Roy	5/31/2003	T	Terry Gorlich & Raymond Petrucci - Marriage
H142-556	DiPinto	5/10/2003	T	Carolyn dePew & David Swayze - Marriage
H142-557	cosponsor: Rep. Stone Schwartzkopf & VanSant	4/24/2003	T	Jean & Lee Ardis - 50th Wedding Anniversary
H142-558	cosponsors: All Representatives Spence	5/30/2003	T	Albert McMullin - Chairman - Wilmington Memorial Day Committee
H142-559	Valihura	5/31/2003	T	Ronald August Duwell, III - Eagle Scout
H142-560	B. Ennis	5/18/2003	M	Gail S. Stanley
H142-561	B. Ennis	5/18/2003	T	W. Tyler LaPorte - Eagle Scout
H142-562	Maier	6/3/2003	T	Delaware Hospice, Inc. - 20th Anniversary
H142-563	Stone	5/24/2003	M	Ida Murphy Mackes
H142-564	Stone	5/24/2003	M	William Pritchett McDaniel
H142-565	Stone	5/23/2003	M	Jerry Rys
H142-566	Stone	5/23/2003	M	Carrie Stanford
H142-567	Buckworth	5/16/2003	M	Robert Edward Knarr, Sr.
H142-568	Roy	6/30/2003	T	Carol Hoffecker, Ph.D. - Retirement - University of Delaware
H142-569	cosponsor: Rep. Smith Roy	6/23/2003	T	Dr. Barbara Benson - Retirement - Historical Society of Delaware
H142-570	Atkins	5/23/2003	M	Joseph Smith
H142-571	Hocker	5/27/2003	T	Sharon Brittingham - Distinguished Principal Award
H142-572	Oberle	5/31/2003	T	Jennifer Oberle - Masters Degree - Public Administration
H142-573	Oberle	6/2/2003	T	Amber Whitney - Graduation - Delaware School

H142-574	Oberle	6/2/2003	T	for the Deaf Jarez Selby - Graduation - Delaware School for the Deaf
H142-575	Oberle	6/2/2003	T	Heather Robinson - Graduation - Delaware School for the Deaf
H142-576	Oberle	6/2/2003	T	Michael Papili - Graduation - Delaware School for the Deaf
H142-577	Oberle	6/2/2003	T	Melinda McDowell - Graduation - Delaware School for the Deaf
H142-578	Oberle	6/2/2003	T	Donisha Jackson - Graduation - Delaware School for the Deaf
H142-579	Oberle	6/2/2003	T	Nicole Harris - Graduation - Delaware School for the Deaf

Reminder

TO: JoAnn M. Hedrick, Chief Clerk of the House  
Bernard Brady, Secretary of the Senate

FROM: Deborah A. Porter  
Interim Supervisor

DATE: June 4, 2003

RE: SPECIAL OLYMPICS - APPROVAL HAS BEEN GRANTED TO USE THE WEST SIDE OF LEGISLATIVE HALL PARKING SPACES

Please make an announcement on the floor reminding everyone that parking on the west side of Legislative Hall will be interrupted for the Annual Special Olympics. It is scheduled for Thursday, June 5, 2003 at 11:30 until approximately 2:15 PM.

This event has been approved by both the Chair and Co Chair of Legislative Council.

Representative Schwartzkopf requested that he be marked present.

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

Pursuant to a procedure authorized by Speaker Terry R. Spence, the following Members were marked present by the Chief Clerk after the House recessed at 2:23 P.M.: Representatives Buckworth, DiPinto, D. Ennis, Fallon, Houghton, Lavelle, Miro, Reynolds, Spence, Ulbrich & Williams.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:12 p.m. on June 5, 2003.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 100, SB 79 w/SA 1, SB 98 & SB 94** and requests the concurrence of the House; **HB 86, HB 87, HB 138 w/HA 1 & HB 12 w/HA 1** and is returning same to the House.

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

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

HOUSE ADMINISTRATION: **HB 158 - 5F; HB 159 - 5F; HB 165 - 4F,1M; HB 166 - 5F; SB 7 - 5F; SB 75 - 5F.**

HEALTH & HUMAN DEVELOPMENT: **HB 189 - 5M.**

PUBLIC SAFETY: **HB 185 - 5M; SB 49 - 5M.**

JUDICIARY: **HB 168 - 6M; HB 178 - 1F,5M; HB 190 - 1F,4M; SB 28 - 6M; SB 34 w/SA 1 & 2 - 6M; SB 38 - 6M; SB 47 w/SA 1 - 6M; SB 62 w/SA 1 - 6M.**

EDUCATION: **HB 1 - 10M; HB 171 - 8M; HB 173 - 9M.**

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 192 - 1F,5M.**

REVENUE & FINANCE: **HB 122 - 6M; HB 146 - 5M; HB 180 - 5M.**

HOUSING & COMMUNITY AFFAIRS: **HB 121 - 6M; HB 172 - 6M.**

Mr. Speaker Spence assigned **SB 28 & SB 49** to the Appropriations Committee.

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

### 32nd LEGISLATIVE DAY - 142nd GENERAL ASSEMBLY - First Session June 5, 2003

The Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Ewing & Schwartzkopf - 2.

A prayer was offered by Representative Bethany A. Hall-Long, Eighth Representative District.

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

The House observed a moment of silence in memory of William M. Murphy, Jr. at the request of Representative Quillen.

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

The House observed a moment of silence in memory of Christopher E. Morgan at the request of Representative Ulbrich.

The following prefiled legislation was introduced:

**HB 203** - SCHWARTZKOPF & REPRESENTATIVE BOOTH & SENATOR BUNTING; REPRESENTATIVES HALL-LONG, SMITH; SENATORS AMICK, BLEVINS, CLOUTIER, COOK, MCBRIDE, SOKOLA, STILL, VAUGHN - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 26, Chapter 13 of the Delaware Code Relating to Public Utilities; Gas, Water and Oil Corporations.

**HB 204** - KEELEY & SENATOR DELUCA; REPRESENTATIVES CATHCART, B. ENNIS, D. ENNIS, GILLIGAN, HALL-LONG, HOUGHTON, LEE, LOFINK, MULROONEY, PLANT, REYNOLDS, SCHWARTZKOPF, VANSANT, VIOLA, WILLIAMS; SENATORS AMICK, HENRY, SOKOLA, VAUGHN, VENABLES - BUSINESS/CORPORATIONS/COMMERCE - An Act to Amend Chapter 31 of Title 20 of the Delaware Code Relating to Price Increases During Emergencies and Natural Disasters.

**HB 206** - ULBRICH & SENATOR MCBRIDE; REPRESENTATIVES HUDSON, VALIHURA, SCHWARTZKOPF, VIOLA; SENATORS PETERSON, SOKOLA, COPELAND - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 3, Title 24 of the Delaware Code Relating to Architecture.

**HB 207** - HUDSON & SENATOR COPELAND; REPRESENTATIVES SMITH, BOOTH, FALLON, LAVELLE, MAIER, VALIHURA, GILLIGAN; SENATORS CLOUTIER, SIMPSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Professional Employees and Substitute Teachers.

**HB 210** - SMITH & REPRESENTATIVE VANSANT & REPRESENTATIVE WAGNER & REPRESENTATIVE DIPINTO & REPRESENTATIVE B. ENNIS & SENATOR VAUGHN & SENATOR SORENSON; REPRESENTATIVES SPENCE, LEE, BUCKWORTH, CAREY, D. ENNIS, EWING, FALLON, HUDSON, LAVELLE, LOFINK, MAIER, OBERLE, QUILLEN, REYNOLDS, ULBRICH, VALIHURA, GILLIGAN, HALL-LONG, HOUGHTON, KEELEY, MULROONEY, WILLIAMS; SENATORS BLEVINS, HENRY, MARSHALL, PETERSON, SOKOLA, VENABLES, STILL, SIMPSON, CLOUTIER - JUDICIARY - An Act to Amend Titles 10, 11, 16 and 21 of the Delaware Code Relating to Certain Crimes.

**HA 1 to HB 150** - D. ENNIS - Placed with the Bill.

**HA 1 to HB 161** - PLANT; REPRESENTATIVES GILLIGAN, HALL-LONG, KEELEY, MAIER, SPENCE, WILLIAMS - Placed with the Bill.

**HA 3 to HB 182** - LAVELLE - Placed with the Bill.

**HA 4 to HB 182** - GEORGE - Placed with the Bill.

**SB 64** - MARSHALL & SENATOR BLEVINS & REPRESENTATIVE MAIER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Long Term Care Services.

**SB 79 w/SA 1** - BLEVINS & REPRESENTATIVE MAIER; SENATORS CONNOR, HENRY, PETERSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Authorizing the Division of State Service Centers to Engage in Fundraising Activities.

**SB 94** - BLEVINS & REPRESENTATIVE SMITH - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Elections.

**SB 98** - HENRY & REPRESENTATIVE EWING - JUDICIARY - An Act to Amend Title 11 of the Delaware Code with Respect to Participation in Violent Gangs.

**SB 100** - VAUGHN & REPRESENTATIVE EWING - CORRECTIONS - An Act to Amend Title 11 of the Delaware Code Relating to Escape.

Mr. Speaker Spence introduced a guest. Representative Smith deferred to Representative Roy. Representative Roy requested and was granted personal privilege of the floor to introduce guests. Representative Houghton requested that he be marked present. Representative Smith deferred to Representative Maier. Representative Maier requested and was granted personal privilege of the floor for Ann M. Grunert, Executive Director, Special Olympics Delaware and several Special Olympians, their partners and Coaches, who announced their names for the record. Mr. Speaker Spence made comments. Representatives VanSant, Plant, DiPinto, Boulden, Gilligan & Lofink requested that they be marked present. Representative George requested and was granted privilege of the floor for herself and Representative B. Ennis to present a House Tribute to Rick Jensen, Program Director, WDEL radio. Representative B. Ennis introduced Sergeant Thomas Emerson who has recently returned from Saudi Arabia. Mr. Speaker Spence made comments. Representatives Roy & D. Ennis requested and were granted personal privilege of the floor to make comments. Representative Plant requested and was granted privilege of the floor for Pastor Aretha Mortin, representing Mothers Operating Together to Help Each Other Regain Strength. Mr. Speaker Spence made comments. Representative Gilligan requested and was granted personal privilege of the floor to introduce guests.

The Majority Leader moved to recess for caucus at 2:54 p.m.

The House reconvened at 5:30 p.m. with Representative Quillen as Acting Speaker.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 66 w/HA 1 & 2 & SA 1 & HB 65 w/HA 1** and is returning same to the House.

#### MEMORANDUM

TO: Terry R. Spence  
Speaker, House of Representatives

FROM: Peter C. Schwartzkopf  
Representative

DATE: June 5, 2003

Re: Absence from Session

Mr. Speaker, I will be absent from session on Thursday, June 05, 2003, for personal business.

Thank you for your consideration.

Mr. Acting Speaker reassigned **HB 116** to the Appropriations Committee.

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

BUSINESS/CORPORATIONS/COMMERCE: **SB 48 w/SA 2 - 6M.**

Representative Smith brought **HB 190**, jointly sponsored by Representative Thornburg & Senator Cook, before the House for consideration.

**HB 190 - AN ACT TO AMEND TITLES 10 AND 21 OF THE DELAWARE CODE RELATING TO VEHICULAR CRIMES. (2/3 bill)**

Representatives Smith & Booth made comments.

Representative Smith moved to place **HB 190** 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 **HB 210**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **HB 210**, jointly sponsored by Representative VanSant & Representative Wagner & Representative DiPinto & Representative B. Ennis & Senator Vaughn & Senator Sorenson & Representatives Spence, Lee, Buckworth, Carey, D. Ennis, Ewing, Fallon, Hudson, Lavelle, Lofink, Maier, Oberle, Quillen, Reynolds, Ulbrich, Valihura, Gilligan, Hall-Long, Houghton, Keeley, Mulrooney & Williams & Senators Blevins, Henry, Marshall, Peterson, Sokola, Venables, Still & Simpson & cosponsored by Senator Cloutier, before the House for consideration.

**HB 210 - AN ACT TO AMEND TITLES 10, 11, 16 AND 21 OF THE DELAWARE CODE RELATING TO CERTAIN CRIMES.**

Representative Smith made comments. Representative Gilligan requested and was granted privilege of the floor for Steven P. Wood, Deputy Attorney General. Representatives Gilligan, Oberle, George, Williams & Wagner made comments. Representative B. Ennis requested and was granted privilege of the floor for Thomas P. Eichler, Executive Director, Stand Up for What is Right and Just. Representatives B. Ennis, Oberle, Williams, Smith & DiPinto made comments.

The roll call on **HB 210** was taken and revealed:

YES: 39.

ABSENT: Representatives Ewing & Schwartzkopf - 2.

Therefore, having received a constitutional majority, **HB 210** was sent to the Senate for concurrence. Representatives Buckworth, Cathcart, Miro, Oberle, Reynolds, Viola, Williams & Lavelle requested that they be marked present during the roll call.

Representative Smith moved to lift **HB 190** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **HB 190**, jointly sponsored by Representative Thornburg & Senator Cook, before the House for consideration.

**HB 190 - AN ACT TO AMEND TITLES 10 AND 21 OF THE DELAWARE CODE RELATING TO VEHICULAR CRIMES. (2/3 bill)**

Representative Smith introduced and brought **HA 1 to HB 190** before the House for consideration. Representative Smith made a comment. **HA 1** was adopted by voice vote.

The roll call on **HB 190 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Ewing & Schwartzkopf - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 190 w/HA 1** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Boulden.

Representative Boulden brought **HB 106** before the House for consideration.

**HB 106 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE OCCUPANT PROTECTION SYSTEM SAFETY ACT. (F/N)**

Representative Boulden made comments.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence reassigned **HB 193 & HB 194** to the Economic Development/Banking & Insurance Committee.

Representative Boulden introduced and brought **HA 1 to HB 106** before the House for consideration. Representative Boulden made comments. **HA 1** was adopted by voice vote. Representatives Boulden, Caulk, Maier, Lavelle, George & Wagner made comments.

The roll call on **HB 106 w/HA 1** was taken and revealed:

YES: Representatives Boulden, DiPinto, Fallon, Hudson, Lofink, Maier, Oberle, Reynolds, Roy, Smith, Ulbrich, Valihura, Wagner & Spence - 14.

NO: 25.

ABSENT: Representatives Ewing & Schwartzkopf - 2.

Therefore, not having received a constitutional majority, **HB 106 w/HA 1** was declared defeated.

Representative Lavelle introduced a guest. Representative Quillen made a comment.

Representative Smith brought **HB 118**, jointly sponsored by Representative Valihura & Senator Henry & Senator Cloutier & Representatives DiPinto, B. Ennis, Gilligan, Hudson, Keeley, Lavelle, Mulrooney, VanSant & Viola & Senators Amick, Blevins, Copeland, DeLuca & Sorenson, before the House for consideration.

**HB 118** - AN ACT TO AMEND TITLE 26 OF THE DELAWARE CODE RELATING TO THE WATER SUPPLY SELF-SUFFICIENCY ACT OF 2003.

Representatives Smith & Lavelle made comments.

The roll call on **HB 118** was taken and revealed:

YES: 39.

ABSENT: Representatives Ewing & Schwartzkopf - 2.

Therefore, having received a constitutional majority, **HB 118** was sent to the Senate for concurrence.

Representative Smith & Mr. Speaker Spence made comments.

Representative Smith deferred to Representative D. Ennis.

Representative D. Ennis brought **HB 150**, jointly sponsored by Representatives Caulk, DiPinto, Hocker, Keeley, Quillen, B. Ennis & Hall-Long & Senators Bunting, Sorenson, Connor & Simpson, before the House for consideration.

**HB 150** - AN ACT TO AMEND TITLE 7, CHAPTER 60 OF THE DELAWARE CODE RELATING TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL. (3/5 bill) (F/I)

Representative D. Ennis brought **HA 1 to HB 150** before the House for consideration.

Representative D. Ennis made a comment. **HA 1** was adopted by voice vote. Representative D. Ennis made comments.

The roll call on **HB 150 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Ewing & Schwartzkopf - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House,

**HB 150 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 178**, jointly sponsored by Senator Cook & Representatives Lee, Atkins, Buckworth, Caulk, D. Ennis, Ewing, Quillen, VanSant, B. Ennis, Houghton, Williams, Booth, Hocker, Thornburg, Valihura & Senators Bonini, Bunting, Simpson, Still, Vaughn & Venables, before the House for consideration.

**HB 178** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Representative Wagner made comments. Representative Keeley introduced and brought **HA 1 to HB 178** before the House for consideration. Representative Keeley made comments. **HA 1** was adopted by voice vote. Representative Wagner introduced and brought **HA 2 to HB 178**, jointly sponsored by Representative Schwartzkopf, before the House for consideration. Representative Wagner made comments. **HA 2** was adopted by voice vote. Representatives Wagner, Keeley & George made comments.

The roll call on **HB 178 w/HA 1 & HA 2** was taken and revealed:

YES: 37.

NO: Representatives George & Keeley - 2.

ABSENT: Representatives Ewing & Schwartzkopf - 2.

Therefore, having received a constitutional majority, **HB 178 w/HA 1 & HA 2** was sent to the Senate for concurrence.

Representative Smith brought **HB 122**, jointly sponsored by Senator Cloutier, before the House for consideration.

**HB 122** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO THE ANNUAL LICENSE FEE FOR TRAVEL AGENCIES. (F/N)

Mr. Speaker Spence reassigned **HB 187** to the Education Committee.

Representative Smith introduced and brought **HA 1 to HB 122** before the House for consideration. Representative Smith made a comment. **HA 1** was adopted by voice vote. Representatives Smith & Valihura made comments.

The roll call on **HB 122 w/HA 1** was taken and revealed:

YES: 28.

NO: Representatives Atkins, Cathcart, Hocker, Maier, Miro, Oberle, Stone, Ulbrich & Viola - 9.

ABSENT: Representatives Ewing, Quillen, Reynolds & Schwartzkopf - 4.

Therefore, having received a constitutional majority, **HB 122 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **HB 172**, jointly sponsored by Senator Henry, before the House for consideration.

**HB 172** - AN ACT TO AMEND TITLE 9 AND TITLE 22 OF THE DELAWARE CODE RELATING TO SIGNAGE ON PARKING SPACES OR ZONES DESIGNATED FOR USE BY PERSONS WITH DISABILITIES. (2/3 bill)

Representative Hudson made comments.

The roll call on **HB 172** was taken and revealed:

YES: 36.

ABSENT: Representatives Ewing, Keeley, Quillen, Reynolds & Schwartzkopf - 5.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 172** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Gilligan.

Representative Gilligan brought **HB 168**, jointly sponsored by Senator Sokola & All Representatives & All Senators, before the House for consideration.

**HB 168** - AN ACT TO AMEND CHAPTER 25 OF TITLE 6 OF THE DELAWARE CODE TO PROVIDE A PRIVATE CAUSE OF ACTION AND ALLOW FOR ADDITIONAL FRAUD PROTECTIONS FOR SENIOR CITIZENS AND DISABLED PERSONS.

Representative Gilligan introduced and brought **HA 1 to HB 168** before the House for consideration. Representative Gilligan made a comment. **HA 1** was adopted by voice vote. Representative Gilligan made a comment.

The roll call on **HB 168 w/HA 1** was taken and revealed:

YES: 36.

ABSENT: Representatives Ewing, Keeley, Quillen, Reynolds & Schwartzkopf - 5.

Therefore, having received a constitutional majority, **HB 168 w/HA 1** was sent to the Senate for concurrence.

Representative Roy requested and was granted personal privilege of the floor to make an announcement.

Representative Smith deferred to Representative Miro.

Representative Miro introduced **HB 216**, jointly sponsored by Senator Blevins & Representatives Cathcart, Oberle, Keeley & Viola.

**HB 216** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH CARE MEDICAL NEGLIGENCE.

Mr. Speaker Spence assigned **HB 216** to the Economic Development/Banking & Insurance Committee.

The Majority Leader moved to recess to the call of the Chair at 7:25 p.m.

The House reconvened at 2:12 p.m. on June 10, 2003 with Representative Quillen as Acting Speaker.

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

JUDICIARY: **HB 205** - 6M.

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 182** - 6M,2U.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 55 w/SA 2** and requests the concurrence of the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Hazel D. Plant, do hereby request that my name be removed as cosponsor of **HB 210**.

Date: June 5, 2003

Signed: Hazel D. Plant

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Melanie George, do hereby request that my name be removed as cosponsor of **HB 210**.

Date: June 5, 2003

Signed: Melanie George

June 5, 2003

LEGISLATIVE ADVISORY #5

Governor Ruth Ann Minner signed the following legislation on the date indicated: 5/27/03 - **SB 58** & **HB 109**; 6/2/03 - **SB 93 aab SA 1**; 6/4/03 - **SB 35 aab HA 1**.

Mr. Acting Speaker assigned **HB 205** to the Appropriations Committee.

Representatives Ewing & Schwartzkopf requested that they be marked present for the current Legislative Day.

Representative Smith deferred to Representative Caulk.

Representative Caulk introduced **HB 225**, jointly sponsored by Senator Bunting & Representatives Atkins, Booth, Boulden, Buckworth, Carey, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Hall-Long, Hocker, Houghton, Hudson, Keeley, Lavelle, Lee, Lofink, Maier, Miro, Oberle, Quillen, Reynolds, Roy, Smith, Spence, Stone, Thornburg, Ulbrich, Valihura & Williams & Senators Adams, Bonini, Cloutier, Connor, Cook, Simpson, Still, Vaughn & Venables.

**HB 225** - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO AGRICULTURAL USE LAND.

Mr. Acting Speaker assigned **HB 225** to the Agriculture Committee.

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

**33rd LEGISLATIVE DAY - 142nd GENERAL ASSEMBLY - First Session  
June 10, 2003**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Buckworth - 1.

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

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

Representative Lee requested that he be marked present.

The following prefiled legislation was introduced:

**HB 208** - ULBRICH & SENATOR MCBRIDE; REPRESENTATIVES HUDSON, VALIHURA, SCHWARTZKOPF, VIOLA; SENATORS PETERSON, SOKOLA, COPELAND - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Massage and Bodywork.

**HB 209** - MAIER & SENATOR SOKOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to School Boards of Reorganized School Districts.

**HB 211** - ULBRICH & SENATOR MCBRIDE; REPRESENTATIVES HUDSON, VALIHURA, SCHWARTZKOPF, VIOLA; SENATORS PETERSON, SOKOLA, COPELAND - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 2, Title 24 of the Delaware Code Relating to the Board of Landscape Architecture.

**HB 212** - MAIER & SENATOR BLEVINS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 31 of the Delaware Code Relating to the Child Placement Review Act.

**HB 213** - DIPINTO & SENATOR HENRY; REPRESENTATIVES SMITH, D. ENNIS, WILLIAMS, GEORGE, KEELEY, PLANT; SENATORS MCDOWELL, BLEVINS, MARSHALL, PETERSON, SORENSON, CLOUTIER, CONNOR, COPELAND - HOUSE ADMINISTRATION - An Act to Amend Certain Provisions of the Charter of the City of Wilmington, Pursuant to 22 Del. C., Section 811, Relating to the Administrative Assistant to the Mayor. (2/3 bill)

**HB 214** - QUILLEN & SENATOR SOKOLA - BUSINESS/CORPORATIONS/COMMERCE - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors.

**HB 215** - VIOLA & SENATOR DELUCA & SENATOR MCBRIDE; REPRESENTATIVES B. ENNIS, GEORGE, HOUGHTON, OBERLE, PLANT, SCHWARTZKOPF, SPENCE, WILLIAMS; SENATORS BLEVINS, CONNOR, HENRY, MARSHALL, MCDOWELL, SOKOLA - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to State Procurement.

**HB 217** - ROY & SENATOR MCBRIDE - TELECOMMUNICATION INTERNET & TECHNOLOGY - An Act to Amend Title 6 of the Delaware Code Relating to the Choice of Law and Forum for Computer Information Agreements.

**HB 218** - ATKINS & SENATOR BUNTING; REPRESENTATIVES LEE, BUCKWORTH, CAREY, CATHCART, CAULK, DIPINTO, FALLON, HUDSON, LOFINK, MIRO, OBERLE, QUILLEN, REYNOLDS, STONE, WAGNER - PUBLIC SAFETY - An Act to Amend Title 21 Relating to Motor Vehicles and Special Registration Plates.

**HB 219** - CATHCART & REPRESENTATIVE STONE & REPRESENTATIVE WAGNER & SENATOR HENRY; REPRESENTATIVES LEE, ATKINS, BUCKWORTH, CAREY, CAULK, DIPINTO,

FALLON, HUDSON, LOFINK, MIRO, QUILLEN, REYNOLDS, ROY; SENATOR STILL - EDUCATION - An Act to Amend Title 29 of the Delaware Code Relating to Public Procurement of Goods, Materials and Services.

**HB 220** - KEELEY & GEORGE; REPRESENTATIVES CAREY, D. ENNIS, EWING, HALL-LONG, HOCKER, HOUGHTON, MULROONEY, QUILLEN; SENATOR HENRY - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Obscenity.

**HB 221** - KEELEY; REPRESENTATIVES BUCKWORTH, CAREY, D. ENNIS, EWING, GEORGE, HALL-LONG, HOCKER, HOUGHTON, MULROONEY, WILLIAMS; SENATOR HENRY - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Obscenity.

**HB 222** - MIRO & SENATOR MARSHALL; REPRESENTATIVES SMITH, FALLON, REYNOLDS, KEELEY; SENATOR COOK - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to In-State Tuition Charges for Delaware Residents.

**HB 223** - OBERLE & REPRESENTATIVE MIRO & REPRESENTATIVE LOFINK ON BEHALF OF ALL REPRESENTATIVES & SENATOR MARSHALL & SENATOR VENABLES ON BEHALF OF ALL SENATORS - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Unemployment Compensation.

**HB 224** - MIRO & SENATOR SOKOLA; REPRESENTATIVES HUDSON, LAVELLE; SENATORS AMICK, CONNOR - EDUCATION - An Act to Amend Titles 14 and 21 of the Delaware Code Relating to the Department of Education and Rules of the Road.

**HA 5** to **HB 182** - MIRO - Placed with the Bill.

**HA 1** to **HB 195** - ROY - Placed with the Bill.

**SB 55 w/SA 2** - VENABLES; SENATOR BUNTING; REPRESENTATIVES ULBRICH, ATKINS, EWING - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to a Cloning Prohibition and Research Protection Act.

**HA 1** to **SB 65** - STONE; REPRESENTATIVES ATKINS, HOCKER, QUILLEN, MULROONEY, VIOLA - Placed with the Bill.

Representatives Houghton, Atkins, Lofink, Maier, Miro, Smith, Fallon & D. Ennis requested that they be marked present. Representative George requested and was granted personal privilege of the floor to introduce guests. Representative Smith deferred to Representatives Lavelle & Keeley. Representative Plant requested that she be marked present. Representatives Lavelle & Keeley requested and were granted privilege of the floor to make a presentation to Representative Smith. Representatives Miro & Ewing made announcements. Representative Roy requested and was granted personal privilege of the floor for himself and Representative Hudson to introduce guests and to present a House Tribute to Meghan Pasricha, 2003 Youth Advocate Award-International Grant Winner. Mr. Acting Speaker introduced guests. Representative Booth made comments. Representatives Stone & Caulk made announcements.

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

The House reconvened at 4:30 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 14** and requests the concurrence of the House; **HCR 30 & HCR 31** and is returning same to the House; **SB 113, SB 11, SB 102 & SCR 17** and requests the concurrence of the House.

#### MEMORANDUM

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

FROM: The Honorable Gerald A. Buckworth  
State Representative - 34th District

DATE: June 10, 2003

RE: Absence from Session

Please excuse my absence on Tuesday, June 10, 2003, due to illness. Thank you for your understanding.

Representative Smith deferred to Representative Maier.

Representative Maier brought **HB 189**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 189** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE REGISTRATION OF DEATH.

Representative Maier introduced guests and made comments.

The roll call on **HB 189** was taken and revealed:

YES: 38.

ABSENT: Representatives Buckworth, Roy & Spence - 3.

Therefore, having received a constitutional majority, **HB 189** was sent to the Senate for concurrence.

Representatives Boulden, Cathcart, Mulrooney, Reynolds, Viola, Wagner, Williams, DiPinto & Oberle requested that they be marked present during the roll call.

Representative Smith brought **SB 75**, jointly sponsored by Senator Marshall & Senators Adams, Cook & Still & Representative Spence, before the House for consideration.

**SB 75 - AN ACT TO AMEND TITLE 15, CHAPTER 33 RELATING TO NOMINATIONS OF CANDIDATES.**

The roll call on **SB 75** was taken and revealed:

YES: 40.

ABSENT: Representative Buckworth - 1.

Therefore, having received a constitutional majority, **SB 75** was returned to the Senate.

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

The House observed a moment of silence in memory of John Patrick Healy at the request of Representative Mulrooney. Representative Oberle made comments. Representative Smith deferred to Representative Ewing. Representative Ewing introduced a guest. Representative Smith deferred to Representative Lofink. Representative Lofink made an announcement.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **HB 1**, jointly sponsored by Representative Reynolds & Senator Sokola & Senator Marshall & Representatives Buckworth, D. Ennis, Fallon, Miro, Roy, Stone, George, Houghton, Hall-Long, Mulrooney, Viola & Spence & Senators Amick, Blevins, Connor, Cook, Peterson, Cloutier & Simpson & cosponsored by Representative DiPinto & Senator DeLuca, before the House for consideration.

**HB 1 - AN ACT TO AMEND CHAPTER 40, TITLE 14 OF THE DELAWARE CODE RELATING TO THE PUBLIC SCHOOL EMPLOYMENT RELATIONS ACT.**

Representative Wagner introduced and brought **HA 1 to HB 1** before the House for consideration. Representatives Wagner & Oberle made comments. **HA 1** was adopted by voice vote. Representative Oberle introduced and brought **HA 2 to HB 1** before the House for consideration. Representatives Oberle & Wagner made comments. **HA 2** was adopted by voice vote.

Representatives Oberle, Wagner & Booth made comments.

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

YES: 39.

ABSENT: Representatives Buckworth & Smith - 2.

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

Representative Lee deferred to Representative Reynolds.

Representative Reynolds brought **HB 171**, jointly sponsored by Senator Sokola & Representatives B. Ennis & Maier & Senators Amick, Blevins, Connor, Henry & Simpson, before the House for consideration.

**HB 171 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT LOANS. (F/N)**

Representatives Reynolds & B. Ennis made comments.

The roll call on **HB 171** was taken and revealed:

YES: 39.

ABSENT: Representatives Buckworth & Hocker - 2.

Therefore, having received a constitutional majority, **HB 171** was sent to the Senate for concurrence.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds brought **HB 173**, jointly sponsored by Senator Sokola & Representative Maier, before the House for consideration.

**HB 173 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO EXCEPTIONAL PERSONS.**

Representative Reynolds requested and was granted privilege of the floor for Darrynn Harris, Secretary of Education, Boys' State.

Representatives Booth & Reynolds made comments.

The roll call on **HB 173** was taken and revealed:

YES: 40.

ABSENT: Representative Buckworth - 1.

Therefore, having received a constitutional majority, **HB 173** was sent to the Senate for concurrence.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Reynolds brought **SB 57**, jointly sponsored by Senator Sokola, before the House for consideration.

**SB 57 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE DISCLOSURE OF, AND ACCESS TO, EDUCATION RECORDS.**

Representative Reynolds made comments.

The roll call on **SB 57** was taken and revealed:

YES: 40.

ABSENT: Representative Buckworth - 1.

Therefore, having received a constitutional majority, **SB 57** was returned to the Senate.

Representative Quillen made an announcement.

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

Representatives Ulbrich, Lofink & Maier made comments.

The Majority Leader moved to recess to the call of the Chair at 5:15 p.m.

The House reconvened at 2:10 p.m. with Representative Roy as Acting Speaker.

Representative Lee made an announcement.

Representative Smith deferred to Representative Wagner.

Representative Wagner introduced and brought **HR 33**, jointly sponsored by Representatives Lee, Booth, Boulden, Carey, Cathcart, Caulk, D. Ennis, Ewing, Fallon, Hocker, Maier, Miro, Quillen, Reynolds, Stone, Valihura, VanSant, B. Ennis, Hall-Long, Houghton, Mulrooney, Plant, Schwartzkopf & Viola, before the House for consideration.

**HR 33** - A RESOLUTION RECOMMENDING A "CODE ADAM" CHILD SAFETY PROTOCOL TO BE ADOPTED BY SHOPPING MALLS AND STORES WITHIN THE STATE.

Representative Wagner moved to place **HR 33** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Wagner introduced **HB 242**, jointly sponsored by Senator Blevins & Representatives Quillen & Keeley.

**HB 242** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE TERMINATION OF PARENTAL RIGHTS.

Mr. Acting Speaker assigned **HB 242** to the Judiciary Committee.

Representative Wagner introduced **HB 235**, jointly sponsored by Representative Williams & Representative Plant & Senator Henry.

**HB 235** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO BAIL.

Mr. Acting Speaker assigned **HB 235** to the Judiciary Committee.

Representative Wagner made an announcement.

Representative Smith introduced **HB 241**, sponsored by Representative Roy & Senator Cook.

**HB 241** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAXES.

Mr. Acting Speaker assigned **HB 241** to the Revenue & Finance Committee.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto introduced **HB 238**, jointly sponsored by Senator Cook & Representatives Spence, Smith, Lee, Hudson, Roy, Gilligan & VanSant & Senators Adams, McDowell, DeLuca, Vaughn, Venables, Still, Sorenson & Amick.

**HB 238** - AN ACT TO AMEND CHAPTER 61, TITLE 29 OF THE DELAWARE CODE RELATING TO THE CREATION OF THE FEDERAL FISCAL RELIEF FUND.

Mr. Acting Speaker assigned **HB 238** to the Appropriations Committee.

Representative DiPinto requested and was granted personal privilege of the floor to make an announcement.

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.

**34th LEGISLATIVE DAY - 142nd GENERAL ASSEMBLY - First Session  
June 11, 2003**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Helene M. Keeley, Third Representative District.

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

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

The following prefiled legislation was introduced:

**HB 191** - B. ENNIS & SENATOR VAUGHN; SENATOR COOK; REPRESENTATIVES HALL-LONG, THORNBURG - HOUSE ADMINISTRATION - An Act to Reincorporate the Town of Smyrna. (2/3 bill)

**HB 226** - BOULDEN; REPRESENTATIVES CAULK, QUILLEN, B. ENNIS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance Contracts.

**HB 227** - BOULDEN; REPRESENTATIVES DIPINTO, D. ENNIS, LOFINK, VALIHURA, B. ENNIS, PLANT, WILLIAMS - TRANSPORTATION - An Act to Amend Title 2, Delaware Code Relating to the Regulation of Public Carriers.

**HB 228** - LOFINK; REPRESENTATIVE OBERLE & SENATOR MARSHALL - LABOR - An Act to Amend Title 19 of the Delaware Code Relating to Wage Payment and Collection Notification.

**HB 229** - SPENCE & SENATOR ADAMS; REPRESENTATIVES SMITH, LEE, GILLIGAN, VANSANT; SENATORS MCDOWELL, DELUCA, STILL, SORENSON - HOUSE ADMINISTRATION - An Act to Amend Chapter 17, Title 29, Delaware Code Relating to Emergency Interim Succession.

**HB 230** - VALIHURA; REPRESENTATIVES BOULDEN, DIPINTO, D. ENNIS, HUDSON, LAVELLE, MULROONEY, SPENCE; SENATORS CLOUTIER, COPELAND, HENRY, PETERSON, SOKOLA - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to the Rules of the Road.

**HB 232** - SPENCE & REPRESENTATIVE GEORGE; REPRESENTATIVES ATKINS, BOOTH, BUCKWORTH, CAULK, EWING, FALLON, HOCKER, LOFINK, MIRO, B. ENNIS, HALL-LONG, KEELEY, PLANT; SENATORS SOKOLA, AMICK - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Financial Assistance for Higher Education.

**HB 233** - SPENCE & REPRESENTATIVE LEE & SENATOR VAUGHN; REPRESENTATIVES SMITH, ATKINS, BOOTH, BOULDEN, BUCKWORTH, CAREY, DIPINTO, EWING, FALLON, HUDSON, LAVELLE, LOFINK, MAIER, OBERLE, QUILLEN, ROY, STONE, THORNBURG, ULBRICH, VALIHURA, WAGNER, GILLIGAN, VANSANT, B. ENNIS, GEORGE, HALL-LONG, HOUGHTON, KEELEY, MULROONEY, PLANT, SCHWARTZKOPF, VIOLA, WILLIAMS; SENATORS ADAMS, MCDOWELL, BLEVINS, COOK, DELUCA, HENRY, VENABLES, BONINI, CLOUTIER, CONNOR, COPELAND, SIMPSON - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**HB 234** - HOCKER & REPRESENTATIVE SMITH; REPRESENTATIVES ATKINS, BOOTH, BOULDEN, BUCKWORTH, CAREY, CAULK, B. ENNIS, LEE, QUILLEN, VANSANT; SENATOR HENRY - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to the Registration of Motor Vehicles. (2/3 bill)

**HA 1 to HB 142** - CATHCART - Placed with the Bill.

**HA 1 to HB 192** - LAVELLE - Placed with the Bill.

**HA 1 to HB 203** - BOOTH - Placed with the Bill.

**HJR 9** - GEORGE & REPRESENTATIVE SPENCE & SENATOR SORENSON & SENATOR SOKOLA; REPRESENTATIVE BOOTH, BUCKWORTH, B. ENNIS, FALLON, GILLIGAN, HALL-LONG, HOCKER, HOUGHTON, KEELEY, MULROONEY, PLANT, REYNOLDS, SCHWARTZKOPF, VANSANT, VIOLA; SENATORS CONNOR, COPELAND, MCDOWELL, SIMPSON - EDUCATION - Creating a Task Force to Examine Early Childhood Education Programs in Delaware and to Develop a Plan for Implementation of Universal Prekindergarten and Full-day Kindergarten.

**SB 11** - CONNOR & REPRESENTATIVE VALIHURA; SENATORS CLOUTIER, COPELAND, DELUCA, SIMPSON, SOKOLA, SORENSON, STILL; REPRESENTATIVES B. ENNIS, HOUGHTON, KEELEY, MIRO - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Titles 11 and 29 of the Delaware Code Relating to Credit and Debit Card Receipts. (2/3 bill)

**SB 102** - MCBRIDE & REPRESENTATIVE HALL-LONG & SENATOR SORENSON & REPRESENTATIVE ULBRICH & SENATOR SIMPSON; SENATORS ADAMS, BLEVINS, BUNTING, COOK, DELUCA, HENRY, MARSHALL, MCDOWELL, PETERSON, SOKOLA, VAUGHN, VENABLES, AMICK, BONINI, CLOUTIER, CONNOR, COPELAND, STILL; REPRESENTATIVES ATKINS, BOOTH, BOULDEN, BUCKWORTH, CAREY, CATHCART, CAULK, DIPINTO, D. ENNIS, EWING, FALLON, HOCKER, HUDSON, LAVELLE, LEE, LOFINK, MAIER, MIRO, OBERLE, QUILLEN, REYNOLDS, ROY, SMITH, SPENCE, STONE, THORNBURG, VALIHURA, WAGNER, B. ENNIS, GEORGE, GILLIGAN, HOUGHTON, KEELEY, MULROONEY, PLANT, SCHWARTZKOPF, VANSANT, VIOLA, & WILLIAMS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code to Create a Delaware Cancer Consortium.

**SB 113** - DELUCA & REPRESENTATIVE STONE; SENATORS BUNTING, SOKOLA, SORENSON, STILL; REPRESENTATIVES CAREY, D. ENNIS, HOCKER, HOUGHTON, HUDSON, KEELEY, LAVELLE, VALIHURA - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 12 of the Delaware Code Relating to Investments of Fiduciaries.

**HA 1 to SB 34** - VALIHURA - Placed with the Bill.

Representative Smith deferred to Representative Stone.

Representative Hudson requested and was granted personal privilege of the floor to make an announcement.

Representative Stone introduced and brought **HCR 34**, jointly sponsored by Representative Buckworth & Representative Quillen & Representative Thornburg on behalf of All Representatives & Senator Still & Senator Bonini & Senator Cook on behalf of All Senators, before the House for consideration.

**HCR 34** - CONGRATULATING THE CAESAR RODNEY RIDERS FOR WINNING THE 2003 STATE HIGH SCHOOL SOFTBALL CHAMPIONSHIP.

WHEREAS, for the Caesar Rodney Riders softball team, playing in the final of the State tournament championship was a dream yet to be realized, until this year; and

WHEREAS, their opponent, Caravel Academy, has held the softball championship title for the last five years, and

WHEREAS, on June 2nd, 2003, Caravel's dynasty came to an end when the Caesar Rodney Riders defeated the Caravel Academy Buccaneers in a 4-3 victory to win the State softball championship; and

WHEREAS, the Caesar Rodney Riders are only the sixth Cape Henlopen Conference team to win the softball State title; and

WHEREAS, it has been a long road to the State champion title, never having played in a State tournament until 1997, being seeded 6th this year, and ending with an 18-6 record; and

WHEREAS, under the coaching skills of Head Coach Pat Shields, Assistant Coaches John Downs, Andi Winkleblech, George Fisher and Kim Smith, the Caesar Rodney Riders managed to win the State title by beating three straight teams it had lost to this spring; and

WHEREAS, with a never-say-die-attitude, teammates Catrina Ansbach, Jaimie Brittingham, Heather Dotson, Jessica Dotson, Rae Everson, Casey Howard, Amy Jarrell, Jessica Johnson, Christina Kirby, Elizabeth Palmer, Hope Pierson, Heather Rogers, Courtney Sams and Kelsie Ward, brought the first softball State championship to Caesar Rodney High School.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 142nd General Assembly of the State of Delaware, the Senate concurring therein, that hearty congratulations are extended to the coaches and players of the Caesar Rodney Riders for winning the 2003 State High School Softball Championship.

**HCR 34** was adopted by voice vote and was sent to the Senate for concurrence.

Representatives Stone, Buckworth & Thornburg requested and were granted privilege of the floor to present House Tributes to the Caesar Rodney Rider Girls' Varsity Softball Team and coaches, who announced their names for the record.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #27

DATE: June 11, 2003

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>
H142-580	Oberle	6/2/2003	T	Zalika Hannibal - Graduation - Delaware School for the Deaf
H142-581	Oberle	6/2/2003	T	Gonzalo Ventura - Graduation - Delaware School for the Deaf
H142-582	Oberle	6/2/2003	T	Crystal Gibbs - Graduation - Delaware School for the Deaf
H142-583	Oberle	6/2/2003	T	Michael Figard - Graduation - Delaware School for the Deaf
H142-584	Oberle	6/2/2003	T	Ronnie Burklew, Jr. - Graduation - Delaware School for the Deaf
H142-585	Oberle	6/2/2003	T	Matthew Briggs - Graduation - Delaware School for the Deaf
H142-586	Oberle	6/2/2003	T	Thomas Baker, Jr. - Graduation - Delaware School for the Deaf
H142-587	Buckworth	6/30/2003	T	Yvonne Williams - Retirement - 17 Years - Caesar Rodney Schools
H142-588	Buckworth	6/30/2003	T	Willie Mae Gotch - Retirement - 33 Years - Caesar Rodney Schools
H142-589	Stone	6/13/2003	T	Robert Roswell - Retirement - 7 Years - Capital Schools
H142-590	Wagner	6/13/2003	T	Daniel Pritchett - Retirement - 34 Years - Capital Schools
H142-591	Wagner	6/13/2003	T	Mary Ward - Retirement - 36 Years - Capital Schools
H142-592	Wagner	6/13/2003	T	Juanita Ward - Retirement - 25 Years - Capital Schools
H142-593	Wagner	6/13/2003	T	Janet Scotten - Retirement - 25 Years - Capital Schools
H142-594	Wagner	6/13/2003	T	Barbara Sanders - Retirement - 33 Years - Capital Schools
H142-595	Wagner	6/13/2003	T	Ruby Quillen - Retirement - 36 Years - Capital

H142-596	Wagner	6/13/2003	T	Schools Barbara Oncay - Retirement - 19 Years - Capital Schools
H142-597	Wagner	6/13/2003	T	Barbara Miller - Retirement - 26 Years - Capital Schools
H142-598	Stone	6/13/2003	T	Virginia Hickman - Retirement - 33 Years - Capital Schools
H142-599	Wagner	6/13/2003	T	Elizabeth Eastburn - Retirement - 36 Years - Capital Schools
H142-600	Wagner	6/13/2003	T	Barbara Dowd - Retirement - 36 Years - Capital Schools
H142-601	B. Ennis	5/25/2003	M	Harry F. Heller
H142-602	Stone	6/6/2003	T	Donna Griffin & Nicholas Milligan - Marriage
H142-603	Wagner	6/7/2003	T	Jessica Rowland & Douglas Eppler, Jr. - Marriage
H142-604	Stone	6/7/2003	T	Diana Dolan & Michael Beulah- Marriage

HOUSE TRIBUTE ANNOUNCEMENT #28

DATE: June 11, 2003

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
H142-605	Carey	6/22/2003	T	Stephen Pfaffenhauser - Eagle Scout
H142-606	Carey	6/3/2003	T	Sandra Walls-Culotta - Principal of the Year
H142-607	Carey	6/3/2003	T	Robert Smith - KSI - Employee of the Second Quarter
H142-608	Carey	6/3/2003	T	Robert Snyder - KSI - Employee of the Third Quarter
H142-609	Carey	6/3/2003	T	Janet Hawkins - KSI - Employee of the Fourth Quarter
H142-610	Carey	6/3/2003	T	Donna Lee - KSI - Employee of the First Quarter
H142-611	Carey	6/3/2003	T	Maureen Yocum - KSI - Staff Employee of the Year
H142-612	Carey	6/3/2003	T	Roger Pryor - KSI - Nicholas Rodriguez Appreciation Award
H142-613	Caulk	6/3/2003	T	Kirsten Winston - National Winner - Patriots Essay
H142-614	B. Ennis	6/5/2003	T	Rick Jensen - Organized Support Our Troops Rallies
H142-615	Lofink	5/29/2003	T	Beverly Cooper - 60th Birthday
H142-616	Wagner	4/29/2003	T	Susie Savage - 14th Birthday
H142-617	Booth	6/21/2003	T	Honorable George Smith - Park Dedication - Lewes
H142-618	Stone	5/22/2003	T	Thomas Burns - Small Business Person of the Year
H142-619	Wagner	6/20/2003	T	Joseph DiSalvo, Jr. - Retirement - 32 Years Adult Education
H142-620	Plant	6/1/2003	T	Da'rius Lemon - Eagle Scout
H142-621	Gilligan	5/22/2003	T	Father Joseph Kandathiparampil - 45th Anniversary - Ordination
H142-622	Stone	5/30/2003	M	Harold L. Harmon
H142-623	Stone	5/30/2003	M	Raymond W. Ingram
H142-624	Stone	5/27/2003	M	Deacon Hilton Baines
H142-625	Stone & Wagner	5/31/2003	M	Roy David Bogus
H142-626	Wagner cosponsor: Rep. B. Ennis Stone	5/29/2003	T	Honorable William Malcolm Murphy, Jr.
H142-627	Buckworth & Thornburg cosponsors: All Representatives	6/3/2003	T	John Sigler - Second Vice-President - NRA
H142-628	Lofink	5/19/2003	T	Stan Banks - Track and Field Championship

HOUSE TRIBUTE ANNOUNCEMENT #29

DATE: June 11, 2003

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
H142-629	Lofink	5/19/2003	T	Reggie Hopkins - Track and Field Championship
H142-630	Lofink	5/19/2003	T	Mike Schmidt - Track and Field Championship
H142-631	Lofink	5/19/2003	T	Canaan Baise - Track and Field Championship
H142-632	Lofink	5/19/2003	T	Edward Baise - Track and Field Championship
H142-633	Lofink	5/19/2003	T	Aquila Baise - Track and Field Championship
H142-634	Lofink	5/19/2003	T	Frank Gregory - Track and Field Championship
H142-635	Lofink	5/19/2003	T	Mike Williams - Track and Field Championship
H142-636	Lofink	5/19/2003	T	Jose Worthen - Track and Field Championship
H142-637	Lofink	5/19/2003	T	Layton Johnson - Track and Field Championship
H142-638	Lofink	5/19/2003	T	Joe Todd - Track and Field Championship
H142-639	Lofink	5/19/2003	T	Mike Ellwein - Track and Field Championship
H142-640	Lofink	5/19/2003	T	Omar Saunders - Track and Field Championship
H142-641	Lofink	5/19/2003	T	Danle-Jon Rochester - Track and Field Championship
H142-642	Lofink	5/19/2003	T	Eric McCloud, Manager - Track and Field Championship
H142-643	Lofink	5/19/2003	T	Greg Jordan, Head Coach - Track and Field Championship
H142-644	Lofink	5/19/2003	T	Alhesia Booker, Coach - Track and Field Championship
H142-645	Oberle	5/31/2003	T	Joseph Fulgham - Masters Degree - Public Administration
H142-646	Fallon	5/30/2003	T	Pat & Ben Ewing - 50th Wedding Anniversary
H142-647	Atkins	6/3/2003	T	Shannan Davis - Miss Inland Bay
H142-648	Boulden	6/6/2003	T	Mary Lou & James Danberg - 50th Wedding Anniversary
H142-649	Lofink	6/7/2003	T	Ramona Ryle - Retirement - 33 Years - Howard High
H142-650	Carey	6/3/2003	T	M & H Welding - 50th Anniversary
H142-651	B. Ennis	6/7/2003	T	Shorty Richards - Retirement - 50 Years - VFW Quartermaster
H142-652	Gilligan	6/10/2003	T	Michael Biggs - Retirement - 30 Years - DelTech

T- Tribute

M - Memoriam

Mr. Speaker Spence resumed the Chair.

Representative Smith brought the following prefiled **Consent Calendar #10** before the House for consideration.

**HR 30** - Booth - A RESOLUTION TO ESTABLISH A TASK FORCE TO REVIEW STATE AND DEPARTMENT OF EDUCATION MANDATES ON LOCAL SCHOOL DISTRICTS AND RECOMMENDATIONS THEREOF.

**HR 31** - Boulden - EXTENDING THE LIFE OF THE SMALL BUSINESS HEALTH INSURANCE TASK FORCE.

**HR 32** - Smith & Representatives D. Ennis, Hudson, Lavelle & Valihura - CREATING A NORTHERN DELAWARE SPORTS FIELD SITE TASK FORCE.

**SCR 14** - Marshall on behalf of All Senators & Representative Maier on behalf of All Representatives - RECOGNIZING THE VITAL ROLE THAT CERTIFIED NURSING ASSISTANTS PLAY IN PROVIDING HEALTH CARE SERVICES, AND ENCOURAGING EMPLOYERS TO RECRUIT, RETAIN AND REWARD CERTIFIED NURSING ASSISTANTS FOR THEIR QUALITY CARE.

**SCR 17** - Sorenson & Representative Roy - RECOGNIZING MEGHAN PASRICHA AS THE RECIPIENT OF THE INTERNATIONAL YOUTH ADVOCACY AWARD.

Representative Wagner moved to lift **HR 33** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

**HR 33** - A RESOLUTION RECOMMENDING A "CODE ADAM" CHILD SAFETY PROTOCOL TO BE ADOPTED BY SHOPPING MALLS AND STORES WITHIN THE STATE.

Representative Wagner requested that **HR 33** be added to **Consent Calendar #10**.

**Consent Calendar #10** was adopted by voice vote and **HR 30, HR 31, HR 32 & HR 33** were declared passed & **SCR 14 & SCR 17** were returned to the Senate.

Mr. Speaker Spence reassigned **HB 224** to the Public Safety Committee.

The House observed a moment of silence in memory of Michael J. Monteiro at the request of Representative Smith.

Representative Mulrooney requested that he be marked present.

Representative Miro requested that **HB 140** be stricken.

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 D. Ennis, Fallon, Oberle, Plant, Quillen, Reynolds, Spence & Williams.

The House reconvened at 2:00 p.m. on June 12, 2003 with Representative Roy as Acting Speaker.

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

HOUSE ADMINISTRATION: **SB 82 w/SA 1 - 4F.**

BUSINESS/CORPORATIONS/COMMERCE: **HB 132 - 6M; HB 214 - 6M.**

JUDICIARY: **HB 163 - 7M; HB 167 - 7M; HB 198 - 6M; HB 200 - 7M; HB 201 - 7M; HB 202 - 7M; HB 235 - 7M; SB 31 w/SA 2 - 6M,1U; SB 98 - 7M.**

PUBLIC SAFETY: **HB 224 - 6M.**

CORRECTIONS: **SB 100 - 1F,5M.**

HEALTH & HUMAN DEVELOPMENT: **HB 184 - 5M; HB 197 - 6M; HB 212 - 5M; SB 45 - 5M; SB 63 - 5M; SB 64 - 5M; SB 67 - 5M; SB 79 w/SA 1 - 5M.**

AGRICULTURE: **HB 225 - 7F.**

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 196 - 6F; HB 203 - 6F.**

EDUCATION: **HB 187 - 7M; HB 222 - 7M.**

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 193 - 6F; HB 194 - 7F; HB 89 - 6M; SB 113 - 6F.**

HOUSING & COMMUNITY AFFAIRS: **HB 183 - 3F,3M.**

APPROPRIATIONS: **HB 238 - 4F.**

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 68, SB 92, SB 103, SCR 16 & SJR 4** and requests the concurrence of the House; **HB 141 w/HA 1 & HB 148** and is returning same to the House;

**SB 105 w/SA 1, SB 74, SB 107 w/SA 1, SCR 19 & SCR 20** and requests the concurrence of the House;

**HB 61** and is returning same to the House; **SB 141 & SB 5 w/SA 1** and requests the concurrence of the House.

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

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

### **35th LEGISLATIVE DAY - 142nd GENERAL ASSEMBLY - First Session June 12, 2003**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Reverend Mal Uteley, Pastor, Hockessin Baptist Church.

The colors were presented by the Delaware National Guard. Mr. Acting Speaker led those present in the pledge of allegiance to the American Flag.

The following prefiled legislation was introduced:

**HB 236 - WILLIAMS & REPRESENTATIVE KEELEY; REPRESENTATIVES B. ENNIS, HOUGHTON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 22 of the Delaware Code Relating to Municipal User Tax.**

**HB 237 - WAGNER & REPRESENTATIVE D. ENNIS; REPRESENTATIVE BOOTH, CAULK, EWING, HOCKER, QUILLEN, STONE, B. ENNIS, HOUGHTON, KEELEY, PLANT; SENATOR PETERSON - LABOR - An Act to Amend Chapter 59 of Title 29 Relating to Grievances.**

**HB 239 - VALIHURA & SENATOR BLEVINS & REPRESENTATIVE SMITH & SENATOR CLOUTIER & SENATOR COPELAND; REPRESENTATIVES D. ENNIS, FALLON, GEORGE, HUDSON, LAVELLE, SPENCE, STONE; SENATORS ADAMS, BUNTING, COOK, DELUCA, HENRY, MARSHALL, MCBRIDE, MCDOWELL, PETERSON, SIMPSON, SOKOLA, SORENSON, STILL, VAUGHN, VENABLES - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Primary Elections.**

**HB 240 - OBERLE & SENATOR BLEVINS & REPRESENTATIVE MAIER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Home Health Agency Programs.**

**HA 2 to HB 161 - PLANT - Placed with the Bill.**

**HA 1 to HB 198** - HALL-LONG - Placed with the Bill.

**SB 5 w/SA 1** - AMICK & REPRESENTATIVE ULBRICH & REPRESENTATIVE MIRO; REPRESENTATIVE HALL-LONG & SENATOR SOKOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Professions and Occupations.

**SB 68** - BONINI & REPRESENTATIVE MIRO; SENATORS AMICK, CLOUTIER, CONNOR, COPELAND, SIMPSON, SOKOLA, SORENSON; REPRESENTATIVES CAREY, CAULK, D. ENNIS, FALLON, HOCKER, REYNOLDS, STONE, VALIHURA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Professional Incentive Programs.

**SB 74** - BLEVINS & REPRESENTATIVE MAIER; REPRESENTATIVE ULBRICH - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Titles 14 and 16 of the Delaware Code Relating to Childhood Lead Poisoning.

**SB 92** - COPELAND & SENATOR SOKOLA & REPRESENTATIVE LAVELLE - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Critical Need Scholarships.

**SB 103** - SOKOLA & REPRESENTATIVE MAIER; SENATOR COPELAND - EDUCATION - An Act to Amend Title 14 of Delaware Code Relating to Compulsory School Attendance and Homeschools, and Non-public School Attendance and Enrollment Reporting Requirements.

**SB 105 w/SA 1** - BLEVINS & REPRESENTATIVE VALIHURA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Students with Traumatic Brain Injury.

**SB 107 w/SA 1** - BLEVINS & REPRESENTATIVE SMITH - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Public School Elections.

**SB 141** - SOKOLA & REPRESENTATIVE REYNOLDS; SENATORS BLEVINS, COPELAND, PETERSON, SIMPSON, STILL, VENABLES; REPRESENTATIVES BOOTH, BOULDEN, BUCKWORTH, GEORGE, MULROONEY, OBERLE, ULBRICH, VIOLA - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Use of Other Indicators Prior to Mandatory Summer School.

**SJR 4** - HENRY & REPRESENTATIVE WILLIAMS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - Creating a Task Force to Investigate and Report on the State of Health Insurance Benefits for Those Working in the Childcare Industry in Delaware and the Steps Other States Have Taken to Address the Provision of Those Benefits.

Representative Spence made comments. Rochelle Rose sang "America the Beautiful" in honor of her grandmother. Representative Lavelle presented a House Tribute to First Lieutenant Hazel Immediato. Adjutant General Francis D. Valava, Delaware National Guard, presented an American Flag to Lieutenant Immediato and promoted her to the honorary rank of Captain. Representative Spence made comments. Representative Miro requested and was granted privilege of the floor to present a House Tribute to Nick and Hazel Immediato. Representative Spence presented a gift to Mr. and Mrs. Immediato. Tony Davila, Administrator, Commission on Veterans Affairs, made a presentation to Mrs. Immediato. Representative Spence presented letters from Congressman Michael N. Castle and Senator Thomas R. Carper.

Representatives Keeley & Maier requested that they be marked present.

Representative Smith deferred to Representative Ulbrich.

Representative Quillen made comments.

Representative Ulbrich introduced and brought **HR 34** before the House for consideration.

**HR 34** - MOURNING THE DEATH OF ELIZABETH "LIBBY" H. TUTTLE, WW II VETERAN ARMY NURSE.

WHEREAS, Elizabeth "Libby" Tuttle was born in Asheboro, North Carolina in 1916; and

WHEREAS, Libby Tuttle received her nursing degree at Capital City School of Nursing in Washington, D.C.; and

WHEREAS, Libby Tuttle achieved the rank of Captain in the U.S. Army Nursing Corps, where she served with dedication and valor in the European front during World War II; and

WHEREAS, her service in WW II included the D-Day invasion at Omaha Beach, the Battle of the Bulge, and the first medical entry into Germany in the 24th Evacuation Hospital, which reached the concentration camps; and

WHEREAS, Libby Tuttle retired as an RN from the VA Hospital in Elsmere; and

WHEREAS, Libby Tuttle was a committed volunteer, being active in St. Andrews Presbyterian Church in Brookside, the Girl Scouts, Meals on Wheels and transporting cancer patients; and

WHEREAS, Libby Tuttle was one of the first female members of the VFW and a member of the New Century Club and Newark Senior Center.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives of the 1142nd General Assembly of the State of Delaware that we hereby mourn the death of Elizabeth H. Tuttle, affectionately known as "Libby", a true compatriot, WW II veteran, humanitarian, and dedicated wife and mother.

BE IT FURTHER RESOLVED that a suitably prepared copy of this Resolution be sent to Libby Tuttle's four children, Thomas Seltzer, Ann Alexander, Dorothy Reader and Linda Seltzer.

Representative Ulbrich made comments.

**HR 34** was adopted by voice vote.

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

Representative Fallon introduced a guest.

Representative Lee deferred to Representative George.

Representative George requested and was granted privilege of the floor to present a House Tribute to Kim F. Fortunato and Paul Harrell representing Social Venture Partners.

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

**POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: HB 206 - 5M; HB 208 - 5M; HB 211 - 3F,2M.**

Representative Gilligan requested that he be marked present.

The Majority Leader moved to recess for caucus at 2:49 p.m.

The House reconvened at 5:20 p.m. with Representative Buckworth as Acting Speaker.

Representative Oberle requested that he be marked present.

Representative Smith brought **SB 82 w/SA 1**, sponsored by Senator Still & Representative Buckworth, before the House for consideration.

**SB 82 - AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO RE-INCORPORATE THE TOWN OF WYOMING" BEING 43 LAWS OF DELAWARE, CHAPTER 189, AS AMENDED. (2/3 bill)**

Representatives Cathcart, Williams, Reynolds & DiPinto requested that they be marked present.

Representative Smith made comments.

The roll call on **SB 82 w/SA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives D. Ennis, George & Roy - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 82 w/SA 1** was returned to the Senate.

Representatives B. Ennis & Wagner requested that they be marked present during the roll call.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with action on **HB 238**. The motion was seconded by Representative Smith and adopted by voice vote.

Representative DiPinto brought **HB 238**, jointly sponsored by Senator Cook & Representatives Spence, Smith, Lee, Hudson, Roy, Gilligan & VanSant & Senator Adams, McDowell, DeLuca, Vaughn, Venables, Still, Sorenson & Amick, before the House for consideration.

**HB 238 - AN ACT TO AMEND CHAPTER 61, TITLE 29 OF THE DELAWARE CODE RELATING TO THE CREATION OF THE FEDERAL FISCAL RELIEF FUND.**

Representative DiPinto made comments.

The roll call on **HB 238** was taken and revealed:

YES: 37.

ABSENT: Representatives D. Ennis, George, Lavelle & Roy - 4.

Therefore, having received a constitutional majority, **HB 238** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

Representative Maier brought **HB 66 w/HA 1 & 2 & SA 1**, jointly sponsored by Senator Blevins & Representatives Cathcart, Miro & Ulbrich & Senators Sorenson & Vaughn & cosponsored by Representative B. Ennis, before the House for concurrence on **SA 1**.

**HB 66 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO TIME LIMITATIONS.**

Representative Maier made comments. Representative Maier requested and was granted privilege of the floor for Jean Lange, a survivor of child sexual abuse.

Representative Maier introduced and brought **HA 3 to HB 66** before the House for consideration.

Representative Maier deferred to Representative Smith. Representative Smith requested and was granted privilege of the floor for Paul Wallace, Deputy Attorney General, and John Brady, House Attorney.

Representatives Smith & Wagner made comments. **HA 3** was adopted by voice vote.

The roll call on **HB 66 w/HA 1 & 2 & SA 1 & HA 3** was taken and revealed:

YES: 40.

ABSENT: Representative Roy - 1.

Therefore, having received a constitutional majority, **HB 66 w/HA 1 & 2 & SA 1 & HA 3** was sent to the Senate for concurrence on **HA 3**.

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

Representative Smith deferred to Representative Maier.

Representative Maier brought **HB 175**, jointly sponsored by Senator Blevins, before the House for consideration.

**HB 175 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO DNA ANALYSIS AND DATA BANK.**

Representative Maier made a comment.

The roll call on **HB 175** was taken and revealed:

YES: 39.

ABSENT: Representatives Roy & Smith - 2.

Therefore, having received a constitutional majority, **HB 175** was sent to the Senate for concurrence.

Mr. Speaker Spence resumed the Chair.

Representative Lee deferred to Representative Buckworth.

Representative Buckworth brought **HB 153**, jointly sponsored by Representative Spence & Representatives Hudson & Miro & Senators Blevins, Sokola & Sorenson, before the House for consideration.

**HB 153 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO STATE TAXES.**

Representative Buckworth introduced and brought **HA 1 to HB 153** before the House for consideration. Representative Buckworth made comments. **HA 1** was adopted by voice vote.

Representatives Buckworth, Booth, Maier, Oberle & Wagner made comments.

Representative Buckworth requested and was granted privilege of the floor for Joseph R. Petrilli, representing Phillip Morris USA.

The roll call on **HB 153 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Roy & Smith - 2.

Therefore, having received a constitutional majority, **HB 153 w/HA 1** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Lavelle.

Representative Lavelle brought **HB 192**, jointly sponsored by Representative Smith & Representative D. Ennis & Representative Valihura & Senator Henry & Senator Cloutier & Representatives Booth, Buckworth, George & Hudson & Senators Amick, Connor, Peterson & Simpson, before the House for consideration.

**HB 192 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE ESTABLISHING A COMMUNITY ENVIRONMENTAL FUND.**

Representative Lavelle brought **HA 1 to HB 192** before the House for consideration. Representative Lavelle made a comment. **HA 1** was adopted by voice vote.

Representatives Lavelle, Valihura, Smith & D. Ennis made comments.

The roll call on **HB 192 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Roy - 1.

Therefore, having received a constitutional majority, **HB 192 w/HA 1** was sent to the Senate for concurrence.

Representative Lavelle made comments regarding **HB 192**.

Representative Smith deferred to Representative Booth.

Representative Booth brought **SB 40 w/SA 3**, jointly sponsored by Senator McDowell & Senators Henry & Peterson & Representatives B. Ennis, D. Ennis, Maier & Oberle, before the House for consideration.

**SB 40 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO GUARDIANSHIPS.**

Representative Booth brought **HA 1 to SB 40** before the House for consideration. Representative Booth made comments. **HA 1** was adopted by voice vote.

The roll call on **SB 40 w/SA 3 & HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Roy - 1.

Therefore, having received a constitutional majority, **SB 40 w/SA 3 & HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Smith deferred to Representative Quillen.

Representative Quillen brought **HB 214**, jointly sponsored by Senator Sokola, before the House for consideration.

**HB 214 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS.**

Representative Quillen made comments.

The roll call on **HB 214** was taken and revealed:

YES: 29.

NO: Representatives Atkins, Carey, B. Ennis, D. Ennis, Hocker, Lavelle, Maier, Stone & Valihura - 9.

NOT VOTING: Representatives Lofink & Oberle - 2.

ABSENT: Representative Roy - 1.

Therefore, having received a constitutional majority, **HB 214** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 84**, jointly sponsored by Representative Schwartzkopf & Senator Vaughn & Representatives Spence, Booth, Buckworth, DiPinto, Ewing, Maier, Miro, Ulbrich, Houghton, Mulrooney & Plant, before the House for consideration.

**HB 84** - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE INTERSTATE COMPACT ON JUVENILES. (F/N)

Representative Wagner made comments.

The roll call on **HB 84** was taken and revealed:

YES: 40.

ABSENT: Representative Roy - 1.

Therefore, having received a constitutional majority, **HB 84** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Viola.

Representative Viola brought **HB 156 w/HA 1**, jointly sponsored by Representative George & Representative Buckworth & Senator Henry & Representatives Keeley, Maier & Spence, before the House for consideration.

**HB 156** - AN ACT TO AMEND CHAPTER 23 OF TITLE 24 OF THE DELAWARE CODE RELATING TO PAWNBROKERS, SECOND-HAND DEALERS, AND SCRAP METAL PROCESSORS. (F/N) (2/3 bill)

Representative Viola introduced and brought **HA 1 to HB 156**, jointly sponsored by Representative George, before the House for consideration. Representative Viola made comments. **HA 1** was adopted by voice vote.

Representatives Viola & Lee made comments. Representative Viola deferred to Representative George. Representative George made comments.

The roll call on **HB 156 w/HA 1** was taken and revealed:

YES: Representatives B. Ennis, Gilligan, Hall-Long, Houghton, Keeley, Mulrooney, Plant,

Schwartzkopf, VanSant, Viola & Williams - 11.

NO: 17.

NOT VOTING: Representatives DiPinto, D. Ennis, Hudson, Lofink, Maier, Miro, Oberle, Stone & Valihura - 9.

ABSENT: Representatives Buckworth, Lee, Reynolds & Roy - 4.

Therefore, not having received a constitutional majority of at least two-thirds Members of the House, **HB 156 w/HA 1** was declared defeated.

Representative Smith deferred to Representative Keeley.

Representative Keeley brought **HB 159**, jointly sponsored by Representative DiPinto & Senator Henry, before the House for consideration.

**HB 159** - AN ACT TO AMEND CERTAIN PROVISIONS OF SECTION 8-200(5) OF THE CITY OF WILMINGTON HOME RULE CHARTER. (2/3 bill)

Representatives Keeley & DiPinto made comments.

The roll call on **HB 159** was taken and revealed:

YES: 39.

ABSENT: Representatives Quillen & Roy - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 159** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought **SB 26**, jointly sponsored by Senator Vaughn, before the House for consideration.

**SB 26** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SENTENCING FOR CRIMINAL OFFENSES.

Representative Ewing made comments.

The roll call on **SB 26** was taken and revealed:

YES: 39.

ABSENT: Representatives Quillen & Roy - 2.

Therefore, having received a constitutional majority, **SB 26** was returned to the Senate.

Representative Smith deferred to Representative George.

Representative George moved to suspend the rules which interfere with action on **HJR 9**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative George brought **HJR 9**, jointly sponsored by Representative Spence & Senator Sorenson & Senator Sokola & Representatives Booth, Buckworth, B. Ennis, Fallon, Gilligan, Hall-Long,

Hocker, Houghton, Keeley, Mulrooney, Plant, Reynolds, Schwartzkopf, VanSant & Viola & Senators Copeland, McDowell & Simpson & cosponsored by Senator Connor, before the House for consideration.

**HJR 9 - CREATING A TASK FORCE TO EXAMINE EARLY CHILDHOOD EDUCATION PROGRAMS IN DELAWARE AND TO DEVELOP A PLAN FOR IMPLEMENTATION OF UNIVERSAL PREKINDERGARTEN AND FULL-DAY KINDERGARTEN.**

Representatives George, Lee & Wagner made comments.

The roll call on **HJR 9** was taken and revealed:

YES: 39.

ABSENT: Representatives Quillen & Roy - 2.

Therefore, having received a constitutional majority, **HJR 9** was sent to the Senate for concurrence.

Representative Smith deferred to Representative D. Ennis.

Mr. Speaker made an announcement.

Representative D. Ennis introduced **HB 248**, jointly sponsored by Senator McDowell & Representatives B. Ennis, Hall-Long, Houghton, Hudson, Keeley, Lavelle, Maier, Miro, Mulrooney, Plant, Reynolds, Smith, Spence, Stone, Ulbrich, Viola & Wagner & Senators Amick, Blevins, Henry, Peterson & Still.

**HB 248 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO LICENSE SUSPENSION OR REVOCATION.**

Mr. Speaker assigned **HB 248** to the Economic Development/Banking & Insurance Committee.

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

REVENUE & FINANCE: **HB 241 - 5F.1M.**

Representative Cathcart requested that **HB 180** be stricken.

Representative Cathcart introduced **HB 249**, jointly sponsored by Senator McDowell & Representatives Lee, Buckworth, Carey, B. Ennis, Ewing, Fallon, Hocker, Hudson, Lofink, Miro, Quillen, Stone, Ulbrich, Wagner, Keeley & Plant & Senators Sorenson, Amick, Cloutier, Connor, Copeland & Simpson.

**HB 249 - AN ACT TO AMEND TITLE 6 AND TITLE 7 OF THE DELAWARE CODE RELATING TO METHYL TERTIARY-BUTYL ETHER.**

Mr. Speaker assigned **HB 249** to the Land Use and Infrastructure Committee.

Representative Miro introduced **HB 243**, jointly sponsored by Senator DeLuca & Representatives Boulden, Hocker, Lavelle, Roy & Viola & Senators McDowell & Peterson.

**HB 243 - AN ACT TO AMEND ARTICLE 3, SUBTITLE 1, TITLE 6 OF THE DELAWARE CODE RELATING TO DISHONORED CHECKS, DRAFTS OR ORDERS.**

Mr. Speaker assigned **HB 243** to the Economic Development/Banking & Insurance Committee.

The Majority Leader moved to recess to the call of the Chair at 7:00 p.m.

The House reconvened at 2:30 p.m. on June 17, 2003 with Representative Maier 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 for SB 72, SB 131, SB 144, SB 125 w/SA 1, SB 53, SB 126, SB 127, SB 128, SB 123, SB 88, SB 124 & SB 134** and requests the concurrence of the House; **HB 1 w/HA 1 & 2, HB 113 w/HA 1 & SA 1, HB 176, HB 238 & HB 170** and is returning same to the House.

Representative Smith deferred to Representative Valihura.

Representatives Valihura, Caulk, Smith & Fallon made comments.

The Majority Leader moved to adjourn at 2:34 p.m., thereby ending the current legislative day. The House reconvened at 2:35 p.m.

### **36th LEGISLATIVE DAY - 142nd GENERAL ASSEMBLY - First Session June 17, 2003**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Buckworth - 1.

A prayer was offered by Representative Bruce C. Reynolds, Fifteenth Representative District.

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

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

The following prefiled legislation was introduced:

**HB 231 - SPENCE & REPRESENTATIVE MIRO & SENATOR SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16, of the Delaware Code Relating to Medicaid Pharmaceutical Care and Pharmacy Benefit Programs.**

**HB 244 - ULBRICH & SENATOR MCBRIDE; REPRESENTATIVES HUDSON, SMITH, VALIHURA, VIOLA; SENATORS BONINI, COPELAND, PETERSON, SOKOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Chapter 18, Title 24 of the Delaware Code Relating to the Board of Plumbing Examiners.**

**HB 245** - ULBRICH & SENATOR MCBRIDE; REPRESENTATIVES HUDSON, SCHWARTZKOPF, VALIHURA, VIOLA; SENATORS BONINI, COPELAND, PETERSON, SOKOLA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Real Estate Appraisers.

**HB 247** - D. ENNIS & SENATOR MCDOWELL; REPRESENTATIVES CAREY, CAULK, EWING, FALLON, HOCKER, HOUGHTON, LAVELLE, SMITH, SPENCE, STONE, VALIHURA, WILLIAMS; SENATORS AMICK, HENRY, STILL - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 9 of the Delaware Code Relating to Business Improvement Districts.

**HB 251** - ULBRICH & SENATOR MCBRIDE; REPRESENTATIVES HUDSON, SCHWARTZKOPF, 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 252** - ULBRICH & SENATOR MCBRIDE; REPRESENTATIVES HUDSON, VALIHURA, SCHWARTZKOPF, VIOLA; SENATORS PETERSON, SOKOLA, BONINI, COPELAND - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Professional Land Surveyors.

**HB 253** - DIPINTO & SENATOR MCDOWELL; REPRESENTATIVES VALIHURA, KEELEY - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 22 of the Delaware Code to Provide for Municipal Tax Increment Financing and to Provide for Municipal Special Development Districts. (2/3 bill)

**HB 254** - HUDSON & SENATOR MARSHALL - REVENUE & FINANCE - An Act to Amend Title 12 of the Delaware Code Relating to Property Subject to Escheat. (3/5 bill)

**HB 255** - SCHWARTZKOPF & SENATOR BUNTING; REPRESENTATIVES GILLIGAN, QUILLEN, ROY, SPENCE - BUSINESS/CORPORATIONS/COMMERCE - An Act to Amend Title 4 of the Delaware Code Relating to Alcoholic Liquors.

**HB 256** - EWING & SENATOR HENRY - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Low-speed Vehicles.

**HB 257** - ULBRICH & SENATOR MCBRIDE; REPRESENTATIVES HUDSON, VALIHURA, SCHWARTZKOPF, VIOLA; SENATORS PETERSON, SOKOLA, BONINI, COPELAND - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Accountancy.

**HA 1 to HB 143** - DIPINTO - Placed with the Bill.

**HA 1 to HB 166** - BUCKWORTH - Placed with the Bill.

**HA 1 to HB 215** - VIOLA - Placed with the Bill.

**HA 2 to HB 215** - VIOLA - Placed with the Bill.

**HA 1 to HB 222** - MIRO - Placed with the Bill.

**SB 53** - PETERSON & REPRESENTATIVE HOUGHTON; SENATORS HENRY & SOKOLA; REPRESENTATIVE VALIHURA - HOUSE ADMINISTRATION - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County Government.

**SS 1 for SB 72** - COOK & REPRESENTATIVE SMITH; SENATOR BLEVINS - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Elections.

**SB 88** - AMICK; SENATOR BONINI - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Failure to Comply with Traffic Lights

**SB 123** - DELUCA & REPRESENTATIVE STONE - ECONOMIC DEVELOPMENT/ BANKING & INSURANCE - An Act Amending Title 12 of the Delaware Code Relating to Trusts.

**SB 124** - DELUCA & REPRESENTATIVE STONE - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act Amending Title 12 of the Delaware Code Relating to Trusts.

**SB 125 w/SA 1** - AMICK & REPRESENTATIVE GEORGE; SENATORS BONINI, CLOUTIER, CONNOR, COOK, HENRY, PETERSON, SIMPSON, SOKOLA, SORENSON, STILL; REPRESENTATIVES ATKINS, BUCKWORTH, CAREY, CATHCART, DIPINTO, B. ENNIS, EWING, HOCKER, HOUGHTON, HUDSON, KEELEY, VALIHURA, WAGNER - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Court Commissioners.

**SB 126** - VAUGHN & REPRESENTATIVE WAGNER; REPRESENTATIVES GEORGE, PLANT, VALIHURA - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Relating to Courts and Judicial Procedure.

**SB 127** - VAUGHN & REPRESENTATIVE WAGNER; REPRESENTATIVES GEORGE, PLANT, VALIHURA - JUDICIARY - An Act to Amend Title 8 of the Delaware Code Relating to the General Corporation Law. (2/3 bill)

**SB 128** - VAUGHN & REPRESENTATIVE WAGNER; REPRESENTATIVES VALIHURA, GEORGE, PLANT - 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.

**SB 131 - HENRY & REPRESENTATIVE EWING - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to the Occupant Protection System Safety Act.**

**SB 134 - VAUGHN & REPRESENTATIVE EWING - JUDICIARY - An Act to Amend Title 13 of the Delaware Code Relating to the Family Court of the State of Delaware.**

**SB 144 - HENRY & REPRESENTATIVE KEELEY - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to the Operation of Unregistered Vehicles.**

The Reading Clerk read the following communication into the record:

June 16, 2003

LEGISLATIVE ADVISORY #6

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/12/03 - **SB 57, SB 69, SB 75, HB 12 aab HA 1, HB 65 aab HA 1, HB 86, HB 87, HB 138 aab HA 1, HB 141 aab HA 1 & HB 238.**

Representative Lofink made an announcement. Representative Wagner requested that she be marked present and made an announcement. Representative B. Ennis requested that he be marked present. Representative Smith deferred to Representative Stone.

Representative Stone introduced and brought **HCR 35**, jointly sponsored by Senator Still, before the House for consideration.

**HCR 35 - CELEBRATING THE TERCENTENARY OF THE CHRIST CHURCH OF DOVER.**

Representative Stone made comments.

**HCR 35** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Stone requested and was granted privilege of the floor for Reverend Celeste O. Cox, Pastor, Christ Episcopal Church.

Representative Wagner made comments.

Representative Ulbrich requested that she be marked present and made an announcement.

Madame Acting Speaker introduced guests.

Representative Smith made comments.

Representative Oberle requested that he be marked present.

The Majority Leader moved to recess for caucus at 2:45 p.m.

The House reconvened at 7:20 p.m. with Representative Oberle as Acting Speaker.

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

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **SB 123 - 1F,5M; SB 124 - 1F,5M.**

TELECOMMUNICATIONS INTERNET & TECHNOLOGY: **HB 217 - 4F.**

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 114 w/SA 1, SB 111 w/SA 1, SB 27 w/SA 1, SB 121, SB 129, SB 97, SB 84, SB 85, SB 87, SB 108, SB 71 w/SA 2, SB 101 & SB 130** and requests the concurrence of the House; **HB 66 w/HA 1 & 2 & SA 1 & HA 3 & HB 168 w/HA 1** and is returning same to the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Steve Amick, do hereby request that my name be removed as cosponsor of **HB 224**.

Date: June 17, 2003

Signed: Stephen Amick

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Senator Dorinda Connor, do hereby request that my name be removed as cosponsor of **HB 224**.

Date: June 17, 2003

Signed: Dorinda Ann Connor

MEMORANDUM

TO: The Honorable Terry R. Spence

Speaker of the House of Representatives

FROM: The Honorable Gerald A. Buckworth

State Representative – 34th District

DATE: June 17, 2003

RE: Absence from Session

Please excuse my absence on Tuesday, June 17, 2003. Due to illness, I will be unavailable to attend session today. Thank you for your understanding.

Representative Spence requested that he be marked present.

Representative Smith made an announcement.

Mr. Speaker Spence resumed the Chair.

Representatives Williams & Cathcart requested that they be marked present.

Representative Smith brought **HB 126**, jointly sponsored by Representatives Ewing, Gilligan & Hudson, before the House for consideration.

**HB 126 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENT GRADES AND TEACHER EVALUATIONS.**

Mr. Speaker Spence assigned **HB 184** to the Appropriations Committee.

Representative Smith made comments.

Representative Smith deferred to Representative Booth.

Representative Booth introduced and brought **HA 1 to HB 126** before the House for consideration. Representative Booth made comments. **HA 1** was adopted by voice vote.

Representative Smith introduced and brought **HA 2 to HB 126** before the House for consideration. Representative Smith made comments. **HA 2** was adopted by voice vote.

The roll call on **HB 126 w/HA 1 & 2** was taken and revealed:

YES: 39.

ABSENT: Representatives Buckworth & Quillen - 2.

Therefore, having received a constitutional majority, **HB 126 w/HA 1 & 2** was sent to the Senate for concurrence.

Representatives Boulden, Miro, Viola & Lavelle requested that they be marked present during the roll call.

Representative Smith brought **SB 7**, sponsored by Senator Blevins & Representative Oberle & Representatives Miro, Buckworth, B. Ennis, Wagner, Reynolds, Hudson, Quillen, Maier, Keeley, Lavelle & Hall-Long & Senators Peterson, Sokola & Sorenson, before the House for consideration.

**SB 7 - AN ACT CONCURRING IN A PROPOSED AMENDMENT TO ARTICLE I, SECTION 5 OF THE DELAWARE CONSTITUTION OF 1897, AS AMENDED, RELATING TO FREEDOM OF SPEECH.** (2/3 bill)

Representative Smith deferred to Representative Oberle.

Representative Oberle made comments.

The roll call on **SB 7** was taken and revealed:

YES: 39.

ABSENT: Representatives Buckworth & Quillen - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 7** was returned to the Senate.

Representative Smith deferred to Representative Lee.

Representative Lee deferred to Representative Miro.

Representative Miro brought **HB 38**, jointly sponsored by Representative Maier & Representative Ulbrich & Senator Sokola & Representatives Buckworth, Carey, DiPinto, D. Ennis, Ewing, Hocker, Hudson, Lavelle, Oberle, Valihura & Wagner & Senators Sorenson, Amick & Connor, before the House for consideration.

**HB 38 - AN ACT TO AMEND TITLE 14, DELAWARE CODE RELATING TO SCHOOL ELECTIONS.**

Representative Miro made comments. Representative Miro brought **HA 1 to HB 38** before the House for consideration. **HA 1** was adopted by voice vote. Representatives Booth, Lee & Miro made comments.

The roll call on **HB 38 w/HA 1** was taken and revealed:

YES: 27.

NO: Representatives Atkins, Booth, Carey, B. Ennis, Ewing, Fallon, Hocker, Lee, Schwartzkopf, Thornburg, Viola & Williams - 12.

ABSENT: Representatives Buckworth & Quillen - 2.

Therefore, having received a constitutional majority, **HB 38 w/HA 1** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Miro.

Representative Miro brought **HB 167**, jointly sponsored by Senator DeLuca, before the House for consideration.

**HB 167 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO EQUINE ACTIVITIES.**

Representative Miro made comments.

The roll call on **HB 167** was taken and revealed:

YES: 38.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representatives Buckworth & Quillen - 2.

Therefore, having received a constitutional majority, **HB 167** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Roy.

Representative Roy brought **HB 241**, jointly sponsored by Senator Cook, before the House for consideration.

**HB 241 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAXES.**

Representatives Roy & Lavelle made comments.

Representative Roy moved to place **HB 241** on the Speaker's Table. The motion was seconded by Representative Lavelle and adopted by voice vote.

Representative Williams brought **HB 235**, jointly sponsored by Representatives Wagner & Plant & Senator Henry, before the House for consideration.

**HB 235** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO BAIL.

Representative Williams made comments.

The roll call on **HB 235** was taken and revealed:

YES: 36.

NO: Representatives Stone & Valihura - 2.

NOT VOTING: Representative DiPinto - 1.

ABSENT: Representatives Buckworth & Quillen - 2.

Therefore, having received a constitutional majority, **HB 235** was sent to the Senate for concurrence.

Representative Lee moved to lift **HB 241** from the Speaker's Table. The motion was seconded by

Representative Roy and adopted by voice vote.

Representative Roy brought **HB 241**, jointly sponsored by Senator Cook, before the House for consideration.

**HB 241** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAXES.

Representatives Roy & Lavelle made comments.

The roll call on **HB 241** was taken and revealed:

YES: 39.

ABSENT: Representatives Buckworth & Quillen - 2.

Therefore, having received a constitutional majority, **HB 241** was sent to the Senate for concurrence.

Representative Lee deferred to Representative B. Ennis.

Representative B. Ennis requested that **HB 196** be stricken.

Representative B. Ennis brought **HB 197**, jointly sponsored by Senator Blevins & cosponsored by Representative Ulbrich, before the House for consideration.

**HB 197** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO PARAMEDIC SERVICES.

Representatives B. Ennis & Maier made comments. Representative B. Ennis requested and was granted privilege of the floor for Dr. Ross E. Megargel, State Medical Director, Emergency Medical Services Medical Director. Representatives Maier, Oberle & B. Ennis made comments.

The roll call on **HB 197** was taken and revealed:

YES: 39.

ABSENT: Representatives Buckworth & Quillen - 2.

Therefore, having received a constitutional majority, **HB 197** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Ewing.

Representative Ewing brought **SB 49**, sponsored by Senator Adams & Representative Booth, before the House for consideration.

**SB 49** - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE REGISTRATION PLATES FOR CERTAIN OFFICERS OF THE STATE OF DELAWARE.

(F/N)

Representative Ewing made comments.

The roll call on **SB 49** was taken and revealed:

YES: 39.

ABSENT: Representatives Buckworth & Quillen - 2.

Therefore, having received a constitutional majority, **SB 49** was returned to the Senate.

Representative Smith deferred to Representative Hall-Long.

Representative Hall-Long moved to suspend the rules which interfere with introduction of and action on **HJR 10**. The motion was seconded by Representative Maier and adopted by voice vote.

Representative Hall-Long made comments.

Representative Hall-Long introduced and brought **HJR 10**, jointly sponsored by Senator Blevins & Representatives Atkins, Buckworth, Carey, Cathcart, DiPinto, B. Ennis, D. Ennis, George, Gilligan, Hocker, Houghton, Hudson, Keeley, Lofink, Maier, Mulrooney, Oberle, Plant, Reynolds, Schwartzkopf, Ulbrich, VanSant, Viola & Williams & Senators Amick, DeLuca, Henry, Peterson, Sokola, Sorenson & Vaughn & cosponsored by Senator Connor, before the House for consideration.

**HJR 10** - CREATING A TASK FORCE ON CHRONIC ILLNESS AND DISEASE MANAGEMENT AND PREVENTION IN THE PRIVATE AND PUBLIC SECTOR IN THE STATE OF DELAWARE.

Representative Smith moved to place **HJR 10** on the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Smith brought **Consent Agenda A** before the House for consideration.

**SB 113** - DeLuca & Representative Stone & Senators Bunting, Sokola, Sorenson & Still & Representatives Carey, D. Ennis, Hocker, Houghton, Hudson, Keeley, Lavelle & Valihura - AN ACT TO

AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO INVESTMENTS AND FIDUCIARIES.

**HB 193** - Stone & Senator DeLuca - AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO WILLS AND TRUSTS.

**HB 194** - Stone & Senator DeLuca - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE RULE AGAINST PERPETUITIES AND POWERS OF APPOINTMENT.

**HB 185** - Ewing - AN ACT TO AMEND TITLE 21 RELATING TO MOTOR VEHICLES AND SPECIAL REGISTRATION PLATES.

Representative Smith moved to suspend the rules which interfere with lifting **HJR 10** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

**HJR 10** - Hall-Long & Senator Blevins & Representatives Atkins, Buckworth, Carey, Cathcart, DiPinto, B. Ennis, D. Ennis, George, Gilligan, Hocker, Houghton, Hudson, Keeley, Lofink, Maier, Mulrooney, Oberle, Plant, Reynolds, Schwartzkopf, Ulbrich, VanSant, Viola & Williams & Senators Amick, DeLuca, Henry, Peterson, Sokola, Sorenson & Vaughn - CREATING A TASK FORCE ON CHRONIC ILLNESS AND DISEASE MANAGEMENT AND PREVENTION IN THE PRIVATE AND PUBLIC SECTOR IN THE STATE OF DELAWARE.

**HB 200** - Wagner & Senator Vaughn & Representatives George, Plant & Valihura - AN ACT TO AMEND CHAPTER 15, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED LIABILITY PARTNERSHIPS.

**HB 201** - Wagner & Senator Vaughn & Representatives George, Plant & Valihura - AN ACT TO AMEND CHAPTER 17, TITLE 6 OF THE DELAWARE CODE RELATING TO THE CREATION, REGULATION, OPERATION AND DISSOLUTION OF DOMESTIC LIMITED PARTNERSHIPS AND THE REGISTRATION AND REGULATION OF FOREIGN LIMITED PARTNERSHIPS.

**HB 202** - Wagner & Senator Vaughn & Representatives George, Plant & Valihura - AN ACT TO AMEND CHAPTER 27, TITLE 6 OF THE DELAWARE CODE RELATING TO EXCULPATORY CLAUSES IN CERTAIN CONTRACTS.

**SB 67** - Amick & Representative Lofink - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO REFLEX SYMPATHETIC DYSTROPHY SYNDROME (RSDS), ALSO KNOWN AS COMPLEX REGIONAL PAIN SYNDROME.

Representative Smith requested that **HJR 10** be added to **Consent Agenda A**.

The roll call on **Consent Agenda A** was taken and revealed:

YES: 39.

ABSENT: Representatives Buckworth & Quillen - 2.

Therefore, having received a constitutional majority, **SB 67** & **SB 113** were returned to the Senate and **HB 193**, **HB 194**, **HB 185**, **HB 200**, **HB 201**, **HB 202** & **HJR 10** were sent to the Senate for concurrence.

Representative Smith deferred to Representative Gilligan.

Representative Gilligan moved to suspend the rules which interfere with introduction of and action on **HB 267**. The motion was seconded by Representative Roy and adopted by voice vote.

Representative Gilligan introduced and brought **HB 267**, jointly sponsored by Representative VanSant & Representative Spence & Representative Smith & Representative Lee & Representative Hudson & Senator Adams & Senator McDowell & Senator DeLuca & Senator Cook & Senator Vaughn & Senator Still & Senator Amick & cosponsored by Senator Sorenson, before the House for consideration.

**HB 267** - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (2/3 bill)

Representative Gilligan made comments.

The roll call on **HB 267** was taken and revealed:

YES: 31.

NO: Representatives Atkins, Boulden, Cathcart, Caulk, Hocker, Lavelle, Oberle & Thornburg - 8.

ABSENT: Representatives Buckworth & Quillen - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 267** was sent to the Senate for concurrence.

Representative Gilligan moved to suspend the rules which interfere with introduction of and action on **HB 268**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Gilligan introduced and brought **HB 268**, jointly sponsored by Representative VanSant & Representative Spence & Representative Smith & Representative Lee & Representative Hudson & Senator Adams & Senator McDowell & Senator DeLuca & Senator Cook & Senator Vaughn & Senator Still & Senator Amick & cosponsored by Senator Sorenson, before the House for consideration.

**HB 268** - AN ACT TO AMEND TITLE 6, TITLE 12, AND TITLE 29 OF THE DELAWARE CODE RELATING TO SECURED TRANSACTIONS AND FEES CHARGED BY THE SECRETARY OF STATE, UNIFORM PARTNERSHIP ACT AND FEES CHARGED AND TAXES COLLECTED BY

THE SECRETARY OF STATE, LIMITED PARTNERSHIPS AND FEES CHARGED AND TAXES COLLECTED BY THE SECRETARY OF STATE, LIMITED LIABILITY COMPANY ACT AND FEES CHARGED AND TAXES COLLECTED BY THE SECRETARY OF STATE, TREATMENT OF DELAWARE STATUTORY TRUSTS AND FEES CHARGED BY THE SECRETARY OF STATE, AND THE SECRETARY OF STATE AND FEES CHARGED BY THE SECRETARY OF STATE. (3/5 bill)

Representatives Gilligan, Lavelle & Valihura made comments.

The roll call on **HB 268** was taken and revealed:

YES: 31.

NO: Representatives Atkins, Boulden, Cathcart, Caulk, Hocker, Lavelle, Oberle & Thornburg - 8.

ABSENT: Representatives Buckworth & Quillen - 2.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 268** was sent to the Senate for concurrence.

Representative Gilligan moved to suspend the rules which interfere with introduction of and action on **HB 269**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Gilligan introduced and brought **HB 269**, jointly sponsored by Representative VanSant & Representative Spence & Representative Smith & Representative Lee & Representative Hudson & Senator Adams & Senator McDowell & Senator DeLuca & Senator Cook & Senator Vaughn & Senator Still & Senator Amick & cosponsored by Senator Sorenson, before the House for consideration.

**HB 269** - AN ACT TO AMEND TITLE 29, CHAPTER 48 OF THE DELAWARE CODE RELATING TO THE DELAWARE LOTTERY.

Representative Gilligan made comments.

Representative Oberle introduced and brought **HA 1 to HB 269** before the House for consideration. Representative Oberle made a comment. Representative Oberle requested that **HA 1** be stricken.

Representative Oberle introduced and brought **HA 2 to HB 269** before the House for consideration.

Representatives Oberle, Maier, DiPinto, Gilligan, Miro, Fallon, Wagner & Valihura made comments.

The roll call on **HA 2 to HB 269** was taken and revealed:

YES: Representatives Atkins, Boulden, Cathcart, Lofink, Oberle & Thornburg - 6.

NO: 31.

NOT VOTING: Representative Lavelle - 1.

ABSENT: Representatives Booth, Buckworth & Quillen - 3.

Therefore, not having received a constitutional majority, **HA 2 to HB 269** was declared defeated.

The roll call on **HB 269** was taken and revealed:

YES: 28.

NO: Representatives Atkins, Boulden, Cathcart, Caulk, Hocker, Lavelle, Maier, Oberle, Stone, Thornburg & Valihura - 11.

ABSENT: Representatives Buckworth & Quillen - 2.

Therefore, having received a constitutional majority, **HB 269** was sent to the Senate for concurrence.

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

JUDICIARY: **HB 233** - 7M; **SB 126** - 6M; **SB 127** - 6M; **SB 128** - 5M.

Representative Gilligan moved to suspend the rules which interfere with introduction of and action on **HB 270**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Gilligan introduced and brought **HB 270**, jointly sponsored by Representative VanSant & Representative Spence & Representative Smith & Representative Lee & Representative Hudson & Senator Adams & Senator McDowell & Senator DeLuca & Senator Cook & Senator Vaughn & Senator Still & cosponsored by Senator Sorenson, before the House for consideration.

**HB 270** - AN ACT TO AMEND TITLE 30, CHAPTER 53 OF THE DELAWARE CODE RELATING TO THE LEVY AND COLLECTION OF TAX ON TOBACCO PRODUCTS. (3/5 bill)

Representative Gilligan made comments. Representative Wagner introduced and brought **HA 1 to HB 270** before the House for consideration. Representative Wagner made a comment. Representative Wagner introduced and brought **HA 1 to HA 1 to HB 270** before the House for consideration.

Representatives Gilligan & Wagner made comments. **HA 1 to HA 1** was adopted by voice vote.

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

moved to suspend the rules which interfere with introduction of and action on **HA 3 to HB 270**. The motion was properly seconded and adopted by voice vote. Representative Caulk introduced and brought **HA 3 to HB 270** before the House for consideration. Representatives Caulk, Gilligan & Valihura made comments. **HA 3** was defeated by voice vote. Representative B. Ennis requested and was granted privilege of the floor for Frank Infante, representing Bull Dozers Saloon and President, Delaware United Smokers Association. Representative Gilligan made comments.

The roll call on **HB 270 w/HA 1 & HA 1 to HA 1** was taken and revealed:

YES: 25.

NO: Representatives Atkins, Booth, Boulden, Cathcart, Caulk, Hocker, Lavelle, Lee, Miro, Oberle, Stone, Thornburg, Ulbrich & Wagner - 14.

ABSENT: Representatives Buckworth & Quillen - 2.

Representative Oberle moved to recess.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 270 w/HA 1 & HA 1 to HA 1** was sent to the Senate for concurrence.

Representatives Oberle, Gilligan & Valihura made comments regarding **HB 267, HB 268, HB 269 & HB 270**.

Representative Roy made an announcement.

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

HOUSE ADMINISTRATION: **HB 213 - 4M**.

The Majority Leader moved to recess to the call of the Chair at 9:26 p.m.

Mr. Acting Speaker Quillen called the House to order at 2:08 p.m. on June 18, 2003.

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

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

**37th LEGISLATIVE DAY - 142nd GENERAL ASSEMBLY - First Session  
June 18, 2003**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Pamela J. Thörnburg, Twenty-Ninth Representative District.

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

The following prefiled legislation was introduced:

**HB 250 - DIPINTO & REPRESENTATIVE HUDSON & SENATOR HENRY & SENATOR MCDOWELL; REPRESENTATIVES PLANT, WILLIAMS; SENATOR MARSHALL - GAMING & PARIMUTUELS - An Act to Amend Title 29 of the Delaware Code Relating to Lotteries.**

**HB 259 - ULBRICH & SENATOR MCBRIDE; REPRESENTATIVES HUDSON, SCHWARTZKOPF, 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 260 - DIPINTO & REPRESENTATIVE HUDSON & SENATOR HENRY & SENATOR MCDOWELL; REPRESENTATIVES PLANT, WILLIAMS - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Establishment and Authority of the Public Education Assistance Act Trust.**

**HB 261 - D. ENNIS & SENATOR BLEVINS; REPRESENTATIVES DIPINTO, VALIHURA, B. ENNIS; SENATOR COOK - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16, Delaware Code, Relating to Radiation Control.**

**HB 262 - KEELEY; REPRESENTATIVE MAIER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Related to the Establishment of a Hearing Aid Loan Bank.**

**HB 264 - CATHCART - LAND USE AND INFRASTRUCTURE - An Act to Amend Title 22 of the Delaware Code Relating to Municipalities.**

**HB 265 - B. ENNIS & SENATOR VAUGHN; REPRESENTATIVES CATHCART, CAULK, D. ENNIS, GILLIGAN, HALL-LONG, HOCKER, HOUGHTON, KEELEY, MULROONEY, OBERLE, PLANT, SPENCE, THORNBURG, VANSANT, VIOLA, WILLIAMS, ATKINS; SENATORS BONINI, VENABLES - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Hunting, Trapping and Fishing Licenses.**

**HB 266 - MULROONEY & SENATOR MARSHALL & SENATOR CONNOR; REPRESENTATIVES ATKINS, BOOTH, CAREY, CAULK, DIPINTO, B. ENNIS, D. ENNIS, EWING, FALLON, GEORGE, GILLIGAN, HALL-LONG, HOCKER, HOUGHTON, HUDSON, KEELEY, LEE, LOFINK, MIRO, OBERLE, PLANT, REYNOLDS, ROY, SPENCE, THORNBURG, VALIHURA, VANSANT, VIOLA, WAGNER, WILLIAMS; SENATORS DELUCA, PETERSON, SOKOLA, VAUGHN, VENABLES - LABOR - An Act to Amend Title 29 Relating to the Protection of a Covered Volunteer Firefighter's State Employment Upon Partial Disability.**

**HB 271 - KEELEY & SENATOR HENRY; REPRESENTATIVES D. ENNIS, HOUGHTON, SCHWARTZKOPF; SENATOR PETERSON - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Traffic Law Enforcement.**

**HB 272 - STONE & SENATOR BLEVINS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code to Implement Codification of Insurance Regulation Accounting Standards as Adopted by the National Association of Insurance Commissioners.**

**HB 274 - STONE & SENATOR BLEVINS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Section 714, Title 18 of the Delaware Code Relating to Expenses and Fees for Form and Rate Filings.**

**HB 275** - EWING & SENATOR VAUGHN - PUBLIC SAFETY - An Act to Amend Title 4, Title 11, Title 18 and Title 29 of the Delaware Code Relating to the Division of Alcoholic Beverage Control and Tobacco Enforcement.

**HA 3 to HB 161** - MAIER - Placed with the Bill.

**HA 1 to HB 243** - MIRO - Placed with the Bill.

**HA 1 to HB 262** - KEELEY - Placed with the Bill.

**SB 27 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, by Clarifying Voting Qualifications, Prohibiting Members of Council From Being Employed by the Town, Clarifying the Powers of the Mayor, Authorizing the Town Council to Establish Code of Conduct, Contract, and Competitive Bidding Provisions by Ordinance, Clarifying Forfeiture of Office Provisions, Authorizing Remote Electronic Access Meeting Participation by Council Members, Expanding the Town's Ability to Create Liens and to Collect Costs and Attorney's Fees, Expanding the Jurisdiction of the Town Police and Alderman, Authorizing the Town to Adopt Subdivision Regulation, Impose Impact Fees and to Collect a "Voluntary Assessment" from Violators in Lieu of Requiring a Court Appearance. (2/3 bill)

**SB 71 w/SA 2** - BLEVINS & REPRESENTATIVE MAIER; SENATORS STILL, HENRY - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance and Benefits.

**SB 84** - MARSHALL & REPRESENTATIVE HUDSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Tax Returns and Notification of Return Requirements of S Corporations.

**SB 85** - BLEVINS & REPRESENTATIVE MAIER; SENATORS CONNOR, HENRY, PETERSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to the Regulation of Public Drinking Water Suppliers.

**SB 87** - MARSHALL & REPRESENTATIVE HUDSON - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Collection of Taxes and Enforcement

**SB 97** - DELUCA & REPRESENTATIVE ROY - TELECOMMUNICATION INTERNET & TECHNOLOGY - An Act to Amend Title 29 of the Delaware Code Relating to Privacy Protection for State Internet Users.

**SB 101** - PETERSON & REPRESENTATIVE DIPINTO; REPRESENTATIVE MAIER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Uniform Health Data.

**SB 108** - MARSHALL & REPRESENTATIVE LOFINK - REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Relating to Business Tax Credits and License Fee Reduction.

**SB 111 w/SA 1** - BUNTING & REPRESENTATIVE HOCKER - HOUSE ADMINISTRATION - An Act to Amend Chapter 2, Volume 73, Laws of Delaware, as Amended, Being the Charter of the Town of Selbyville to Provide for Administrative Penalties for Violations of Civil Ordinances. (2/3 bill)

**SB 114 w/SA 1** - ADAMS & REPRESENTATIVE OBERLE; SENATORS BLEVINS, BUNTING, MARSHALL, SOKOLA; REPRESENTATIVES LEE, SPENCE, B. ENNIS, GILLIGAN, HALL-LONG, & VANSANT - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code to Provide for Greater Disclosure in Delaware Election Campaigns.

**SB 121** - HENRY & REPRESENTATIVE VALIHURA; SENATORS BLEVINS, COOK, DELUCA, MCDOWELL, PETERSON, SOKOLA, AMICK, CLOUTIER, SORENSON, STILL; REPRESENTATIVES LEE, MAIER, MIRO, OBERLE, SMITH, WAGNER, GEORGE, PLANT - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to State Government and the Merit System of Personnel Administration.

**SB 129** - MCBRIDE & REPRESENTATIVE ROY - TELECOMMUNICATION INTERNET & TECHNOLOGY - An Act to Amend Titles 11, 15, 16, 17 and 29 of the Delaware Code Relating to the General Powers and Duties of the Delaware Department of Technology and Information.

**SB 130** - HENRY & REPRESENTATIVE EWING; SENATOR STILL - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to License Plates and Fees. (3/5 bill)

**HA 1 to SB 53** - LAVELLE - Placed with the Bill.

Representative Lee deferred to Representative D. Ennis.

Representative D. Ennis introduced guests.

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

Representative Boulden requested that he be marked present.

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

**POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: HB 244 - 5M; HB 245 - 5M; HB 251 - 5M; HB 252 - 5M; HB 257 - 5M.**

Representatives Gilligan, George, Wagner, Stone, Viola, Hudson & Miros requested that they be marked present.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #30

DATE: June 18, 2003

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>
H142-653	Roy	6/20/2003	T	Henrietta & Clifford Buchan - 50th Wedding Anniversary		
H142-654	Smith	6/5/2003	T	Linnea Raffaele - Outstanding Teaching Career		
H142-655	Carey	6/29/2003	T	Pastor John Ranney - 25 Years of Ministry		
H142-656	Wagner	6/7/2003	T	Jessica Neaton & Edward Greeley - Marriage		
H142-657	DiPinto	6/5/2003	T	Sheldon Weinstein - Daniel L. Herrmann Professional Conduct Award		
	cosponsors: Reps. George & Valihura					
H142-658	DiPinto	6/5/2003	T	Claire DeMatteis - New Lawyers Distinguished Service Award		
	cosponsors: Reps. George & Valihura					
H142-659	Mulrooney	6/5/2003	T	Honorable William Quillen - First State Distinguished Service Award		
	cosponsors: Reps. George & Valihura					
H142-660	D. Ennis	6/5/2003	T	Elizabeth McGeever - Women's Leadership Award		
	cosponsors: Reps. George & Valihura					
H142-661	Miro	6/7/2003	T	Jody Ambrosino - 70th Birthday		
H142-662	Ulbrich	6/3/2003	M	Christopher Eric Morgan		
H142-663	Oberle	6/6/2003	M	Pat Healy		
	cosponsors: All Representatives					
H142-664	Wagner	6/10/2003	T	Marquis Johnson - Student Recognition Award		
H142-665	Carey	6/10/2003	T	Lindsay Schulze - Student Recognition Award		
H142-666	Carey	6/10/2003	T	Jacqueline Pierson - Student Recognition Award		
H142-667	Oberle	6/10/2003	T	Brandon Casson - Student Recognition Award		
H142-668	VanSant	6/10/2003	T	Jazmen Richards - Student Recognition Award		
H142-669	Atkins	6/10/2003	T	Charina Goodman - Student Recognition Award		
H142-670	Hocker	9/17/2003	T	Ruth & Harry Adams - 54th Wedding Anniversary		
H142-671	Houghton	5/3/2003	T	Evelyn & Lester Ward - 50th Wedding Anniversary		
H142-672	Plant	5/15/2003	T	Thais & Walter Strickland - 50th Wedding Anniversary		
H142-673	Maier	5/2/2003	T	Virginia & Mario DiSabatino - 50th Wedding Anniversary		
H142-674	Mulrooney	6/5/2003	T	Mildred & Anthony Piascinski - 50th Wedding Anniversary		
H142-675	Gilligan	6/19/2003	T	Joseph & Elizabeth Walter - 60th Wedding Anniversary		

HOUSE TRIBUTE ANNOUNCEMENT #31

DATE: June 18, 2003

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>
H142-676	VanSant	6/6/2003	T	Betty & Samuel Lysinger - 50th Wedding Anniversary		
H142-677	Gilligan	4/25/2003	T	Robert & Angela Fontana - 50th Wedding Anniversary		
H142-678	Spence	6/14/2003	T	Asbestos Workers Local #42 - 88th Anniversary		
H142-679	Roy	6/10/2003	T	Oludamini Ogunnaike - Presidential Scholar		
H142-680	Lavelle	6/12/2003	T	First Lieutenant Hazel Immediato - Distinguished Veteran		
H142-681	Spence	6/10/2003	T	Christiana Care Staff 3C - Competent Professionalism		
H142-682	Fallon	6/28/2003	T	General Francis Vavala - Birthday		
H142-683	Hocker	5/29/2003	T	Jill Taylor - Graduation - U of D - Summa Cum		

				Laude
H142-684	Maier	7/19/2003	T	Gloria Parkin - Birthday
H142-685	D. Ennis	6/4/2003	M	Assunta Rich
H142-686	Hall-Long	5/16/2003	T	Dorothea & Charles Schreppler - 50th Wedding Anniversary
H142-687	B. Ennis	6/4/2003	T	Clarence Scuse, Jr. - 70th Birthday
H142-688	B. Ennis	5/28/2003	M	Aaron T. Reynolds
H142-689	Cathcart	6/10/2003	T	Dr. Joseph English - Dedicated Service – Appoquinimink Schools
H142-690	Buckworth & Stone	6/11/2003	T	Kim Smith - Assistant Coach – Softball Championship Team
H142-691	Buckworth	6/11/2003	T	George Fisher - Assistant Coach - Softball Championship Team
H142-692	Buckworth	6/11/2003	T	Andi Winkleblech - Assistant Coach - Softball Championship Team
H142-693	Buckworth	6/11/2003	T	John Downs - Assistant Coach - Softball Championship Team
H142-694	Buckworth	6/11/2003	T	Pat Shields - Head Coach - Softball Championship Team
H142-695	Buckworth	6/11/2003	T	Kelsie Ward - Softball Championship Team
H142-696	Buckworth	6/11/2003	T	Jaimie Brittingham - Softball Championship Team
H142-697	Buckworth	6/11/2003	T	Rae Everson - Softball Championship Team
H142-698	Buckworth	6/11/2003	T	Hope Pierson - Softball Championship Team
H142-699	Buckworth	6/11/2003	T	Casey Howard - Softball Championship Team
H142-700	Buckworth	6/11/2003	T	Amy Jarrell - Softball Championship Team
H142-701	Buckworth	6/11/2003	T	Courtney Sams - Softball Championship Team
T- Tribute				
M – Memoriam				

Representative Lee brought the following prefiled **Consent Calendar Number 11** before the House for consideration.

**HCR 32** – Booth & Senator Bunting & Representative Schwartzkopf & Senator Simpson - RESOLUTION REQUESTING THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL IN CONSULTATION WITH THE SOURCE WATER PROTECTION CITIZEN AND TECHNICAL ADVISORY COMMITTEE DEVELOP A GUIDANCE MANUAL FOR DESIRABLE LAND USES WITHIN SOURCE WATER ASSESSMENT AREAS BY MARCH 30, 2004.

**HCR 33** – Booth & Senator Bunting & Representatives Smith, Atkins, Carey, Caulk, D. Ennis, Fallon, Hocker, Lavelle, Spence & Schwartzkopf & Senators Bonini & Simpson - CREATING A COMMITTEE TO STUDY AND MAKE RECOMMENDATIONS FOR MOTORIZED TRAFFIC CONGESTION MITIGATION ALONG THE ROUTE ONE CORRIDOR IN SUSSEX COUNTY.

**SCR 16** – Henry & Representatives Keeley & Plant – ACKNOWLEDGING THE NEED TO STRENGTHEN WOMEN OWNED BUSINESSES IN DELAWARE AND COMMENDING THE ORGANIZATIONS WHO ADVANCE THE INTERESTS OF WOMEN BUSINESS OWNERS.

**SCR 19** – Connor on behalf of All Senators & Representative George & Representatives Booth, Boulden, Buckworth, Carey, DiPinto, D. Ennis, Fallon, Gilligan, Hall-Long, Hudson, Lee, Maier, Mulrooney, Roy, Schwartzkopf, Smith, Stone, Thornburg, Ulbrich, Valihura, VanSant, Viola & Wagner – URGING OUR CONGRESSIONAL DELEGATION TO INTERVENE ON BEHALF OF THE STATE OF DELAWARE TO OPPOSE THE PROPOSED CLOSING OF THE POST OFFICE AT HARES CORNER.

Representative Hall-Long requested that she be marked present.

**Consent Calendar Number 11** was adopted by voice vote and **HCR 32 & HCR 33** were sent to the Senate for concurrence and **SCR 16 & SCR 19** were returned to the Senate.

Representatives Valihura, Oberle & DiPinto made comments.

Representative Lee requested and was granted privilege of the floor for Mary Tucker, Director, American Legion Auxiliary Girls' State.

Representatives Fallon, Wagner, Oberle, Hall-Long, Gilligan, Thornburg & Lee made comments.

Representative Spence requested that he be marked present.

The Girls' State participants announced their names for the record.

Representatives Reynolds & Smith requested that they be marked present.

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

JUDICIARY: **HB 134** - 6M; **HB 220** - 5M,1U; **HB 221** - 5M,1U; **HB 242** - 6M.

LABOR: **HB 99** - 1F,3M, 1U; **HB 215** - 1F,4M; **HB 223** - 2F,3M; **HB 228** - 5M, **HB 237** - 4F,1M;

**SB 52 w/SA 1** - 2M,3U.

Representative Plant requested that she be marked present.

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

Representative Smith requested and was granted privilege of the floor to present a House Tribute to Suzanne Moore, President, State Chamber of Commerce on the occasion of her retirement.

Representatives Oberle, Hudson, George & Spence made comments.

Representative Ulbrich requested that she be marked present.

The Majority Leader moved to recess for caucus at 2:55 p.m.

The House reconvened at 4:36 p.m. with Representative Roy as Acting Speaker.

Representative Oberle introduced **HB 278**, jointly sponsored by Senator Marshall.

**HB 278 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO POLICE OFFICERS' AND FIREFIGHTERS' EMPLOYMENT RELATIONS ACT.**

Mr. Acting Speaker assigned **HB 278** to the Labor Committee.

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

JUDICIARY: **SB 134 - 6M.**

PUBLIC SAFETY: **HB 218 - 7M.**

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **HB 267, HB 268, HB 269, HB 270 w/HA 1 & HA 1 to HA 1** and is returning same to the House.

#### WITHDRAWAL OF SPONSORSHIP REQUEST

I, John C. Atkins, do hereby request that my name be removed as a cosponsor of **HB 38**.

Date: June 18, 2003

Signed: John C. Atkins

Representative Smith deferred to Representative Quillen.

Representative Quillen moved to suspend the rules which interfere with introduction of and action on **HB 258**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Quillen introduced and brought **HB 258** before the House for consideration.

**HB 258 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO THE CLEAN INDOOR AIR ACT.**

Representative Quillen made comments.

The roll call on **HB 258** was taken and revealed:

YES: 38.

ABSENT: Representatives Hudson, Lavelle & Maier - 3.

Therefore, having received a constitutional majority, **HB 258** was sent to the Senate for concurrence.

Representatives Williams, Boulden & Cathcart requested that they be marked present during the roll call.

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **HB 146**, jointly sponsored by Senator Marshall, before the House for consideration.

**HB 146 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO DELAWARE TAXES. (3/5 bill)**

Representative Hudson introduced and brought **HA 1 to HB 146** 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 146 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Lavelle, Maier & Miro - 3.

Therefore, having received a constitutional majority of at least three-fifths Members of the House, **HB 146 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Wagner.

Representative Wagner made comments.

Representative Wagner introduced **HB 276**, jointly sponsored by Senator Vaughn.

**HB 276 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE ACCOUNTING AND DISTRIBUTION OF A DECEDENT'S PROPERTY WITHOUT GRANT OF LETTERS AND TO TRUSTS.**

Mr. Acting Speaker assigned **HB 276** to the Judiciary Committee.

Representative Wagner introduced **HB 277**, jointly sponsored by Senator Henry.

**HB 277 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PROCEEDINGS IN THE FAMILY COURT AND ADOPTION IN THE STATE OF DELAWARE.**

Mr. Acting Speaker assigned **HB 277** to the Judiciary Committee.

Representative Smith deferred to Representative Lee.

Representative Lee brought **SB 100**, sponsored by Senator Vaughn & Representative Ewing, before the House for consideration.

**SB 100 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO ESCAPE.**

Representative Lee made comments.

The roll call on **SB 100** was taken and revealed:

YES: 39.

ABSENT: Representatives Maier & Miro - 2.

Therefore, having received a constitutional majority, **SB 100** was returned to the Senate.

Representative Smith deferred to Representative Plant.

Representative Plant requested that **HB 161** be stricken.

Representative Plant introduced **HB 263**, jointly sponsored by Representatives George, Gilligan, Hall-Long, Keeley & Williams.

**HB 263 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO ELIGIBILITY FOR PUBLIC ASSISTANCE.**

Mr. Acting Speaker assigned **HB 263** to the Health & Human Development Committee.

Representative Smith deferred to Representative Hocker.

Representative Hocker brought **HB 183**, jointly sponsored by Representatives Spence, Carey, Caulk, DiPinto, D. Ennis, Ewing, Miro, Reynolds & Valihura & Senators Bunting, Sorenson & Simpson, before the House for consideration.

**HB 183 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO UNIT PROPERTIES.**

Representative Hocker made comments.

The roll call on **HB 183** was taken and revealed:

YES: 40.

ABSENT: Representative Viola - 1.

Therefore, having received a constitutional majority, **HB 183** was sent to the Senate for concurrence.

Representative Maier requested that she be marked present during the roll call.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought **HB 142**, jointly sponsored by Representatives Spence, Buckworth, Carey, Caulk, Ewing, Fallon, Hocker, Hudson, Valihura, D. Ennis & Houghton & Senators Still & Amick, before the House for consideration.

**HB 142 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO EQUIPMENT AND CONSTRUCTION OF VEHICLES. (2/3 bill)**

Representative Cathcart brought **HA 1** to **HB 142** 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 142** before the House for consideration. Representative Cathcart made comments. **HA 2** was adopted by voice vote. Representatives Cathcart & Smith made comments. Representative Cathcart requested and was granted privilege of the floor for John Brady, House Attorney. Representatives Cathcart, Schwartzkopf & DiPinto made comments. Representative Cathcart moved to place **HB 142 w/HA 1 & 2** on the Speaker's Table. The motion was properly seconded and adopted without objection.

Representative Smith brought **SB 60 w/SA 1**, jointly sponsored by Senator McBride & Senators DeLuca, McDowell, Sokola & Simpson & Representatives Valihura, Mulrooney, Quillen, Reynolds & Viola, before the House for consideration.

**SB 60 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE WITH RESPECT TO ENFORCEMENT OF ENVIRONMENTAL LAWS AND REGULATIONS.**

Representative Smith made comments. Representative Smith requested and was granted privilege of the floor for David Small, Deputy Secretary, Department of Natural Resources and Environmental Control. Representatives Stone & D. Ennis made comments.

The roll call on **SB 60 w/SA 1** was taken and revealed:

YES: 38.

NOT VOTING: Representative Booth - 1.

ABSENT: Representatives Gilligan & Miro - 2.

Therefore, having received a constitutional majority, **SB 60 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Hall-Long.

Representative Hall-Long introduced guests.

Representative Smith deferred to Representative Miro.

Representative Miro brought **SB 48 w/SA 2**, sponsored by Senator DeLuca & Representative Smith & Senators Blevins, Bunting, Marshall, McBride, McDowell, Peterson, Sokola, Vaughn, Venables, Amick, Cloutier, Connor, Simpson, Sorenson & Still & Representatives Buckworth, Carey, Cathcart, Caulk, D. Ennis, Ewing, Fallon, Lee, Oberle, Quillen, Wagner, B. Ennis, Hall-Long, Plant, VanSant & Williams, before the House for consideration.

**SB 48 - AN ACT TO AMEND CHAPTER 10 OF TITLE 26 OF THE DELAWARE CODE RELATING TO ELECTRIC UTILITY RESTRUCTURING AND ADDING PROVISIONS CONFIRMING THE DUTY OF STANDARD OFFER SUPPLIERS, ELECTRIC SUPPLIERS AND**

ELECTRIC DISTRIBUTION COMPANIES TO MAINTAIN SAFE, EFFICIENT, ADEQUATE, AND RELIABLE SERVICES, AND ALSO ADDING A NEW SECTION AUTHORIZING THE PUBLIC SERVICE COMMISSION TO ASSESS CIVIL PENALTIES, TO SUSPEND AND REVOKE AUTHORIZATIONS, AND TO ENTER PRELIMINARY AND FINAL REMEDIAL ORDERS.

Representative Miro made comments.

The roll call on **SB 48 w/SA 2** was taken and revealed:

YES: 40.

ABSENT: Representative D. Ennis - 1.

Therefore, having received a constitutional majority, **SB 48 w/SA 2** was returned to the Senate.

Mr. Speaker Spence resumed the Chair.

Representative Smith brought **HB 113 w/HA 1 & SA 1**, sponsored by Representative Spence & Representative Oberle & Senator Adams & Senator McBride, before the House for concurrence on **SA 1**.

**HB 113** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO NURSING FACILITIES.

Representative Smith moved to place **HB 113 w/HA 1 & SA 1** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on

**HJR 11**. The motion was properly seconded and adopted by voice vote.

Representative Oberle introduced and brought **HJR 11**, jointly sponsored by Senator Cook & Representatives Spence & Lofink, before the House for consideration.

**HJR 11** - DIRECTING THE DIRECTOR OF THE STATE PERSONNEL OFFICE TO CONDUCT A STUDY TO COMPARE THE PAY EQUITY OF THE CAPITOL POLICE IN COMPARISON TO OTHER POLICE DEPARTMENTS IN THE STATE OF DELAWARE.

Representative Oberle moved to place **HJR 11** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Buckworth brought **HB 166**, jointly sponsored by Senator Still, before the House for consideration.

**HB 166** - AN ACT TO AMEND CHAPTER 272, VOLUME 63, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF CAMDEN". (2/3 bill)

Representative Buckworth brought **HA 1** to **HB 166** before the House for consideration. Representative Buckworth made comments. **HA 1** was adopted by voice vote.

Representative Buckworth moved to place **HB 166 w/HA 1** on the Speaker's Table. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Smith brought **Consent Agenda B**, which requires a two-thirds vote, before the House for consideration and for concurrence on a Senate Amendment.

**HB 212** - Maier & Senator Blevins - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE CHILD PLACEMENT REVIEW ACT. (2/3 bill)

**SB 124** - DeLuca & Representative Stone - AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS. (2/3 bill)

**SB 128** - Vaughn & Representative Wagner & Representatives Valihura, George & Plant - 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. (2/3 bill)

**SB 127** - Vaughn & Representative Wagner & Representatives George, Plant & Valihura - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW. (2/3 bill)

**SB 88** - Amick & Senator Bonini - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO FAILURE TO COMPLY WITH TRAFFIC LIGHTS

**SB 123** - DeLuca & Representative Stone - AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS.

**SB 126** - Vaughn & Representative Wagner & Representatives George, Plant & Valihura - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE. (2/3 bill)

**SB 45** - Blevins & Representative Hudson - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DOMESTIC VIOLENCE COORDINATING COUNCIL.

**HB 217** - Roy & Senator McBride - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE CHOICE OF LAW AND FORUM FOR COMPUTER INFORMATION AGREEMENTS.

**HJR 11** - Oberle & Senator Cook & Representatives Spence & Lofink -DIRECTING THE DIRECTOR OF THE STATE PERSONNEL OFFICE TO CONDUCT A STUDY TO COMPARE THE

PAY EQUITY OF THE CAPITOL POLICE IN COMPARISON TO OTHER POLICE DEPARTMENTS IN THE STATE OF DELAWARE.

Representative Smith requested that **HB 217** be removed from **Consent Agenda B**.

Representative Smith moved to suspend the rules which interfere with lifting **HB 113 w/HA 1 & SA 1** from the Speaker's Table and assigning it to **Consent Agenda B**.

Representative Smith moved to suspend the rules which interfere with lifting **HB 166 w/HA 1** from the Speaker's Table and assigning it to **Consent Agenda B**.

Representative Smith moved to suspend the rules which interfere with action on **Consent Agenda B** as follows:

**HB 212** - Maier & Senator Blevins - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO THE CHILD PLACEMENT REVIEW ACT. (2/3 bill)

**SB 124** - DeLuca & Representative Stone - AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS. (2/3 bill)

**SB 128** - Vaughn & Representative Wagner & Representatives Valihura, George & Plant - 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. (2/3 bill)

**SB 127** - Vaughn & Representative Wagner & Representatives George, Plant & Valihura - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE GENERAL CORPORATION LAW (2/3 bill)

**SB 88** - Amick & Senator Bonini - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO FAILURE TO COMPLY WITH TRAFFIC LIGHTS

**SB 123** - DeLuca & Representative Stone - AN ACT AMENDING TITLE 12 OF THE DELAWARE CODE RELATING TO TRUSTS.

**SB 126** - Vaughn & Representative Wagner & Representatives George, Plant & Valihura - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE. (2/3 bill)

**SB 45** - Blevins & Representative Hudson - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DOMESTIC VIOLENCE COORDINATING COUNCIL.

**HB 113 w/HA 1 & SA 1** - Spence & Representative Oberle & Senator Adams & Senator McBride - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO NURSING FACILITIES.

**HJR 11** - Oberle & Senator Cook & Representatives Spence & Lofink -DIRECTING THE DIRECTOR OF THE STATE PERSONNEL OFFICE TO CONDUCT A STUDY TO COMPARE THE PAY EQUITY OF THE CAPITOL POLICE IN COMPARISON TO OTHER POLICE DEPARTMENTS IN THE STATE OF DELAWARE.

**HB 166 w/HA 1** - Buckworth & Senator Still -AN ACT TO AMEND CHAPTER 272, VOLUME 63, LAWS OF DELAWARE, AS AMENDED, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF CAMDEN". (2/3 bill)

The roll call on **Consent Agenda B** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of a least two-thirds Members of the House, **HB 166 w/HA 1**, **HB 212** & **HJR 11** were sent to the Senate for concurrence & **SB 45**, **SB 88**, **SB 123**, **SB 127**, **SB 128**, **SB 124** & **SB 126** were returned to the Senate & **HB 113 w/HA 1 & SA 1** was sent to the Governor.

Representative Smith moved to place **HB 217** on the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

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

HOUSE ADMINISTRATION: **HB 191** - 3M; **HB 239** - 2F,2M;

TRANSPORTATION: **HB 227** - 6M.

The Majority Leader moved to recess to the call of the Chair at 5:51 p.m.

Mr. Speaker Spence called the House to order at 2:35 p.m. on June 19, 2003.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 96** & **SB 153** and requests the concurrence of the House; **HB 110** and is returning same to the House.

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

HEALTH & HUMAN DEVELOPMENT: **HB 262** - 6M; **HB 240** - 6M; **SB 85** - 6M; **SB 74** - 5M; **SB 101** - 6M; **SB 102** - 6M.

BUSINESS/CORPORATIONS/COMMERCE: **HB 204** - 7M,1U.

EDUCATION: **HB 46** - 6M,1U; **HB 186** - 9M; **HB 209** - 9M; **HB 219** - 9M; **SB 68** - 8M,1U; **SB 92** - 10M; **SB 103** - 9M,1U; **SB 105 w/SA 1** - 10M; **SB 107 w/SA 1** - 9M,1U; **SB 141** - 2F,8M.

POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY: **HB 259** - 3M; **SB 5 w/SA 1** - 1F,4M.

Mr. Speaker Spence assigned **HB 46** to the Appropriations Committee.

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

**38th LEGISLATIVE DAY - 142nd GENERAL ASSEMBLY - First Session  
June 19, 2003**

The Chief Clerk called the roll:

Members Present: 40.

Member Absent: Representative Mulrooney - 1.

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

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

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

The following prefiled legislation was introduced:

**HB 273** - STONE & SENATOR BLEVINS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Risk-based Capital for Health Organizations.

**HB 279** - STONE & REPRESENTATIVE VALIHURA; SENATOR BLEVINS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to the Licensing of Adjusters.

**HB 280** - STONE & REPRESENTATIVE VALIHURA; SENATOR BLEVINS - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to the Licensing of Public Adjusters.

**HA 1 to HB 227** - BOULDEN - Placed with the Bill.

**SB 96** - HENRY & REPRESENTATIVE KEELEY; SENATORS BLEVINS & SOKOLA; REPRESENTATIVES D. ENNIS, B. ENNIS, GEORGE, GILLIGAN, MULROONEY, PLANT, VIOLA - JUDICIARY - An Act to Amend Title 10 of the Delaware Code Adjudication; Disposition Following Adjudication; Commitment to Custody of Department of Services for Children, Youth and Their Families; Effect.

**SB 153** - BLEVINS & LEE - HOUSE ADMINISTRATION - An Act to Amend Title 15 of the Delaware Code Relating to Elections.

**HA 2 to SB 65** - CATHCART - Placed with the Bill.

Representative Smith deferred to Representative Carey. Representative Carey requested and was granted privilege of the floor to present a House Tribute to Erin Clendaniel, State Spelling Champion. Representative Carey introduced guests. Mr. Speaker Spence introduced a guest. Representative Oberle made comments. Representatives D. Ennis, B. Ennis & Boulden requested that they be marked present. Representatives Oberle & Boulden requested and were granted privilege of the floor to present House Tributes to Nathan Hayward III, Secretary, Department of Transportation; William Hickox, Operations Manager, Department of Transportation; W. Andrew Bowman, North District Engineer, Department of Transportation; Mark Alexander, Canal District Engineer, Department of Transportation; Vasuki R. Hiraesave, Central District Engineer, Department of Transportation; Joseph Wright, South District Engineer, Department of Transportation and PJ Wilkins, Toll Operations Administrator, Department of Transportation. Mr. Speaker Spence & Representatives Gilligan, Caulk, Mr. Speaker Spence, Representatives Atkins & Carey made comments. Representative Miro requested that he be marked present.

The Majority Leader moved to recess for caucus at 3:04 p.m.

The House reconvened at 5:35 p.m.

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

Representative Cathcart requested that he be marked present.

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

JUDICIARY: **HB 276** - 6M; **HB 277** - 6M.

LABOR: **HB 266** - 1F,4M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 265** - 1F,5M.

Representatives Williams & Viola requested that they be marked present.

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

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 119 w/SA 1**, **SB 145 w/SA 1**, **SB 140 w/SA 1 & 2** & **SB 135 w/SA 1** and requests the concurrence of the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Wayne A. Smith, do hereby request that my name be removed as cosponsor of **HB 222**.

Date: June 19, 2003

Signed: Wayne A. Smith

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Peter Schwartzkopf, do hereby request that my name be removed as cosponsor of **HB 271**.

Date: June 17, 2003

Signed: Peter Schwartzkopf

Representative Reynolds requested that he be marked present.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis brought **HB 191**, jointly sponsored by Senators Vaughn & Cook & Representatives Hall-Long & Thornburg, before the House for consideration.

**HB 191** - AN ACT TO REINCORPORATE THE TOWN OF SMYRNA. (2/3 bill)

Representative B. Ennis moved to place **HB 191** on the Speaker's Table. The motion was seconded by Representative Carey and adopted by voice vote.

Representative Smith brought **Consent Agenda C**, which requires a two-thirds vote, before the House for consideration.

**HB 136** - Buckworth & Senators McDowell & Sorenson & Representatives Carey, Cathcart, Caulk, DiPinto, D. Ennis, Fallon, Hocker, Hudson, Lavelle, Lofink, Maier, Miro, Reynolds, Stone, Ulbrich, Wagner, VanSant, B. Ennis, Hall-Long, Houghton, Keeley, Mulrooney, Viola & Williams - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO ADOPTION.

**HB 206** - Ulbrich & Senator McBride & Representatives Hudson, Valihura, Schwartzkopf & Viola & Senators Peterson, Sokola & Copeland - AN ACT TO AMEND CHAPTER 3, TITLE 24 OF THE DELAWARE CODE RELATING TO ARCHITECTURE.

**HB 208** - Ulbrich & Senator McBride & Representatives Hudson, Valihura, Schwartzkopf & Viola & Senators Peterson, Sokola & Copeland - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF MASSAGE AND BODYWORK.

**HB 211** - Ulbrich & Senator McBride & Representatives Hudson, Valihura, Schwartzkopf & Viola & Senators Peterson, Sokola & Copeland - AN ACT TO AMEND CHAPTER 2, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF LANDSCAPE ARCHITECTURE.

**HB 213** - DiPinto & Senator Henry & Representatives Smith, D. Ennis, Williams, George, Keeley & Plant & Senators McDowell, Blevins, Marshall, Peterson, Sorenson, Cloutier, Connor & Copeland - AN ACT TO AMEND CERTAIN PROVISIONS OF THE CHARTER OF THE CITY OF WILMINGTON, PURSUANT TO 22 DEL.C., SECTION 811, RELATING TO THE ADMINISTRATIVE ASSISTANT TO THE MAYOR. (2/3 bill)

**HB 218** - Atkins & Senator Bunting & Representatives Lee, Buckworth, Carey, Cathcart, Caulk, DiPinto, Fallon, Hudson, Lofink, Miro, Oberle, Quillen, Reynolds, Stone & Wagner - AN ACT TO AMEND TITLE 21 RELATING TO MOTOR VEHICLES AND SPECIAL REGISTRATION PLATES.

Representative Smith requested that **HB 206**, **HB 208** & **HB 211** be removed from **Consent Agenda C**.

Representative Smith moved to lift **HB 191** from the Speaker's Table. The motion was seconded by Representative B. Ennis and adopted by voice vote.

Representative Smith requested that **HB 191** be added to **Consent Agenda C**.

**HB 191** - AN ACT TO REINCORPORATE THE TOWN OF SMYRNA. (2/3 bill)

The roll call on **Consent Agenda C** was taken and revealed:

YES: 40.

ABSENT: Representative Mulrooney - 1.

Therefore, having received a constitutional majority of a least two-thirds Members of the House, **HB 136**, **HB 191**, **HB 213** & **HB 218** were sent to the Senate for concurrence.

Representatives DiPinto, Lavelle, Plant, Stone, Ulbrich & Valihura requested that they be marked present during the roll call.

Representative Smith deferred to Representative Wagner.

Representative Wagner moved to suspend the rules which interfere with action on **HB 277**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Wagner brought **HB 277**, jointly sponsored by Senator Henry, before the House for consideration.

**HB 277** - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO PROCEEDINGS IN THE FAMILY COURT AND ADOPTION IN THE STATE OF DELAWARE.

Representative Wagner made comments.

The roll call on **HB 277** was taken and revealed:

YES: 40.

ABSENT: Representative Mulrooney - 1.

Therefore, having received a constitutional majority, **HB 277** was sent to the Senate for concurrence. Representative Smith deferred to Representative Wagner.

Representative Wagner 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 Wagner brought **HB 276**, jointly sponsored by Senator Vaughn, before the House for consideration.

**HB 276 - AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE ACCOUNTING AND DISTRIBUTION OF A DECEDENT'S PROPERTY WITHOUT GRANT OF LETTERS AND TO TRUSTS.**

Representative Wagner made a comment.

The roll call on **HB 276** was taken and revealed:

YES: 39.

ABSENT: Representatives D. Ennis & Mulrooney - 2.

Therefore, having received a constitutional majority, **HB 276** was sent to the Senate for concurrence.

Representative Lee deferred to Representative B. Ennis.

Representative B. Ennis brought **HB 49**, jointly sponsored by Senator Vaughn & Representatives Carey, Caulk, D. Ennis, Hall-Long, Houghton, Keeley, Mulrooney & VanSant & cosponsored by Representatives Ewing & Gilligan, before the House for consideration.

**HB 49 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE SIZE AND WEIGHT OF VEHICLES AND LOADS. (2/3 bill)**

Representative B. Ennis brought **HA 1 to HB 49** before the House for consideration. Representative B. Ennis requested that **HA 1** be stricken. Representative B. Ennis introduced and brought **HA 2 to HB 49** before the House for consideration. Representative B. Ennis made comments. **HA 2** was adopted by voice vote. Representatives B. Ennis & Ewing made comments. Representative Lee requested and was granted privilege of the floor for John Brady, House Attorney. Representatives Lee, Ewing & B. Ennis made comments.

The roll call on **HB 49 w/HA 2** was taken and revealed:

YES: 37.

NO: Representative Hocker - 1.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representatives D. Ennis & Mulrooney - 2.

Therefore, having received a constitutional majority, **HB 49 w/HA 2** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Gilligan.

Representative Gilligan brought **HB 187**, jointly sponsored by Representative Smith & Representative Roy & Representative VanSant & Representatives DiPinto & Hudson & Senators Amick & Sorenson, before the House for consideration.

**HB 187 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE NEIGHBORHOOD SCHOOLS ACT OF 2000.**

Representatives Gilligan, Oberle, Maier, DiPinto, Lavelle & Miro made comments.

The roll call on **HB 187** was taken and revealed:

YES: 35.

NO: Representative Boulden - 1.

NOT VOTING: Representatives Lofink & Oberle - 2.

ABSENT: Representatives D. Ennis, Mulrooney & Smith - 3.

Therefore, having received a constitutional majority, **HB 187** was sent to the Senate for concurrence.

Representative Lee moved to place **HB 206** on the Speaker's Table. The motion was seconded by Representative Carey and adopted by voice vote.

**HB 206 - AN ACT TO AMEND CHAPTER 3, TITLE 24 OF THE DELAWARE CODE RELATING TO ARCHITECTURE.**

Representative Lee moved to place **HB 208** on the Speaker's Table. The motion was seconded by Representative Quillen and adopted by voice vote.

**HB 208 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF MESSAGE AND BODYWORK.**

Representative Lee moved to place **HB 211** on the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

**HB 211 - AN ACT TO AMEND CHAPTER 2, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF LANDSCAPE ARCHITECTURE.**

Representative Smith deferred to Representative Stone.

Representative Stone introduced and brought **SCR 21**, sponsored on behalf of All Representatives and jointly sponsored by Senator Simpson on behalf of All Senators, before the House for consideration.

**SCR 21 - HONORING THE YOUNG WOMEN FROM ACROSS THE STATE OF DELAWARE PARTICIPATING IN THE 2003 SESSION OF DELAWARE'S GIRLS' STATE.**

Representative Stone made comments.

**SCR 21** was adopted by voice vote and was returned to the Senate.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart moved to suspend the rules which interfere with lifting **HB 142 w/HA 1 & 2** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Cathcart brought **HB 142 w/HA 1 & 2**, jointly sponsored by Representatives Spence, Buckworth, Carey, Caulk, Ewing, Fallon, Hocker, Hudson, Valihura, D. Ennis & Houghton & Senators Still & Amick, before the House for consideration.

**HB 142 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO EQUIPMENT AND CONSTRUCTION OF VEHICLES. (2/3 bill)**

Representative Cathcart introduced and brought **HA 3 to HB 142** before the House for consideration. Representative Cathcart made comments. **HA 3** was adopted by voice vote. Representative Cathcart made a comment.

The roll call on **HB 142 w/HA 1, 2 & 3** was taken and revealed:

YES: 28.

NO: Representatives Booth, Boulden, B. Ennis, Gilligan, Lee, Schwartzkopf, Smith, Stone, VanSant, Viola & Williams - 11.

ABSENT: Representatives D. Ennis & Mulrooney - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 142 w/HA 1, 2 & 3** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Plant.

Representative Plant moved to suspend the rules which interfere with action on **HB 263**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Plant brought **HB 263**, jointly sponsored by Representatives George, Gilligan, Hall-Long, Keeley & Williams, before the House for consideration.

**HB 263 - AN ACT TO AMEND TITLE 31 OF THE DELAWARE CODE RELATING TO ELIGIBILITY FOR PUBLIC ASSISTANCE.**

Representative Plant made comments.

Representative Smith introduced and brought **HA 1 to HB 263** before the House for consideration. Representative Smith made comments. **HA 1** was adopted by voice vote.

Representative Maier introduced and brought **HA 2 to HB 263** before the House for consideration. Representatives Maier, Williams, Hall-Long & Smith made comments. Representative Plant requested and was granted privilege of the floor for Mary Kate McLaughlin, representing the Department of Health and Social Services. Representatives Maier, Smith, B. Ennis, Ewing, Williams & Keeley made comments.

**HA 2 to HB 263** was adopted by voice vote.

Representative Smith requested and was granted privilege of the floor for Elaine Archangelo, Director, Division of Social Services, Department of Health and Social Services. Representatives Smith, Wagner, Hall-Long & Booth made comments. Representative Plant requested and was granted privilege of the floor for Patricia D. Beebe, President and CEO, Food Bank of Delaware. Representatives Wagner, Maier, Valihura, Hudson, Schwartzkopf, George, Hall-Long, Smith, Williams, Stone, Viola & Gilligan made comments.

The roll call on **HB 263 w/HA 1 & 2** was taken and revealed:

YES: 36.

ABSENT: Representatives DiPinto, D. Ennis, Fallon, Lavelle & Mulrooney - 5.

Therefore, having received a constitutional majority, **HB 263 w/HA 1 & 2** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Miro.

Representative Miro brought **HB 222**, jointly sponsored by Senator Marshall & Representatives Fallon, Reynolds & Keeley & Senator Cook, before the House for consideration.

**HB 222 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO IN-STATE TUITION CHARGES FOR DELAWARE RESIDENTS.**

Representative Miro requested that **HA 1 to HB 222** be stricken.

Representative Miro introduced and brought **HA 2 to HB 222** before the House for consideration. Representatives Miro & Cathcart made comments.

Representative Miro requested and was granted privilege of the floor for J. Richard Armitage, Jr., Director of Government Relations, University of Delaware.

Representatives Miro, Cathcart & Smith made comments.

Representative Miro requested and was granted privilege of the floor for Kathy Karsnitz, Legal Counsel, Delaware Technical and Community College.

Representatives Miro, Cathcart & Valihura made comments.

Representative Miro introduced guests.

Mr. Speaker made comments.

Representative Miro moved to place **HA 2** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Miro moved to place **HB 222** on the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

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

BUSINESS/CORPORATIONS/COMMERCE: **HB 255** - 6M.

LABOR: **HB 278** - 5M.

LAND USE AND INFRASTRUCTURE: **SB 65 w/SA 2 & 3** - 6M.

TELECOMMUNICATIONS INTERNET & TECHNOLOGY: **SB 97** - 1F,3M; **SB 129** - 1F,3M.

The Majority Leader moved to recess to the call of the Chair at 8:12 p.m.

Mr. Acting Speaker Roy called the House to order at 2:08 p.m. on June 24, 2003.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 21** & **SCR 15** and requests the concurrence of the House; **HCR 33**, **HCR 34** & **HCR 35** and is returning same to the House.

Representative Fallon introduced a guest.

Representative Stone introduced **HB 284**, jointly sponsored by Representative Valihura & Representative Keeley & Representative Lavelle & Senator Bunting.

**HB 284** - AN ACT TO AMEND 74 LAWS OF DELAWARE 35 (2003) RELATING TO MANUFACTURED HOMES, MANUFACTURED HOME OWNERS, MANUFACTURED HOME COMMUNITIES, MANUFACTURED HOME COMMUNITY OWNERS, AND MANUFACTURED HOME COMMUNITY CONVERSIONS.

Mr. Acting Speaker assigned **HB 284** to the Housing & Community Affairs Committee.

The Majority Whip 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 - 142nd GENERAL ASSEMBLY - First Session**

**June 24, 2003**

The Chief Clerk called the roll:

Members Present: 41.

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

Sean O'Brien led those present in the pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

**HB 246** - LEE & SENATOR BUNTING; REPRESENTATIVES ATKINS, BOOTH, CAREY, EWING, FALLON, HOCKER, QUILLEN, WAGNER, SCHWARTZKOPF; SENATORS VENABLES, SIMPSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to the Election of Members of the Various School Boards of Any Reorganized Vocational-Educational School Districts in this State.

**HB 281** - KEELEY & REPRESENTATIVE DIPINTO & SENATOR HENRY - HOUSE ADMINISTRATION - An Act to Amend Certain Provisions of Section 8-200 of the City of Wilmington Home Rule Charter. (2/3 bill)

**HB 282** - OBERLE & REPRESENTATIVE QUILLEN & SENATOR COOK & SENATOR VAUGHN - GAMING & PARIMUTUELS - An Act to Amend Title 28 of the Delaware Code Relating to Influencing Results of Sporting Events by Unlawful Means.

**HA 1 to HB 139** - BUCKWORTH - Placed with the Bill.

**HA 1 to HB 163** - OBERLE - Placed with the Bill.

**HA 6 to HB 182** - GEORGE - Placed with the Bill.

**HA 1 to HB 208** - HUDSON; REPRESENTATIVES ULBRICH, VALIHURA, SCHWARTZKOPF, VIOLA - Placed with the Bill.

**SS 1 for SB 51** - PETERSON & REPRESENTATIVE KEELEY; SENATORS HENRY & SOKOLA - BUSINESS/CORPORATIONS/COMMERCE - An Act to Amend Title 4 of the Delaware Code Relating to Dram Shop Liability.

**SB 119 w/SA 1** - MARSHALL & REPRESENTATIVE MAIER; SENATOR BLEVINS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Nursing and Similar Facilities.

**SB 135 w/SA 1** - ADAMS & REPRESENTATIVE EWING - LAND USE AND INFRASTRUCTURE - An Act to Amend Title 26 Relating to the Public Service Commission and Certificates of Public Convenience and Necessity for Water Utilities for Municipalities Annexing Territory. (2/3 bill)

**SB 140 w/SA 1 & 2** - PETERSON & REPRESENTATIVE OBERLE; SENATOR MCDOWELL & REPRESENTATIVE ROY - LABOR - An Act to Amend Title 29 of the Delaware Code Relating to Reporting Requirements by Vendors.

**SB 145 w/SA 1 - MCDOWELL & REPRESENTATIVE ROY - TELECOMMUNICATION INTERNET & TECHNOLOGY - An Act to Amend Title 29 of the Delaware Code Relating to State Government and the State Energy Office.**

**HA 1 to SB 101 - DIPINTO - Placed with the Bill.**

Representative Maier introduced guests.

Mr. Acting Speaker made a comment.

Representative Lee deferred to Representative D. Ennis. Representative D. Ennis requested and was granted personal privilege of the floor to introduce a guest. Representative D. Ennis made an announcement. Representative Lee deferred to Representative Carey. Representative Carey requested and was granted privilege of the floor to present a House Tribute to Erin E. Williams, Miss Delaware 2003, who sang "God Bless America". Representatives Hall-Long, Caulk & Atkins requested that they be marked present. Representative Ewing requested and was granted personal privilege of the floor to make comments. Representative Quillen requested and was granted personal privilege of the floor to introduce a guest. Representative DiPinto requested that he be marked present. Representative Stone made an announcement. Representative Gilligan requested and was granted personal privilege of the floor to introduce a guest.

The Majority Whip moved to recess for caucus at 2:27 p.m.

The House reconvened at 4:38 p.m.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 150 & SB 160 w/SA 1** and requests the concurrence of the House; **HB 197 & HJR 10** and is returning same to the House.

Representative Lavelle requested that he be marked present.

Representative Smith deferred to Representative Caulk.

Representative Caulk brought **HB 225**, jointly sponsored by Senator Bunting & Representatives Atkins, Booth, Boulden, Buckworth, Carey, DiPinto, B. Ennis, D. Ennis, Ewing, Fallon, Hall-Long, Hocker, Houghton, Hudson, Keeley, Lavelle, Lee, Lofink, Maier, Miro, Oberle, Quillen, Reynolds, Roy, Smith, Spence, Stone, Thornburg, Ulbrich, Valihura & Williams & Senators Adams, Bonini, Cloutier, Connor, Cook, Simpson, Still, Vaughn & Venables, before the House for consideration.

**HB 225 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO AGRICULTURAL USE LAND.**

Representative Caulk introduced and brought **HA 1 to HB 225** before the House for consideration.

Representative Ulbrich requested that she be marked present.

Representative Caulk made comments. Representative Smith requested that he be marked present. Representative Caulk made comments. Representatives Oberle & Williams requested that they be marked present. Representative Oberle made comments. **HA 1** was adopted by voice vote.

Representative Cathcart requested that he be marked present.

Representative Caulk made comments.

The roll call on **HB 225 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority, **HB 225 w/HA 1** was sent to the Senate for concurrence.

Representatives Plant, Reynolds & Wagner requested that they be marked present during the roll call.

Representative Smith deferred to Representative Hudson.

Representative Smith moved to suspend the rules which interfere with action on **HB 208**. The motion was properly seconded and adopted by voice vote.

Representative Ulbrich moved to lift **HB 208** from the Speaker's Table. The motion was seconded by Representative Carey and adopted by voice vote.

Representative Ulbrich brought **HB 208**, jointly sponsored by Senator McBride & Representatives Hudson, Valihura, Schwartzkopf & Viola & Senators Peterson, Sokola & Copeland, before the House for consideration.

**HB 208 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF MASSAGE AND BODYWORK.**

Representative Hudson brought **HA 1 to HB 208**, jointly sponsored by Representatives Ulbrich, Valihura, Schwartzkopf & Viola, before the House for consideration. Representative Hudson made comments. **HA 1** was adopted by voice vote.

Representative Ulbrich made comments.

The roll call on **HB 208 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 208 w/HA 1** was sent to the Senate for concurrence.

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

Representative Lee deferred to Representative Hall-Long.

Representative Hall-Long brought **HB 198**, jointly sponsored by Senator Sokola & Representatives B. Ennis, George, Keeley, Mulrooney & Plant & cosponsored by Representative Buckworth, before the House for consideration.

**HB 198** - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO APPROVAL BY THE STATE BOARD OF EDUCATION OF CERTIFICATES OF INCORPORATION OR ANY AMENDMENT THEREOF PRIOR TO FILING.

Representative Hall-Long brought **HA 1 to HB 198** before the House for consideration. Representative Hall-Long made comments. **HA 1** was adopted by voice vote.

Representatives Hall-Long & Valihura made comments.

Representative Hall-Long moved to lay **HB 198 w/HA 1** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Lee deferred to Representative Hocker.

Representative Hocker brought **HB 163**, jointly sponsored by Senator Bunting & Representatives Booth, Buckworth, Carey, Cathcart, Caulk, B. Ennis, D. Ennis, Ewing, Fallon, George, Hall-Long, Houghton, Hudson, Lavelle, Lee, Maier, Mulrooney, Plant, Quillen, Reynolds, Schwartzkopf, Smith, Spence, Ulbrich, Valihura, VanSant & Viola & Senators Amick, Copeland & Simpson, before the House for consideration.

**HB 163** - 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.

Representative Hocker moved to lay **HB 163** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Lee 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 Lee and adopted by voice vote.

Representative DiPinto introduced and brought **HB 300**, jointly sponsored by Senator Cook & Representatives Buckworth, D. Ennis, Fallon, Houghton & Williams & Senators Bunting, Henry, Vaughn, Amick & Cloutier, 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, 2004; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.

Representative DiPinto moved to lay **HB 300** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative DiPinto 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 DiPinto introduced and brought **HB 301**, jointly sponsored by Senator Cook & Representatives Buckworth, D. Ennis, Fallon, Houghton & Williams & Senators Bunting, Henry, Vaughn, Amick & Cloutier, before the House for consideration.

**HB 301** - AN ACT AMENDING THE DELAWARE CODE RELATING TO THE REORGANIZATION OF THE DEPARTMENT OF PUBLIC SAFETY BY TRANSFERRING THE DIVISION OF MOTOR VEHICLES FROM THE DEPARTMENT OF PUBLIC SAFETY TO THE DEPARTMENT OF TRANSPORTATION; TRANSFERRING THE DIVISION OF BOILER SAFETY FROM THE DEPARTMENT OF PUBLIC SAFETY TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL; ALIGNING THE POWERS AND DUTIES OF THE SECRETARY OF THE DEPARTMENT OF PUBLIC SAFETY, THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, AND THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO REFLECT THE TRANSFERS OF THE DIVISIONS; RENAMING THE DEPARTMENT OF PUBLIC SAFETY THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY; AND AMENDING TITLES 6, 10, 11, 16, 21, 29, AND 30 OF THE DELAWARE CODE.

Representative DiPinto made a comment.

Representative DiPinto moved to lay **HB 301** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Lee deferred to Representative DiPinto.

Representative DiPinto brought **HB 132**, jointly sponsored by Representative Roy & Representative Houghton & Representative Keeley & Representatives Plant & Williams & Senators McDowell, Henry & Marshall, before the House for consideration.

**HB 132** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS.

Representative DiPinto moved to lay **HB 132** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Lee deferred to Representative DiPinto.

Representative DiPinto brought **HB 143**, jointly sponsored by Senator Adams, before the House for consideration.

**HB 143 - AN ACT TO AMEND TITLES 16 AND 30 OF THE DELAWARE CODE RELATING TO THE EMERGENCY REPORTING SYSTEM FUND AND PROCEDURES RELATING THERETO.**

Representative DiPinto brought **HA 1 to HB 143** before the House for consideration. Representative DiPinto made comments. **HA 1** was adopted by voice vote. Representative DiPinto made comments.

The roll call on **HB 143 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 143 w/HA 1** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Hocker.

Mr. Speaker Spence resumed the Chair.

Representative Hocker moved to lift **HB 163** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Hocker brought **HB 163**, jointly sponsored by Senator Bunting & Representatives Booth, Buckworth, Carey, Cathcart, Caulk, B. Ennis, D. Ennis, Ewing, Fallon, George, Hall-Long, Houghton, Hudson, Lavelle, Lee, Maier, Mulrooney, Plant, Quillen, Reynolds, Schwartzkopf, Smith, Spence, Ulbrich, Valihura, VanSant & Viola & Senators Amick, Copeland & Simpson, before the House for consideration.

**HB 163 - AN ACT TO AMEND TITLE 10, CHAPTER 81 OF THE DELAWARE CODE RELATING TO LIMITATIONS FROM CIVIL LIABILITY FOR CERTAIN VOLUNTEERS.**

Representative Hocker deferred to Representative Oberle. Representative Oberle brought **HA 1 to HB 163** before the House for consideration. Representatives Oberle, Cathcart, Lavelle & Smith made comments. Representative Oberle requested and was granted privilege of the floor for Alan Davis, House Attorney. Representatives Smith, Hudson, Oberle, Reynolds, B. Ennis, VanSant & Hall-Long made comments. **HA 1** was adopted by voice vote.

The roll call on **HB 163 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 163 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Keeley.

Representative Keeley moved to suspend the rules which interfere with action on **HB 262**. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Keeley brought **HB 262**, cosponsored by Representative Maier, before the House for consideration.

**HB 262 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATED TO THE ESTABLISHMENT OF A HEARING AID LOAN BANK.**

Representative Keeley brought **HA 1 to HB 262** before the House for consideration. Representative Keeley made comments. **HA 1** was adopted by voice vote.

Representative Keeley made comments and introduced a guest.

The roll call on **HB 262 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 262 w/HA 1** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Wagner.

Representative Wagner brought **SB 38**, sponsored by Senator Henry & Representative Keeley & Representative Stone & cosponsored by Representative George, before the House for consideration.

**SB 38 - AN ACT TO AMEND CHAPTER 320 OF VOLUME 72 OF THE LAWS OF DELAWARE RELATING TO POST CONVICTION REMEDIES.**

Representatives Wagner, Oberle & Keeley made comments.

The roll call on **SB 38** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 38** was returned to the Senate.

Representatives Valihura, Lofink & Hudson made announcements.

Representative Lee deferred to Representative DiPinto. Representative DiPinto made an announcement.

Representative DiPinto moved to lift **HB 132** from the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

Representative DiPinto brought **HB 132**, jointly sponsored by Representative Roy & Representative Houghton & Representative Keeley & Representatives Plant & Williams & Senators McDowell, Henry & Marshall, before the House for consideration.

**HB 132 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS.**

Representative DiPinto deferred to Representative Booth. Representative Booth introduced and brought **HA 1** to **HB 132** before the House for consideration. Representatives Booth, Hudson, Valihura & DiPinto made comments. Representative Roy requested and was granted privilege of the floor for Steve Kubico, Deputy Controller General. Representatives Roy & Booth made comments.

Representative Booth moved to place **HA 1** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative DiPinto moved to place **HB 132** on the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Smith brought **Consent Agenda D** before the House for consideration.

**SB 68 - BONINI & REPRESENTATIVE MIRO & SENATORS AMICK, CLOUTIER, CONNOR, COPELAND, SIMPSON, SOKOLA & SORENSON & REPRESENTATIVES CAREY, CAULK, D. ENNIS, FALLON, HOCKER, REYNOLDS, STONE & VALIHURA - An Act to Amend Title 14 of the Delaware Code Relating to Professional Incentive Programs.**

**SB 74 - BLEVINS & REPRESENTATIVES MAIER & ULBRICH - An Act to Amend Titles 14 and 16 of the Delaware Code Relating to Childhood Lead Poisoning.**

**SB 102 - MCBRIDE & REPRESENTATIVE HALL-LONG & SENATOR SORENSON & REPRESENTATIVE ULBRICH & SENATORS SIMPSON, ADAMS, BLEVINS, BUNTING, COOK, DELUCA, HENRY, MARSHALL, MCDOWELL, PETERSON, SOKOLA, VAUGHN, VENABLES, AMICK, BONINI, CLOUTIER, CONNOR, COPELAND & STILL & REPRESENTATIVES ATKINS, BOOTH, BOULDEN, BUCKWORTH, CAREY, CATHCART, CAULK, DIPINTO, D. ENNIS, EWING, FALLON, HOCKER, HUDSON, LAVELLE, LEE, LOFINK, MAIER, MIRO, OBERLE, QUILLEN, REYNOLDS, ROY, SMITH, SPENCE, STONE, THORNBURG, VALIHURA, WAGNER, B. ENNIS, GEORGE, GILLIGAN, HOUGHTON, KEELEY, MULROONEY, PLANT, SCHWARTZKOPF, VANSANT & WILLIAMS - An Act to Amend Title 16 of the Delaware Code to Create a Delaware Cancer Consortium.**

**SB 103 - SOKOLA & REPRESENTATIVE MAIER & SENATOR COPELAND - An Act to Amend Title 14 of the Delaware Code Relating to Compulsory School Attendance and Homeschools, and Non-Public School Attendance and Enrollment Reporting Requirements.**

**SB 85 - BLEVINS & REPRESENTATIVE MAIER & SENATORS CONNOR, HENRY & PETERSON - An Act to Amend Titles 14 and 16 of the Delaware Code Relating to the Regulation of Public Drinking Water Suppliers.**

**HB 251 - ULBRICH & SENATOR MCBRIDE & REPRESENTATIVES HUDSON, SCHWARTZKOPF, 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.**

**HB 259 - ULBRICH & SENATOR MCBRIDE & REPRESENTATIVES HUDSON, SCHWARTZKOPF, VALIHURA & VIOLA & SENATORS BONINI, COPELAND, PETERSON & SOKOLA - An Act to Amend Titles 16 and 24 of the Delaware Code Relating to Nursing Homes and Nursing Home Administrators.**

**HB 257 - ULBRICH & SENATOR MCBRIDE & REPRESENTATIVES HUDSON, VALIHURA, SCHWARTZKOPF & VIOLA & SENATORS PETERSON, SOKOLA, BONINI & COPELAND - An Act to Amend Title 24 of the Delaware Code Relating to the Board of Accountancy.**

**HB 252 - ULBRICH & SENATOR MCBRIDE & REPRESENTATIVES HUDSON, VALIHURA, SCHWARTZKOPF & VIOLA & SENATORS PETERSON, SOKOLA, BONINI & COPELAND - An Act to Amend Titles 24 of the Delaware Code Relating to Professional Land Surveyors.**

**HB 244 - ULBRICH & SENATOR MCBRIDE & REPRESENTATIVES HUDSON, SMITH, VALIHURA & VIOLA & SENATORS BONINI, COPELAND, PETERSON & SOKOLA - An Act to Amend Chapter 18, Title 24 of the Delaware Code Relating to the Board of Plumbing Examiners.**

Representative Smith requested that **HB 259** & **HB 244** be removed from **Consent Agenda D**.

The roll call on **Consent Agenda D** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **Consent Agenda D** was declared passed and **HB 257, HB 252 & HB 251** were sent to the Senate for concurrence & **SB 68, SB 74, SB 85, SB 102 & SB 103** were returned to the Senate.

Representative Ulbrich brought **HB 259**, jointly sponsored by Senator McBride & Representatives Hudson, Schwartzkopf, Valihura & Viola & Senators Bonini, Copeland, Peterson & Sokola, before the House for consideration.

**HB 259** - AN ACT TO AMEND TITLES 16 AND 24 OF THE DELAWARE CODE RELATING TO NURSING HOMES AND NURSING HOME ADMINISTRATORS.

Representative Ulbrich moved to place **HB 259** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Ulbrich brought **HB 244**, jointly sponsored by Senator McBride & Representatives Hudson, Smith, Valihura & Viola & Senators Bonini, Copeland, Peterson & Sokola, before the House for consideration.

**HB 244** - AN ACT TO AMEND CHAPTER 18, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF PLUMBING EXAMINERS.

Representative Ulbrich moved to place **HB 244** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

The Majority Leader moved to recess for dinner at 6:09 p.m.

The House reconvened at 6:30 p.m. with Representative Roy as Acting Speaker.

Representative Smith deferred to Representative Schwartzkopf.

Representative Schwartzkopf brought **HB 203**, jointly sponsored by Representative Booth & Senator Bunting & Representatives Hall-Long & Smith & Senators Amick, Blevins, Cloutier, Cook, McBride, Sokola, Still & Vaughn, before the House for consideration.

**HB 203** - AN ACT TO AMEND TITLE 26, CHAPTER 13 OF THE DELAWARE CODE RELATING TO PUBLIC UTILITIES; GAS, WATER AND OIL CORPORATIONS.

Representative Booth requested that **HA 1 to HB 203** be stricken. Representative Booth introduced and brought **HA 2 to HB 203**, jointly sponsored by Representative Schwartzkopf, before the House for consideration. Representative Booth made comments. **HA 2** was adopted by voice vote. Representative Schwartzkopf made comments.

The roll call on **HB 203 w/HA 2** was taken and revealed:

YES: 40.

ABSENT: Representative Buckworth - 1.

Therefore, having received a constitutional majority, **HB 203 w/HA 2** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **HB 239**, jointly sponsored by Senator Blevins & Representative Smith & Senator Cloutier & Senator Copeland & Representatives D. Ennis, Fallon, George, Hudson, Lavelle, Spence & Stone & Senators Adams, Bunting, Cook, DeLuca, Henry, Marshall, McBride, McDowell, Peterson, Simpson, Sokola, Sorenson, Still, Vaughn & Venables, before the House for consideration.

**HB 239** - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO PRIMARY ELECTIONS.

Representatives Valihura, Wagner, Maier, Reynolds, Miro, George & Keeley made comments.

Representative Valihura moved to place **HB 239** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Smith deferred to Representative Boulden.

Representative Boulden brought **HB 227**, jointly sponsored by Representatives DiPinto, D. Ennis, Lofink, Valihura, B. Ennis, Plant & Williams, before the House for consideration.

**HB 227** - AN ACT TO AMEND TITLE 2, DELAWARE CODE RELATING TO THE REGULATION OF PUBLIC CARRIERS. (F/I)

Representative Boulden made a comment. Representative Boulden brought **HA 1 to HB 227** before the House for consideration. Representative Boulden made a comment. **HA 1** was adopted by voice vote. Representative Boulden made comments.

The roll call on **HB 227 w/HA 1** was taken and revealed:

YES: 32.

NO: Representatives Booth, Carey, Caulk, Ewing, Fallon, Hocker, Lee, Quillen & Smith - 9.

Therefore, having received a constitutional majority, **HB 227 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Schwartzkopf.

Representative Schwartzkopf brought **HB 255**, jointly sponsored by Senator Bunting & Representatives Gilligan, Quillen, Roy & Spence, before the House for consideration.

**HB 255** - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS.

Representatives Schwartzkopf, Lavelle, Stone, Cathcart, Valihura, Gilligan, Miro & Quillen made comments.

The roll call on **HB 255** was taken and revealed:

YES: 30.

NO: Representatives Atkins, Booth, Carey, Hocker, Lavelle, Lee, Maier, Oberle, Stone & Valihura - 10.

NOT VOTING: Representative D. Ennis - 1.

Therefore, having received a constitutional majority, **HB 255** was sent to the Senate for concurrence.

Representative Smith made announcements.

Mr. Speaker Spence resumed the Chair.

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

CAPITAL INFRASTRUCTURE: **HB 188** - 6M.

HEALTH & HUMAN DEVELOPMENT: **HB 139** - 5M.

HOUSE ADMINISTRATION: **SB 27 w/SA 1** - 4M; **SB 54** - 4M; **SB 111 w/SA 1** - 4M.

The Majority Leader moved to recess to the call of the Chair at 7:11 p.m.

Mr. Acting Speaker Roy called the House to order at 2:06 p.m. on June 25, 2003.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 158 w/SA 1** and requests the concurrence of the House; **HB 159**, **HB 43 w/SA 1** & **HJR 9 w/SA 1** and is returning same to the House.

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

#### **40th LEGISLATIVE DAY - 142nd GENERAL ASSEMBLY - First Session June 25, 2003**

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 the pledge of allegiance to the American Flag.

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

The following prefiled legislation was introduced:

**HS 1 for HB 253** - DIPINTO & SENATOR MCDOWELL; REPRESENTATIVES HUDSON, ROY, VALIHURA, WAGNER, HOUGHTON, KEELEY; SENATORS MARSHALL, BLEVINS, HENRY, PETERSON, SORENSON, AMICK - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 22 of the Delaware Code to Provide for Municipal Tax increment Financing and to Provide for Municipal Special Development Districts.

**HB 283** - OBERLE & REPRESENTATIVE LOFINK & SENATOR DELUCA & SENATOR MARSHALL; REPRESENTATIVES KEELEY, B. ENNIS; SENATORS CONNOR, BLEVINS - LABOR - An Act to Amend Chapters 271 and 272, Volume 72, Laws of Delaware by Removing Sunset Provisions Relating to Binding Interest Arbitration in the Police Officers' and Firefighters' Employment Relations Act and the Public Employment Relations Act.

**HB 285** - EWING - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Scrap Tires. (3/5 bill)

**HA 2 to HB 139** - BUCKWORTH - Placed with the Bill.

**HA 1 to HB 158** - KEELEY - Placed with the Bill

**HA 1 to HB 206** - ULBRICH - Placed with the Bill.

**HA 1 to HB 211** - ULBRICH - Placed with the Bill.

**HA 1 to HS 1 for HB 253** - DIPINTO - Placed with the Bill.

**HJR 12** - HALL-LONG & SENATOR BLEVINS; REPRESENTATIVES BUCKWORTH, B. ENNIS, GEORGE, KEELEY, MAIER, REYNOLDS, SPENCE, VIOLA; SENATOR CONNOR - LABOR - Directing the Division of Public Health and the Department of Labor to Plan for the Establishment of an Office of Occupational Health and Safety.

**SB 150** - VAUGHN & REPRESENTATIVE LEE - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Probation.

**SB 158 w/SA 1** - SOKOLA & REPRESENTATIVE REYNOLDS - EDUCATION - An Act to Amend Title 11 of the Delaware Code Relating to Possession of a Firearm or Deadly Weapon in a Safe School and Recreation Zone. (2/3 bill)

**SB 160 w/SA 1** - VAUGHN & SENATOR STILL; SENATORS HENRY, SIMPSON; REPRESENTATIVES CAREY, DIPINTO, MAIER, WAGNER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Nursing Home Residents Quality Assurance Commission.

**HA 2 to SB 53** - HUDSON - Placed with the Bill.

**HA 1 to SB 96** - SMITH - Placed with the Bill.

Representative Smith requested and was granted personal privilege of the floor to introduce a guest. Representatives D. Ennis & DiPinto requested that they be marked present. Representatives D. Ennis, Smith & Gilligan made comments. Representative Quillen requested and was granted personal privilege of the floor to introduce a guest.

Mr. Speaker Spence resumed the Chair.

Representatives Fallon, Miro & Keeley requested that they be marked present.

Representative Smith requested and was granted privilege of the floor for Pam Price, Director of Research and Constituent Relations, and the 2003 Legislative Fellows. Representative Gilligan made comments and presented a House Tribute to Janna Craig. Representative Smith made comments and presented a House Tribute to Aryah Fradkin. Representative Caulk made comments and presented a House Tribute to William Fasano. Representative Quillen made comments. Representative Wagner made comments and presented a House Tribute to Sarah Hench. Representatives Ewing, Thornburg and Lee made comments. Representative Reynolds made comments and presented a House Tribute to Stacy Savickas. Representative Maier made comments. Representative Miro made comments and presented a House Tribute to William Clark. Representative Boulden made comments.

Representative Reynolds requested that he be marked present. Representative Reynolds requested and was granted personal privilege of the floor for Richard Farmer. Representative Wagner requested that she be marked present and introduced guests. Mr. Speaker Spence introduced guests. Representatives Carey, Lee, Cathcart, Ulbrich, Boulden & Viola requested that they be marked present. Representatives Hall-Long & Smith requested and were granted personal privilege of the floor to introduce guests. Mr. Speaker Spence introduced a guest.

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

LAND USE AND INFRASTRUCTURE: **SB 135 w/SA 1 - 5M.**

TELECOMMUNICATIONS INTERNET & TECHNOLOGY: **SB 145 w/SA 1 - 1F,3M.**

The Majority Leader moved to recess for caucus at 2:39 p.m.

The House reconvened at 5:28 p.m. with Representative Roy as Acting Speaker.

Representative Smith moved to suspend the rules which interfere with introduction of and action on **HB 286**. The motion was seconded by Representative Ewing and adopted by voice vote.

Representative Smith introduced and brought **HB 286**, jointly sponsored by Senator Sokola & Representative Spence & Senator Blevins & Senator Copeland, before the House for consideration **HB 286 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY EXECUTIVE, COUNTY COUNCIL, AND COUNTY DEPARTMENTS.**

Representatives Smith & Gilligan made comments. Representative Gilligan requested and was granted privilege of the floor for Ron Smith, House Attorney. Representative Gilligan made comments. Representative Gilligan moved to place **HB 286** on the Speaker's Table. The motion was seconded by Representative VanSant.

The roll call on the motion to place **HB 286** on the Speaker's Table was taken and revealed:

YES: Representatives B. Ennis, George, Gilligan, Hall-Long, Houghton, Keeley, Mulrooney, Plant, Schwartzkopf, VanSant, Viola & Williams -12.

NO: 28.

NOT VOTING: Representative Oberle - 1.

Therefore, not having received a constitutional majority, the motion to place **HB 286** on the Speaker's Table was declared defeated.

Representatives Hocker, Williams, Stone, Valihura, Oberle, Hudson & B. Ennis requested that they be marked present during the roll call. Five Members standing constituted a motion to call the previous question.

The roll call on **HB 286** was taken and revealed:

YES: 25.

NO: Representatives B. Ennis, George, Gilligan, Hall-Long, Houghton, Keeley, Mulrooney, Oberle, Plant, Schwartzkopf, VanSant, Viola & Williams - 13.

NOT VOTING: Representative Caulk - 1.

ABSENT: Representatives D. Ennis & Quillen - 2.

Therefore, having received a constitutional majority, **HB 286** was sent to the Senate for concurrence.

Mr. Acting Speaker made an announcement.

Representative Smith deferred to Representative Wagner.

Mr. Speaker Spence resumed the Chair.

Representative Wagner requested and was granted privilege of the floor to present a House Tribute to Lola M. Tue who has been involved in the classroom for sixty years.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on **HJR 14**. The motion was seconded by Representative Hudson and adopted by voice vote.

Representative DiPinto introduced and brought **HJR 14**, jointly sponsored by Senator Cook & Representatives Buckworth, B. Ennis, Fallon, Houghton & Williams & Senators Bunting, Henry, Vaughn, Amick & Cloutier, before the House for consideration.

**HJR 14 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUES FOR FISCAL YEAR 2003.**

Representative DiPinto deferred to Representative Hudson.

Representative Hudson made comments.

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

YES: 39.

ABSENT: Representatives D. Ennis & Quillen - 2.

Therefore, having received a constitutional majority, **HJR 14** was sent to the Senate for concurrence.

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

Representative DiPinto introduced and brought **HJR 13**, jointly sponsored by Senator Cook & Representatives Buckworth, B. Ennis, Fallon, Houghton & Williams & Senators Bunting, Henry, Vaughn, Amick & Cloutier, before the House for consideration.

**HJR 13 - THE OFFICIAL ESTIMATE OF GENERAL FUND REVENUE FOR FISCAL YEAR 2004.**

Representative DiPinto deferred to Representative Hudson.

Representatives Hudson, Ewing & DiPinto made comments.

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

YES: 40.

ABSENT: Representative Quillen - 1.

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

Representative Roy made an announcement.

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

ECONOMIC DEVELOPMENT/BANKING & INSURANCE: **HB 248** - 6M; **HB 272** - 7M; **HB 273** - 6M; **HB 274** - 6M; **HB 279** - 6M; **HB 280** - 6M; **SB 11** - 6M; **SB 71 w/SA 2** - 6M.

HOUSING & COMMUNITY AFFAIRS: **HS 1 for HB 253** - 5M; **HB 284** - 5M.

LABOR: **HB 144** - 5M; **HB 283** - 5M; **HJR 12** - 5M; **SB 121** - 5M; **SB 140 w/SA 1 & 2** - 5M.

PUBLIC SAFETY: **HB 256** - 5M; **HB 275** - 5M; **SB 130** - 5M; **SB 131** - 5M; **SB 144** - 5M.

REVENUE & FINANCE: **SB 84** - 6M; **SB 87** - 6M; **SB 108** - 6M.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 118**, **SB 162** & **SB 142** and requests the concurrence of the House; **HB 101 w/HA 1**, **HB 190 w/HA 1** & **HJR 6** and is returning same to the House.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with lifting **HB 300** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative DiPinto moved to lift **HB 300** from the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative DiPinto brought **HB 300**, jointly sponsored by Senator Cook & Representatives Buckworth, B. Ennis, Fallon, Houghton & Williams & Senators Bunting, Henry, Vaughn, Amick & Cloutier, 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, 2004; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.**

Representatives DiPinto & Gilligan & Mr. Speaker Spence made comments.

The roll call on **HB 300** was taken and revealed:

YES: 38.

NO: Representative Caulk - 1.

ABSENT: Representatives Quillen & Wagner - 2.

Therefore, having received a constitutional majority, **HB 300** 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 **HB 301**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative DiPinto moved to lift **HB 301** from the Speaker's Table. The motion was seconded by Representative Booth and adopted by voice vote.

Representative DiPinto brought **HB 301**, jointly sponsored by Senator Cook & Representatives Buckworth, B. Ennis, Fallon, Houghton & Williams & Senators Bunting, Henry, Vaughn, Amick & Cloutier, before the House for consideration.

**HB 301 - AN ACT AMENDING THE DELAWARE CODE RELATING TO THE REORGANIZATION OF THE DEPARTMENT OF PUBLIC SAFETY BY TRANSFERRING THE DIVISION OF MOTOR VEHICLES FROM THE DEPARTMENT OF PUBLIC SAFETY TO THE DEPARTMENT OF TRANSPORTATION; TRANSFERRING THE DIVISION OF BOILER SAFETY FROM THE DEPARTMENT OF PUBLIC SAFETY TO THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL; ALIGNING THE POWERS AND DUTIES OF THE SECRETARY OF THE DEPARTMENT OF PUBLIC SAFETY, THE SECRETARY OF THE**

DEPARTMENT OF TRANSPORTATION, AND THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL TO REFLECT THE TRANSFERS OF THE DIVISIONS; RENAMING THE DEPARTMENT OF PUBLIC SAFETY THE DEPARTMENT OF SAFETY AND HOMELAND SECURITY; AND AMENDING TITLES 6, 10, 11, 16, 21, 29, AND 30 OF THE DELAWARE CODE.

Representative DiPinto made comments.

The roll call on **HB 301** was taken and revealed:

YES: 39.

NO: Representative Caulk - 1.

ABSENT: Representative Quillen - 1.

Therefore, having received a constitutional majority, **HB 301** was sent to the Senate for concurrence.

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

Representative Smith moved to restore **HB 300**. The motion was seconded by Representative DiPinto and adopted by voice vote.

**HB 300 - AN ACT MAKING APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT FOR THE FISCAL YEAR ENDING JUNE 30, 2004; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS.**

Representative Smith moved to rescind the roll call on **HB 300**. The motion was seconded by Representative DiPinto and adopted by voice vote.

Representative Roy announced that he 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: 37.

NO: Representative Caulk - 1.

NOT VOTING: Representative Roy - 1.

ABSENT: Representatives Quillen & Wagner - 2.

Therefore, having received a constitutional majority, **HB 300** was sent to the Senate for concurrence.

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

Mr. Speaker Spence introduced guests.

The Majority Leader moved to recess at 6:29 p.m.

The House reconvened at 7:24 p.m. with Representative Buckworth as Acting Speaker.

#### HOUSE TRIBUTE ANNOUNCEMENT #32

DATE: June 25, 2003

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
H142-702	Buckworth	6/11/2003	T	Elizabeth Palmer - Softball Championship Team
H142-703	Buckworth	6/11/2003	T	Jessica Johnson - Softball Championship Team
H142-704	Buckworth	6/11/2003	T	Jessica Dotson - Softball Championship Team
H142-705	Buckworth	6/11/2003	T	Heather Dotson - Softball Championship Team
H142-706	Buckworth	6/11/2003	T	Heather Rogers - Softball Championship Team
H142-707	Buckworth	6/11/2003	T	Christina Kirby - Softball Championship Team
H142-708	Buckworth	6/11/2003	T	Catrina Ansbach - Softball Championship Team
H142-709	Stone	6/14/2003	T	Ginelle Desrochers & Robert Harbeson – Marriage
H142-710	Wagner	6/14/2003	T	Candace Blackwell & Kenneth Decker – Marriage
H142-711	Wagner	6/14/2003	T	Trina McNair & Paul Haxton - Marriage
H142-712	Thornburg	6/11/2003	T	Paulette Kent - Retirement - 16 Years - Capital Schools
H142-713	Buckworth	6/11/2003	T	Patricia Green - Retirement - 28 Years - Capital Schools
H142-714	Thornburg	6/11/2003	T	E. Diane Ridgeway - Retirement - 15+ Years – Capital Schools
H142-715	George	6/12/2003	T	Social Ventures Partners – International Award - Early

#### Childhood Education

H142-716	Miro	6/27/2003	T	Hazel & Nick Immediato - 58th Wedding Anniversary
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H142-717	Atkins	6/12/2003	T	Ronald Robertson, Jr. - Service to Country in Iraq
H142-718	Booth	5/24/2003	T	Lewes-Rehoboth Fire Station No. 3 - Dedication cosponsors: Reps. Atkins & Schwartzkopf
H142-719	DiPinto	6/15/2003	M	Richard M. Boys
H142-720	Stone	6/14/2003	T	Joseph Kahn - Eagle Scout
H142-721	Stone	6/14/2003	T	Keith Kahn - Eagle Scout
H142-722	Oberle	6/19/2003	T	Department of Transportation - South Maintenance District - Snow Removal
H142-723	Oberle	6/19/2003	T	Department of Transportation - Central Maintenance District - Snow Removal
H142-724	Oberle	6/19/2003	T	Department of Transportation - Canal Maintenance District - Snow Removal
H142-726	Oberle	6/19/2003	T	Department of Transportation - Snow Removal

cosponsors: All Representatives

#### HOUSE TRIBUTE ANNOUNCEMENT #33

DATE: June 25, 2003

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
H142-725	Oberle	6/19/2003	T	Department of Transportation - North Maintenance District - Snow Removal
H142-727	Spence	6/17/2003	T	Detective Ronald Williams, Jr. - Delaware State Police
H142-728	Spence	8/19/2003	T	Rosario Hartsell - 75th Birthday
H142-729	Hall-Long	7/17/2003	T	Anna Buckingham - 100th Birthday
H142-730	Hall-Long	6/19/2003	T	Ann & George Schreppler - 55th Wedding Anniversary
H142-731	Wagner	6/17/2003	T	Joseph Bedford, Jr. - Retirement - 37 Years - Dover Post Office
H142-732	Hocker	6/5/2003	T	Phillip C. Showell Elementary - Nationally Distinguished School
H142-733	Wagner	6/25/2003	T	Mary Merritt - Capital Schools Board of Education
H142-734	Caulk	7/12/2003	T	Magnolia Volunteer Fire Department - 75th Anniversary
H142-735	B. Ennis	6/28/2003	T	Rebecca Ponchot & Joseph Rash - Marriage
H142-736	Spence	6/15/2003	M	Constance Bozzuto
H142-737	Stone	6/11/2003	M	John Wilmur Bordley
H142-738	Stone	6/15/2003	M	Adolph Lewis Friday, Jr.
H142-739	Wagner	5/24/2003	T	Denise Porter & Douglas Greig - Marriage
H142-740	Booth	6/18/2003	T	Pastor Richard & JoAnn Blades - Leadership - Calvary Baptist Church
H142-741	Ulbrich	6/19/2003	M	Thomas J. Bova
H142-742	Carey	6/19/2003	T	Erin Clendaniel - Spelling Bee Champion - State
H142-743	Spence	6/18/2003	T	Suzanne Moore - Best Wishes - Future Endeavors
H142-744	Buckworth	6/23/2003	T	Robert Skripko - Eagle Scout
H142-745	Oberle	6/11/2003	T	Kyle Lawson - Most Improved Student Award
H142-746	DiPinto	6/20/2003	M	Honorable Barbara Clare Hughes
H142-747	DiPinto	6/21/2003	T	Anna Marie Beers Bradley
H142-748	Wagner	6/17/2003	M	May V. Pisapia
H142-749	Carey	6/24/2003	T	Erin Williams - Miss Delaware
H142-750	Lee	6/22/2003	T	Reverend Kevin English - 11 Years of Ministry - Centenary United Methodist Church

T- Tribute

M - Memoriam

Representative Smith brought the following prefiled **Consent Calendar Number 12** before the House for consideration.

**HR 37** - LAVELLE & REPRESENTATIVE VALIHURA - Mourning the Death of Leah Roedel, Delaware's First Lady of Parks.

**HR 38** - SMITH - Establishing a Task Force to Review and Study the Issues of Prompt Payment and Periodic Payment of Claims in the State of Delaware.

**HCR 29** - SPENCE & SENATOR ADAMS & REPRESENTATIVES SMITH, STONE & GILLIGAN & SENATORS DELUCA & VAUGHN - A Resolution Encouraging Delaware Local, County and State Governments, Local School District Boards, and Related Entities to Use Delaware Businesses and Professionals in Procuring Professional Services for Their Use.

**SCR 15** - MCDOWELL & REPRESENTATIVES WILLIAMS & SENATOR HENRY & REPRESENTATIVE PLANT - Celebrating the Life and Accomplishments and Honoring the Memory of the Reverend Shirley Bulah Stamps of Wilmington, Who Passed Away on Wednesday, the Twenty-Eighth Day of May, 2003, at the Age of Fifty-Nine Years.

**Consent Calendar Number 12** was adopted by voice vote and **HR 37** & **HR 38** were declared passed & **HCR 29** was sent to the Senate for concurrence & **SCR 15** was returned to the Senate.

Representative Smith deferred to Representative Stone.

Representative Stone moved to suspend the rules which interfere with action on **HB 284**. The motion was seconded by Representative Carey and adopted by voice vote.

Representative Stone brought **HB 284**, jointly sponsored by Representative Valihura & Representative Keeley & Representative Lavelle & Senator Bunting, before the House for consideration.

**HB 284** - AN ACT TO AMEND 74 LAWS OF DELAWARE 35 (2003) RELATING TO MANUFACTURED HOMES, MANUFACTURED HOME OWNERS, MANUFACTURED HOME COMMUNITIES, MANUFACTURED HOME COMMUNITY OWNERS, AND MANUFACTURED HOME COMMUNITY CONVERSIONS.

Representative Stone made comments.

The roll call on **HB 284** was taken and revealed:

YES: 38.

ABSENT: Representatives Fallon, Houghton & Quillen - 3.

Therefore, having received a constitutional majority, **HB 284** 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 135 w/SA 1**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Ewing brought **SB 135 w/SA 1**, jointly sponsored by Senator Adams, before the House for consideration.

**SB 135** - AN ACT TO AMEND TITLE 26 RELATING TO THE PUBLIC SERVICE COMMISSION AND CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FOR WATER UTILITIES FOR MUNICIPALITIES ANNEXING TERRITORY. (2/3 bill)

Representatives Ewing, Oberle & Booth made comments. Representative Ewing requested and was granted privilege of the floor for Joseph Conaway, President, Bridgeville Town Council and First Vice President, Sussex County Association of Towns. Mr. Speaker Spence resumed the Chair. Representatives Oberle & Cathcart made comments.

The roll call on **SB 135 w/SA 1** was taken and revealed:

YES: 32.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representatives Buckworth, DiPinto, Fallon, Houghton, Hudson, Lavelle, Quillen & Williams - 8.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 135 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Maier.

Representative Maier brought **SB 79 w/SA 1**, jointly sponsored by Senators Blevins, Connor, Henry & Peterson, before the House for consideration.

**SB 79** - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE AUTHORIZING THE DIVISION OF STATE SERVICE CENTERS TO ENGAGE IN FUNDRAISING ACTIVITIES.

Representatives Maier & Booth made comments. Representative Maier requested and was granted privilege of the floor for Cynthia B. Lovell, representing the Division of State Service Centers, Department of Health and Social Services. Representative Booth made comments.

The roll call on **SB 79 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Quillen - 1.

Therefore, having received a constitutional majority, **SB 79 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Roy. Representative Roy made an announcement.

Representative Smith brought **SB 107 w/SA 1**, jointly sponsored by Senator Blevins, before the House for consideration.

**SB 107 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO PUBLIC SCHOOL ELECTIONS.**

Representative Smith made comments.

The roll call on **SB 107 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Quillen & Roy - 2.

Therefore, having received a constitutional majority, **SB 107 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Maier.

Representative Maier brought **HB 209**, jointly sponsored by Senator Sokola, before the House for consideration.

**HB 209 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL BOARDS OF REORGANIZED SCHOOL DISTRICTS.**

Representative Maier made a comment.

The roll call on **HB 209** was taken and revealed:

YES: 40.

ABSENT: Representative Quillen - 1.

Therefore, having received a constitutional majority, **HB 209** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Buckworth.

Representative Buckworth brought **HB 139**, jointly sponsored by Senator Blevins & Representatives Maier, Hall-Long & Schwartzkopf & Senators Still, Sorenson & Henry, before the House for consideration.

**HB 139 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE TO PROVIDE FOR A NEW UNIFORM PARENTAGE ACT TO REPLACE THE EXISTING PARENTAGE ACT AND TO REPEAL CERTAIN CODE PROVISIONS WHICH ARE INCONSISTENT WITH THE ACT.**

Representative Buckworth brought **HA 1 to HB 139** before the House for consideration. Representative Buckworth made a comment. **HA 1** was adopted by voice vote. Representative Buckworth moved to rescind the voice vote on **HA 1 to HB 139**. The motion was seconded by Representative Lee and adopted by voice vote. Representative Buckworth requested that **HA 1** be stricken. Representative Buckworth brought **HA 2 to HB 139** before the House for consideration. Representative Buckworth made a comment. **HA 2** was adopted by voice vote. Representatives Buckworth & Oberle made comments. Representative Buckworth requested and was granted privilege of the floor for Peter S. Feliceangeli, Deputy Attorney General and Battle Robinson, House Attorney. Representatives Oberle, Maier, Reynolds & Valihura made comments.

The roll call on **HB 139 w/HA 2** was taken and revealed:

YES: 40.

ABSENT: Representative Quillen - 1.

Therefore, having received a constitutional majority, **HB 139 w/HA 2** was sent to the Senate for concurrence.

Representative Smith made an announcement.

Mr. Speaker Spence appointed Representative Buckworth as Acting Speaker.

Representative Smith deferred to Representative Spence.

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

Representative Spence moved to suspend the rules which interfere with introduction of and action on **HB 287**. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Spence introduced and brought **HB 287**, jointly sponsored by Senator Vaughn, before the House for consideration.

**HB 287 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE CLASSIFICATION OF OFFENSES, SENTENCES.**

Representatives Spence & Wagner made comments.

Representative Spence requested and was granted privilege of the floor for Steven P. Wood, Deputy Attorney General. Representatives Wagner, George, Valihura & Spence made comments.

The roll call on **HB 287** was taken and revealed:

YES: 36.

NO: Representative Plant - 1.

NOT VOTING: Representatives George & Hudson - 2.

ABSENT: Representatives D. Ennis & Quillen - 2.

Therefore, having received a constitutional majority, **HB 287** was sent to the Senate for concurrence.

Representative Smith brought **SB 54**, jointly sponsored by Senators Marshall, Blevins, Cook, DeLuca, Henry, McBride, McDowell, Peterson, Sokola, Cloutier & Still & Representatives Buckworth, Hall-Long, Keeley, Mulrooney & Viola, before the House for consideration.

**SB 54 - AN ACT TO AMEND TITLE 15 RELATING TO PRESIDENTIAL PRIMARY ELECTIONS.**

Mr. Speaker Spence resumed the Chair.

Representatives Smith & Valihura made comments.

The roll call on **SB 54** was taken and revealed:

YES: 40.

ABSENT: Representative Quillen - 1.

Therefore, having received a constitutional majority, **SB 54** was returned to the Senate.

Representative Smith requested and was granted personal privilege of the floor to make comments.

Representatives Gilligan, Reynolds & Smith made comments.

Representative Smith deferred to Representative Hocker.

Representative Hocker brought **SB 27 w/SA 1**, jointly sponsored by Senator Bunting, before the House for consideration.

**SB 27 - AN ACT TO AMEND THE CHARTER OF THE TOWN OF SOUTH BETHANY, CHAPTER 268, VOLUME 69, LAWS OF DELAWARE, AS AMENDED, BY CLARIFYING VOTING QUALIFICATIONS, PROHIBITING MEMBERS OF COUNCIL FROM BEING EMPLOYED BY THE TOWN, CLARIFYING THE POWERS OF THE MAYOR, AUTHORIZING THE TOWN COUNCIL TO ESTABLISH CODE OF CONDUCT, CONTRACT, AND COMPETITIVE BIDDING PROVISIONS BY ORDINANCE, CLARIFYING FORFEITURE OF OFFICE PROVISIONS, AUTHORIZING REMOTE ELECTRONIC ACCESS MEETING PARTICIPATION BY COUNCIL MEMBERS, EXPANDING THE TOWN'S ABILITY TO CREATE LIENS AND TO COLLECT COSTS AND ATTORNEY'S FEES, EXPANDING THE JURISDICTION OF THE TOWN POLICE AND ALDERMAN, AUTHORIZING THE TOWN TO ADOPT SUBDIVISION REGULATION, IMPOSE IMPACT FEES AND TO COLLECT A "VOLUNTARY ASSESSMENT" FROM VIOLATORS IN LIEU OF REQUIRING A COURT APPEARANCE. (2/3 bill)**

Representative Hocker made comments.

Representative Schwartzkopf introduced and brought **HA 1 to SB 27** before the House for

consideration. Representatives Schwartzkopf, Hocker, Ewing, VanSant & Caulk made comments. **HA 1** was defeated by voice vote.

The roll call on **SB 27 w/SA 1** was taken and revealed:

YES: 30.

NO: Representatives B. Ennis, George, Hall-Long, Houghton, Mulrooney, Plant, Schwartzkopf, VanSant, Viola, Williams - 10.

ABSENT: Representatives Quillen - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 27 w/SA 1** was returned to the Senate.

The Majority Leader moved to recess for the purpose of changing the recording tape at 9:00 p.m.

The House reconvened at 9:13 p.m.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with introduction of and action on **SB 170**. The motion was seconded by Representative Lofink and adopted by voice vote.

Representative Roy introduced and brought **SB 170**, jointly sponsored by Senator Venables, before the House for consideration.

**SB 170 - A BOND AND CAPITAL IMPROVEMENTS ACT OF THE STATE OF DELAWARE AND CERTAIN OF ITS AUTHORITIES FOR THE FISCAL YEAR ENDING JUNE 30, 2004; APPROPRIATING GENERAL FUNDS OF THE STATE; DEAUTHORIZING STATE GUARANTEED BOND AUTHORIZATIONS; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE STATE; AUTHORIZING THE ISSUANCE OF REVENUE BONDS OF THE DELAWARE TRANSPORTATION AUTHORITY; APPROPRIATING FUNDS FROM THE TRANSPORTATION TRUST FUND; APPROPRIATING SPECIAL FUNDS OF THE DELAWARE TRANSPORTATION AUTHORITY; REVERTING AND REPROGRAMMING CERTAIN FUNDS OF THE STATE; 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 2004**

This Debt Limit Statement is to be attached to the Fiscal Year 2004 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, 2004 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. \$ 2,514.0 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, 2004. \$ 125.7 million
- (4) Less: Aggregate principal amount of previously authorized tax-supported obligations subject to debt limit. \$ 0.0 million
- (5) **AVAILABLE DEBT LIMIT** prior to appended legislation (Line 3 minus Line 4). \$ 125.7 million
- (6) Less: Aggregate principal amount of new tax-supported obligations subject to debt limit to be authorized pursuant to appended legislation. \$ 125.7 million
- (7) **REMAINING DEBT LIMIT** (Line 5 minus Line 6). \$ 0.0 million  
David W. Singleton  
June 30, 2001

Representatives Roy, Gilligan, Caulk & DiPinto made comments.

The roll call on **SB 170** was taken and revealed:

YES: 39.

NO: Representative Caulk - 1.

ABSENT: Representative Quillen - 1.

Therefore, having received a constitutional majority of at least three-fourths Members of the House,

**SB 170** was returned to the Senate.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought **HB 219**, jointly sponsored by Representative Stone & Representative Wagner & Senator Henry & Representatives Lee, Atkins, Buckworth, Carey, Caulk, DiPinto, Fallon, Hudson, Lofink, Miro, Quillen, Reynolds & Roy & Senator Still, before the House for consideration.

**HB 219 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO PUBLIC PROCUREMENT OF GOODS, MATERIALS AND SERVICES.**

Representative Cathcart made comments.

The roll call on **HB 219** was taken and revealed:

YES: 40.

ABSENT: Representative Quillen - 1.

Therefore, having received a constitutional majority, **HB 219** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Roy.

Representative Roy moved to suspend the rules which interfere with action on **SB 145 w/SA 1**. The motion was properly seconded and adopted by voice vote.

Representative Roy brought **SB 145 w/SA 1**, jointly sponsored by Senator McDowell, before the House for consideration.

**SB 145 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO STATE GOVERNMENT AND THE STATE ENERGY OFFICE.**

Representative Roy made comments.

The roll call on **SB 145 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Quillen - 1.

Therefore, having received a constitutional majority, **SB 145 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought **SB 31 w/SA 2**, jointly sponsored by Senator Marshall, before the House for consideration.

**SB 31 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO CRIMINAL LIABILITY AND SENTENCING IN CERTAIN CASES.**

Representative Cathcart requested and was granted privilege of the floor for Steven Wood, Deputy Attorney General.

Representatives Booth, George, Cathcart & Lavelle made comments.

The roll call on **SB 31 w/SA 2** was taken and revealed:

YES: 34.

NO: Representatives Atkins, Booth, Carey, Caulk & Hocker - 5.

ABSENT: Representatives D. Ennis & Quillen - 2.

Therefore, having received a constitutional majority, **SB 31 w/SA 2** was returned to the Senate.

Representative Smith deferred to Representative Maier.

Representative Maier brought **HB 186**, jointly sponsored by Senator Sokola & Representative Ulbrich & Senators Blevins, Amick & Simpson, before the House for consideration.

**HB 186 - AN ACT TO AMEND TITLE 10, 11, 14 AND 31 OF THE DELAWARE CODE RELATING TO TRUANCY.**

Representatives Maier & Stone made comments.

The roll call on **HB 186** was taken and revealed:

YES: 38.

ABSENT: Representatives DiPinto, D. Ennis & Quillen - 3.

Therefore, having received a constitutional majority, **HB 186** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Keeley.

Representative Keeley brought **HB 158**, jointly sponsored by Representative DiPinto & Senator Henry, before the House for consideration.

**HB 158** - AN ACT TO AMEND CERTAIN PROVISIONS OF SECTIONS 3-401, 6-200, 6-201 AND 6-300 OF THE CITY OF WILMINGTON HOME RULE CHARTER. (2/3 bill)

Representative Keeley brought **HA 1 to HB 158** before the House for consideration. **HA 1** was adopted by voice vote. Representative Keeley made comments.

The roll call on **HB 158 w/HA 1** was taken and revealed:

YES: 37.

ABSENT: Representatives DiPinto, D. Ennis, Fallon & Quillen - 4.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 158 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle requested that **HB 278** be stricken.

Mr. Speaker Spence appointed Representative Roy as Acting Speaker.

Representative Smith deferred to Representative Spence.

Representative Spence brought **HB 233**, jointly sponsored by Representative Lee & Senator Vaughn & Representatives Smith, Atkins, Booth, Boulden, Buckworth, Carey, DiPinto, Ewing, Fallon, Hudson, Lavelle, Lofink, Maier, Oberle, Quillen, Roy, Stone, Thornburg, Ulbrich, Valihura, Wagner, Gilligan, VanSant, B. Ennis, George, Hall-Long, Houghton, Keeley, Mulrooney, Plant, Schwartzkopf, Viola & Williams & Senators Adams, McDowell, Blevins, Cook, DeLuca, Henry, Venables, Bonini, Cloutier, Connor, Copeland & Simpson, before the House for consideration.

**HB 233** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

Representative Spence made comments.

The roll call on **HB 233** was taken and revealed:

YES: 36.

ABSENT: Representatives DiPinto, D. Ennis, Fallon, Quillen & Williams - 5.

Therefore, having received a constitutional majority, **HB 233** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with action on **HB 283**. The motion was seconded by Representative Valihura and adopted by voice vote.

Representative Oberle brought **HB 283**, jointly sponsored by Representative Lofink & Senator DeLuca & Senator Marshall & Representatives Keeley & B. Ennis & Senators Connor & Blevins, before the House for consideration.

**HB 283** - AN ACT TO AMEND CHAPTERS 271 AND 272, VOLUME 72, LAWS OF DELAWARE BY REMOVING SUNSET PROVISIONS RELATING TO BINDING INTEREST ARBITRATION IN THE POLICE OFFICERS' AND FIREFIGHTERS' EMPLOYMENT RELATIONS ACT AND THE PUBLIC EMPLOYMENT RELATIONS ACT.

Representative Oberle made comments.

The roll call on **HB 283** was taken and revealed:

YES: 36.

ABSENT: Representatives DiPinto, D. Ennis, Fallon, Quillen & Williams - 5.

Therefore, having received a constitutional majority, **HB 283** was sent to the Senate for concurrence.

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

APPROPRIATIONS: **SB 28** - 4F.

EDUCATION: **SB 158 w/SA 1** - 11M.

HOUSE ADMINISTRATION: **SB 94** - 5M; **SB 153** - 5M.

JUDICIARY: **SB 150** - 5M.

LAND USE AND INFRASTRUCTURE: **HB 264** - 1F,2M,2U.

The Majority Leader moved to recess to the call of the Chair at 10:15 p.m.

Mr. Speaker Spence resumed the Chair.

Mr. Speaker Spence called the House to order at 2:25 p.m. on June 26, 2003.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 132 w/SA 1 & 2, SB 156 w/SA 1, SB 170,**

**SB 143 & SB 167 w/SA 1** and requests the concurrence of the House; **HB 136 w/SA 1, HB 193, HB 194, HB 241 w/SA 1, HB 300, HB 301, HB 129 w/SA 1, HB 200, HB 201, HB 202, HB 212, HJR 11 w/SA 2** and is returning same to the House.

June 25, 2003

**LEGISLATIVE ADVISORY #7**

Governor Ruth Ann Minner signed the following legislation on the date indicated:

6/19/03 – **HB 148, HB 267, HB 268, HB 269 & HB 270 aab HA 1 aab HA 1 to HA 1; 6/24/03 – HB 1 aab HA 1 & 2, HB 66 aab HA 1 & HA 2 & SA 1 & HA 3, HB 61, HB 110, HB 113 aab HA 1 & SA 1, HB 170, HB 176, SB 26, SB 45, SB 49, SB 82 aab SA 1, SB 88 & SB 100.**

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

Anthony Falasco, who has just returned from the war in Iraq, addressed the House. Mr. Speaker Spence made comments and introduced guests. Sam Kanefski addressed the House. Representative Cathcart made comments.

The Majority Leader moved to adjourn at 2:35 p.m., thereby ending the current legislative day. The House reconvened at 2:36 p.m.

**41st LEGISLATIVE DAY - 142nd GENERAL ASSEMBLY - First Session  
June 26, 2003**

The Chief Clerk called the roll:

Members Present: 41.

A prayer was offered by Representative Deborah D. Hudson, Twelfth Representative District.

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

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

The following prefiled legislation was introduced:

**HB 288 - SMITH & REPRESENTATIVE SPENCE; REPRESENTATIVE GILLIGAN; SENATORS ADAMS, STILL - HOUSE ADMINISTRATION - An Act to Amend Title 9 of the Delaware Code Relating to New Castle County Executive and County Government.**

**HB 289 - SCHWARTZKOPF & SENATOR SIMPSON - LAND USE AND INFRASTRUCTURE - An Act Authorizing the Conveyance of the State of Delaware's Interest in Certain Lands Located in Sussex County, Delaware.**

**HB 290 - BUCKWORTH & REPRESENTATIVE SCHWARTZKOPF; REPRESENTATIVE DIPINTO & SENATORS VAUGHN, SORENSON - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 13, Delaware Code, to Establish a Putative Father Registry to Provide a Method for Notice of a Claim of Parentage and to Limit the Time Period in Which a Putative Father May Claim Parentage and Contest an Adoption.**

**HB 291 - SMITH & SENATOR MCDOWELL; REPRESENTATIVES DIPINTO, GILLIGAN, HOUGHTON, KEELEY, PLANT, WILLIAMS; SENATORS HENRY, MARSHALL, SORENSON - HOUSING & COMMUNITY AFFAIRS - An Act to Amend Title 22 of the Delaware Code Relating to Taxes. (2/3 bill)**

**HB 292 - BOOTH & SENATOR DELUCA - POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY - An Act to Amend Title 24 of the Delaware Code Relating to Physical Therapy and Athletic Training.**

**HB 293 - ATKINS & SENATOR BUNTING - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to Prohibitions Concerning Game and Fish.**

**HB 294 - HUDSON & SENATOR SIMPSON; REPRESENTATIVES BUCKWORTH, CAREY, CATHCART, EWING, THORNBURG - LABOR - An Act to Amend Title 29, Chapter 69 of the Delaware Code Relating to Prevailing Wage Requirements in Public Construction Contracts.**

**HB 295 - SPENCE - JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.**

**HB 296 - ATKINS & SENATOR VENABLES; REPRESENTATIVES SPENCE, SMITH, LEE, BOOTH, BUCKWORTH, CAREY, CATHCART, EWING, FALLON, HOCKER, HUDSON, MAIER, STONE, ULBRICH, VALIHURA, B. ENNIS, GEORGE, HALL-LONG, HOUGHTON, MULROONEY, PLANT; SENATORS BUNTING, SIMPSON - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Libraries**

**HA 1 to HB 43 - EWING - Placed with the Bill.**

**HA 1 to HB 99 - SMITH - Placed with the Bill.**

**HA 2 to HB 99 - SMITH - Placed with the Bill.**

**HA 3 to HB 99 - SMITH - Placed with the Bill.**

**HA 4 to HB 99 - SMITH - Placed with the Bill.**

**HA 5 to HB 99 - SMITH - Placed with the Bill.**

**HA 6 to HB 99** - SMITH - Placed with the Bill.

**HA 7 to HB 99** - OBERLE; REPRESENTATIVE ULBRICH - Placed with the Bill.

**HA 2 to HB 132** - VALIHURA - Placed with the Bill.

**HA 3 to HB 132** - DIPINTO - Placed with the Bill.

**HA 4 to HB 132** - BOOTH - Placed with the Bill.

**HA 1 to HB 188** - WAGNER - Placed with the Bill.

**HA 1 to HB 204** - KEELEY - Placed with the Bill.

**SB 118** - DELUCA & REPRESENTATIVE MIRO; SENATORS BUNTING, MARSHALL, PETERSON, SOKOLA, VAUGHN, AMICK, STILL, CONNOR, CLOUTIER; REPRESENTATIVES BOULDEN, EWING, GEORGE, GILLIGAN, LAVELLE, BUCKWORTH, CATHCART, B. ENNIS, D. ENNIS, VALIHURA - TRANSPORTATION - An Act to Amend Title 17 of the Delaware Code Relating to Vehicle Sales Activities Conducted On Rights-of-Way. (2/3 bill)

**SB 132 w/SA 1 & 2** - MARSHALL & REPRESENTATIVE MAIER; SENATOR BLEVINS - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 16 of the Delaware Code Relating to Abuse, Neglect, or Mistreatment of Patients and Residents of Nursing Homes and Similar Facilities.

**SB 142** - MARSHALL & REPRESENTATIVE MAIER - HEALTH & HUMAN DEVELOPMENT - An Act to Amend Title 24 of the Delaware Code Relating to Professions and Occupations and the Signing of Death Certificates.

**SB 143** - COOK & REPRESENTATIVE MAIER; SENATOR VAUGHN; REPRESENTATIVES OBERLE & DIPINTO - LABOR - An Act to Amend Title 29, Delaware Code, Relating to Leave of Absence for Military Service and the Payment of Benefits From the Delaware Public Employees' Retirement System.

**SB 156 w/SA 1** - HENRY & REPRESENTATIVE D. ENNIS - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to the Issuance of Driver's Licenses and Nondriver Identification Cards. (2/3 bill)

**SB 162** - SOKOLA & REPRESENTATIVE REYNOLDS; SENATOR MCBRIDE & REPRESENTATIVE SPENCE - EDUCATION - An Act to Amend Title 14 of the Delaware Code Relating to Licensure and Certification of Non-public School Teachers, Specialists and Administrators.

**SB 167 w/SA 1** - MCDOWELL & REPRESENTATIVE WAGNER; SENATORS HENRY & STILL; REPRESENTATIVES EWING, FALLON, LEE, LOFINK, STONE, HALL-LONG, MULROONEY, SCHWARTZKOPF, VANSANT, VIOLA, WILLIAMS - EDUCATION - An Act to Amend Title 14 of the Delaware Code by Relating to Delaware State University.

**HA 1 to SB 143** - MAIER - Placed with the Bill.

Representative Lofink requested that he be marked present and introduced a guest.

The Majority Leader moved to recess for caucus at 2:40 p.m.

The House reconvened at 4:32 p.m.

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

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 293** - 1F,7M.

Representatives Plant & Stone 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 155** & **SCR 22** and requests the concurrence of the House; **HS 1 for HB 19 w/HA 1** & **HB 153 w/HA 1** and is returning same to the House; the Senate wishes to inform the House that it has defeated **HB 130** and is returning same to the House.

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

Representative Williams requested that he be marked present.

Representative Lee brought **SB 150**, jointly sponsored by Senator Vaughn, before the House for consideration.

**SB 150** - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PROBATION.

Representative Lee made comments.

The roll call on **SB 150** was taken and revealed:

YES: 37.

ABSENT: Representatives Lavelle, Oberle, Smith & Ulbrich - 4.

Therefore, having received a constitutional majority, **SB 150** was returned to the Senate.

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

Representative Lee deferred to Representative Maier.

Representative Maier brought **SB 101**, jointly sponsored by Senator Peterson & Representative DiPinto, before the House for consideration.

**SB 101** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO UNIFORM HEALTH DATA.

Representative Maier made comments.

Representative DiPinto brought **HA 1 to SB 101** before the House for consideration. Representative DiPinto made comments. **HA 1** was adopted by voice vote.

The roll call on **SB 101 w/HA 1** was taken and revealed:

YES: 38.

ABSENT: Representatives Buckworth, Gilligan & Smith - 3.

Therefore, having received a constitutional majority, **SB 101 w/HA 1** was returned to the Senate for concurrence on **HA 1**.

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

Representative Lee deferred to Representative Hudson.

Representative Hudson requested and was granted privilege of the floor for herself and

Representatives Stone & Valihura to present a House Tribute to John Trochimowicz, Legislative Fellow.

Representatives Hudson, D. Ennis & Stone made comments.

Representative Lee deferred to Representative Cathcart.

Representative Cathcart brought **SB 65 w/SA 2 & 3**, jointly sponsored by Senators Adams, Bunting, DeLuca, Henry, Sokola, Venables, Cloutier, Copeland, Simpson, Still & Sorenson & Representatives Carey, Lofink, Roy, Smith, Stone, B. Ennis, Hall-Long & Schwartzkopf, before the House for consideration.

**SB 65 - AN ACT TO AMEND TITLES 9 AND 29 OF THE DELAWARE CODE RELATING TO LAND USE PLANNING.**

Representative Stone brought **HA 1 to SB 65**, jointly sponsored by Representatives Atkins, Hocker, Quillen, Mulrooney & Viola, before the House for consideration. Representatives Stone & Cathcart made comments. Representative Cathcart requested and was granted privilege of the floor for Constance Holland, Director, State Planning Office. Representatives Cathcart, Stone & DiPinto made comments.

Representative Stone requested and was granted privilege of the floor for Constance Holland, Director, State Planning Office. Representatives Stone, Cathcart, Booth, D. Ennis & Valihura made comments. **HA 1** was defeated by voice vote. Representative Cathcart brought **HA 2 to SB 65** before the House for consideration. Representative Cathcart made comments. **HA 2** was adopted by voice vote.

The roll call on **SB 65 w/SA 2 & 3 & HA 2** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 65 w/SA 2 & 3 & HA 2** was returned to the Senate for concurrence on **HA 2**.

Representative Smith deferred to Representative Carey.

Representative Carey requested and was granted privilege of the floor to present a House Tribute to Adam Beauregard. Representative Fallon made comments.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **HB 223**, jointly sponsored by Representative Miro & Representative Lofink on behalf of All Representatives & Senator Marshall & Senator Venables on behalf of All Senators, before the House for consideration.

**HB 223 - AN ACT TO AMEND TITLE 19 OF THE DELAWARE CODE RELATING TO UNEMPLOYMENT COMPENSATION.**

Representative Oberle made comments.

The roll call on **HB 223** was taken and revealed:

YES: 40.

ABSENT: Representative Lee - 1.

Therefore, having received a constitutional majority, **HB 223** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Maier.

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

Representatives Wagner & Fallon introduced guests.

Representative Smith moved to suspend the rules which interfere with action on **Consent Agenda F**.

The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **Consent Agenda F** before the House for consideration.

**HB 273 - STONE & SENATOR BLEVINS - An Act to Amend Title 18 of the Delaware Code Relating to Risk-Based Capital for Health Organizations.**

**HB 274 - STONE & SENATOR BLEVINS - An Act to Amend Section 714, Title 18 of the Delaware Code Relating to Expenses and Fees for Form and Rate Filings.**

**SB 121 - HENRY & REPRESENTATIVE VALIHURA & SENATORS BLEVINS, COOK, DELUCA, MCDOWELL, PETERSON, SOKOLA, AMICK, CLOUTIER, SORENSON & STILL & REPRESENTATIVES LEE, MAIER, MIRO, OBERLE, SMITH, WAGNER, GEORGE & PLANT - An Act to Amend Title 29 of the Delaware Code Relating to State Government and the Merit System of Personnel Administration.**

**HB 279 - STONE & REPRESENTATIVE VALIHURA & SENATOR BLEVINS - An Act to Amend Title 18 of the Delaware Code Relating to the Licensing of Adjusters.**

**SB 144** – HENRY & REPRESENTATIVE KEELEY - An Act to Amend Title 21 of the Delaware Code Relating to the Operation of Unregistered Vehicles.

**HB 261** - D. ENNIS & SENATOR BLEVINS & REPRESENTATIVES DIPINTO, VALIHURA & B. ENNIS & SENATOR COOK - An Act to Amend Title 16, Delaware Code, Relating to Radiation Control.

**HB 228** – LOFINK & REPRESENTATIVE OBERLE & SENATOR MARSHALL - An Act to Amend Title 19 of the Delaware Code Relating to Wage Payment and Collection Notification.

**HB 248** - D. ENNIS & SENATOR MCDOWELL & REPRESENTATIVES B. ENNIS, HALL-LONG, HOUGHTON, HUDSON, KEELEY, LAVELLE, MAIER, MIRO, MULROONEY, PLANT, REYNOLDS, SMITH, SPENCE, STONE, ULBRICH, VIOLA & WAGNER & SENATORS AMICK, BLEVINS, HENRY, PETERSON & STILL - An Act to Amend Title 21 of the Delaware Code Relating to License Suspension or Revocation.

Representative Smith requested that **HB 279** 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, **HB 273**, **HB 274**, **HB 261**, **HB 228** & **HB 248** were sent to the Senate for concurrence & **SB 121** & **SB 144** were returned to the Senate.

Representative Smith deferred to Representative Stone.

Representative Stone brought **HB 279**, jointly sponsored by Representative Valihura & Senator Blevins, before the House for consideration.

**HB 279** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE LICENSING OF ADJUSTERS.

Representative Stone made comments.

Representative Stone introduced and brought **HA 1** to **HB 279** before the House for consideration.

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

Representative Stone made comments.

The roll call on **HB 279 w/HA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Reynolds - 1.

Therefore, having received a constitutional majority, **HB 279 w/HA 1** was sent to the Senate for concurrence.

Representative Smith moved to suspend the rules which interfere with action on **Consent Agenda G**. The motion was properly seconded and adopted by voice vote.

**SB 132 w/SA 1 & 2** - BLEVINS & REPRESENTATIVE MAIER - An Act to Amend Title 16 of the Delaware Code Relating to Abuse, Neglect, or Mistreatment of Patients and Residents of Nursing Homes and Similar Facilities.

**SB 71 w/SA 2** - BLEVINS & REPRESENTATIVE MAIER - An Act to Amend Title 18 of the Delaware Code Relating to Health Insurance and Benefits.

**SB 108** - MARSHALL & REPRESENTATIVE LOFINK - An Act to Amend Title 30 of the Delaware Code Relating to Business Tax Credits and License Fee Reduction.

**SB 160 w/SA1** - VAUGHN & SENATOR STILL & SENATORS HENRY & SIMPSON & REPRESENTATIVES CAREY, DIPINTO, MAIER & WAGNER - An Act to Amend Title 29 of the Delaware Code Relating to the Delaware Nursing Home Residents Quality Assurance Commission.

**SB 84** - MARSHALL & REPRESENTATIVE HUDSON - An Act to Amend Title 30 of the Delaware Code Relating to Tax Returns and Notification of Return Requirements of S Corporations.

Representative Smith requested that **SB 132 w/SA 1 & 2** be removed from **Consent Agenda G**.

The roll call on **Consent Agenda G** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 71 w/SA 2**, **SB 84**, **SB 108** & **SB 160 w/SA 1** were returned to the Senate.

Representative Smith moved to place **SB 132 w/SA 1 & 2** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

**SB 132** - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ABUSE, NEGLECT, OR MISTREATMENT OF PATIENTS AND RESIDENTS OF NURSING HOMES AND SIMILAR FACILITIES.

Representative Smith deferred to Representative Stone.

Representative Stone brought **HB 280**, jointly sponsored by Representative Valihura & Senator Blevins, before the House for consideration.

**HB 280** - AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO THE LICENSING OF PUBLIC ADJUSTERS.

Representatives Stone & Valihura made comments.

The roll call on **HB 280** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 280** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Hall-Long.

Representative Hall-Long moved to suspend the rules which interfere with introduction of and action on **HB 297**. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Hall-Long introduced and brought **HB 297**, jointly sponsored by Senator Vaughn, before the House for consideration.

**HB 297 - AN ACT TO REINCORPORATE THE TOWN OF MIDDLETOWN.** (2/3 bill)

Representative Hall-Long moved to place **HB 297** on the Speaker's Table. The motion was seconded by Representative Smith and adopted by voice vote.

Representative Smith moved to suspend the rules which interfere with action on **Consent Agenda E**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **Consent Agenda E**, which has a two-thirds vote requirement, before the House for consideration.

**SB 97 - DELUCA & REPRESENTATIVE ROY - An Act to Amend Title 29 of the Delaware Code Relating to Privacy Protection for State Internet Users.** (2/3 bill)

**SB 129 - MCBRIDE & REPRESENTATIVE ROY - An Act to Amend Titles 11, 15, 16, 17 and 29 of the Delaware Code Relating to the General Powers and Duties of the Delaware Department of Technology and Information.** (2/3 bill)

**SB 111 w/SA 1 - BUNTING & REPRESENTATIVE HOCKER - An Act to Amend Chapter 2, Volume 73, Laws of Delaware, as Amended, Being the Charter of the Town of Selbyville to Provide for Administrative Penalties for Violations of Civil Ordinances.** (2/3 bill)

**SB 11 - CONNOR & REPRESENTATIVE VALIHURA & SENATORS CLOUTIER, COPELAND, DELUCA, SIMPSON, SOKOLA, SORENSON & STILL & REPRESENTATIVES B. ENNIS, HOUGHTON, KEELEY & MIRO - An Act to Amend Titles 11 and 29 of the Delaware Code Relating to Credit and Debit Card Receipts.** (2/3 bill)

**HB 242 - BLEVINS & REPRESENTATIVES QUILLEN & KEELEY - An Act to Amend Title 13 of the Delaware Code Relating to the Termination of Parental Rights.**

**HB 188 - WAGNER & SENATOR COOK - An Act to Amend Title 29, Chapter 69 of the Delaware Code Relating to the Provisions of Capital Project Coordinator Services to School Districts.**

**HB 272 - STONE & SENATOR BLEVINS - An Act to Amend Title 18 of the Delaware Code to Implement Codification of Insurance Regulation Accounting Standards as Adopted by the National Association of Insurance Commissioners.** (2/3 bill)

**HJR 12 - HALL-LONG & SENATOR BLEVINS & REPRESENTATIVES BUCKWORTH, B. ENNIS, GEORGE, KEELEY, MAIER, REYNOLDS, SPENCE, VIOLA & SENATOR CONNOR - Directing the Division of Public Health and the Department of Labor to Plan for the Establishment of an Office of Occupational Health and Safety.**

Representative Smith requested that **HB 242, HB 188 & HJR 12** be removed from **Consent Agenda E**. Representative Smith moved to lift **HB 297** from the Speaker's Table. The motion was properly seconded and adopted by voice vote. Representative Smith requested that **HB 297** be added to **Consent Agenda E**.

The roll call on **Consent Agenda E** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 272 & HB 297** were sent to the Senate for concurrence & **SB 97, SB 129, SB 111 w/SA 1 & SB 11** were returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 242**, jointly sponsored by Senator Blevins & Representatives Quillen & Keeley, before the House for consideration.

**HB 242 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE TERMINATION OF PARENTAL RIGHTS.**

Representatives Wagner, Smith, George & Lavelle made comments.

The roll call on **HB 242** was taken and revealed:

YES: 35.

NO: Representatives George, Gilligan, Mulrooney, Plant & VanSant - 5.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **HB 242** was sent to the Senate for concurrence.

Representative Wagner brought **HB 188**, jointly sponsored by Senator Cook, before the House for consideration.

**HB 188 - AN ACT TO AMEND TITLE 29, CHAPTER 69 OF THE DELAWARE CODE RELATING TO THE PROVISIONS OF CAPITAL PROJECT COORDINATOR SERVICES TO SCHOOL DISTRICTS.**

Representative Wagner brought **HA 1 to HB 188** 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 188 w/HA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 188 w/HA 1** was sent to the Senate for concurrence.

Representative Smith moved to place **HJR 12** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

**HJR 12 - DIRECTING THE DIVISION OF PUBLIC HEALTH AND THE DEPARTMENT OF LABOR TO PLAN FOR THE ESTABLISHMENT OF AN OFFICE OF OCCUPATIONAL HEALTH AND SAFETY.**

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with lifting **HB 132** from the Speaker's Table. The motion was seconded by Representative Ulbrich and adopted by voice vote.

Representative DiPinto brought **HB 132**, jointly sponsored by Representative Roy & Representative Houghton & Representative Keeley & Representatives Plant & Williams & Senators McDowell, Henry & Marshall, before the House for consideration.

**HB 132 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS. (F/N)**

Representative Booth requested that **HA 1 to HB 132** be stricken. Representative Valihura brought **HA 2 to HB 132** before the House for consideration. Representative Valihura made comments.

Representative Valihura requested that **HA 2** be stricken. Representative DiPinto brought **HA 3 to HB 132** before the House for consideration. Representatives DiPinto, Gilligan & Williams made comments. **HA 3**

was adopted by voice vote. Representative Booth brought **HA 4 to HB 132** before the House for consideration. Representative Booth made comments. Representative Booth requested that **HA 4** be stricken. Representatives Booth & DiPinto made comments.

The roll call on **HB 132 w/HA 3** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 132 w/HA 3** was sent to the Senate for concurrence.

Representative Lee deferred to Representative DiPinto.

Representative DiPinto introduced and brought **HCR 36**, jointly sponsored by Senator McDowell, before the House for consideration.

**HCR 36 - RECOGNIZING WILMINGTON TRUST FOR 100 YEARS OF SERVICE TO THE CITIZENS OF DELAWARE.**

**HCR 36** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Lee deferred to Representative Wagner.

Representative Wagner requested and was granted privilege of the floor to present a House Tribute to Meghan Adams, Amateur Golf Champion. Representative Gilligan made a comment.

Representative Lee deferred to Representative Ulbrich.

Representative Ulbrich moved to suspend the rules which interfere with lifting **HB 211** from the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Ulbrich brought **HB 211**, jointly sponsored by Senator McBride & Representatives Hudson, Valihura, Schwartzkopf & Viola & Senators Peterson, Sokola & Copeland, before the House for consideration.

**HB 211 - AN ACT TO AMEND CHAPTER 2, TITLE 24 OF THE DELAWARE CODE RELATING TO THE BOARD OF LANDSCAPE ARCHITECTURE.**

Representative Ulbrich brought **HA 1 to HB 211** before the House for consideration. Representative Ulbrich made comments. **HA 1** was adopted by voice vote.

Representatives Ulbrich, George, Keeley & Cathcart made comments.

The roll call on **HB 211 w/HA 1** was taken and revealed:

YES: 37.

NO: Representatives George, Plant & Williams - 3.

ABSENT: Representative Quillen - 1.

Therefore, having received a constitutional majority, **HB 211 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **HB 99**, jointly sponsored by Representative DiPinto & Representative Williams & Senator Henry & Representatives Keeley & Schwartzkopf & Senators McDowell, Bunting & Sokola & cosponsored by Representative George, before the House for consideration.

**HB 99 - 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.**

Representatives Oberle & Smith made comments.

Representative Smith requested that **HA 1 to HB 99** be stricken. Representative Smith brought **HA 2 to HB 99** before the House for consideration. Representatives Smith & Oberle made comments. **HA 2** was adopted by voice vote. Representative Smith requested that **HA 3 to HB 99** be stricken. Representative Smith requested that **HA 4 to HB 99** be stricken. Representative Smith requested that **HA 5 to HB 99** be stricken. Representative Smith requested that **HA 6 to HB 99** be stricken. Representative Smith deferred to Representative Oberle. Representative Oberle made a comment. Representative Oberle requested that **HA 7 to HB 99** be stricken.

Representative Smith requested that **HA 8 to HB 99** be stricken. Representative Smith introduced and brought **HA 9 to HB 99** before the House for consideration. Representatives Smith & Oberle made comments. **HA 9** was adopted by voice vote. Representative Smith moved to suspend the rules which interfere with introduction of and action on **HA 12 to HB 99**. The motion was seconded by Representative Lee and adopted by voice vote. Representative Smith introduced and brought **HA 12** before the House for consideration. Representatives Smith & Oberle made comments. **HA 12** was adopted by voice vote.

Representative Smith moved to suspend the rules which interfere with introduction of and action on **HA 13 to HB 99**. The motion was properly seconded and adopted by voice vote. Representative Smith introduced and brought **HA 13** before the House for consideration. Representatives Smith & Oberle made comments. **HA 13** was adopted by voice vote. Representative Smith moved to suspend the rules which interfere with introduction of and action on **HA 10 to HB 99**. The motion was seconded by Representative Lee and adopted by voice vote. Representative Smith introduced and brought **HA 10** before the House for consideration. Representatives Smith & Oberle made comments.

Representative Oberle requested and was granted privilege of the floor for William D. Johnston, Immediate Past President of the Delaware State Bar Association & his law partner, Melanie K. Sharp.

Representatives Smith & Oberle made comments.

The roll call on **HA 10 to HB 99** was taken and revealed:

YES: Representatives Atkins, Booth, Boulden, Buckworth, Carey, Caulk, D. Ennis, Ewing, Fallon, Hocker, Hudson, Lavelle, Lee, Miro, Reynolds, Smith, Stone, Thornburg & Valihura - 19.

NO: 18.

NOT VOTING: Representatives Lofink, Maier & Spence - 3.

ABSENT: Representative Roy - 1.

Therefore, not having received a constitutional majority, **HA 10 to HB 99** was declared defeated.

Representative Smith moved to suspend the rules which interfere with introduction of and action on **HA 11 to HB 99**. The motion was properly seconded and adopted by voice vote. Representative Smith introduced and brought **HA 11** before the House for consideration. Representatives Smith & Oberle made comments.

Mr. Speaker Spence declared a recess for caucus at 7:10 p.m.

The House reconvened at 7:40 p.m.

Representative Oberle made comments.

The roll call on **HA 11 to HB 99** was taken and revealed:

YES: Representatives Atkins, Booth, Boulden, Buckworth, Carey, Caulk, B. Ennis, D. Ennis, Ewing, Fallon, Hocker, Hudson, Lavelle, Lee, Miro, Reynolds, Stone, Thornburg & Wagner - 19.

NO: 19.

NOT VOTING: Representative Lofink - 1.

ABSENT: Representatives Plant & Smith - 2.

Therefore, not having received a constitutional majority, **HA 11 to HB 99** was declared defeated.

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

Representatives Oberle & Williams made comments.

The roll call on **HB 99 w/HA 2, 9, 12 & 13** was taken and revealed:

YES: 21.

NO: Representatives Atkins, Booth, Buckworth, Carey, Caulk, B. Ennis, D. Ennis, Ewing, Fallon, Hocker, Lee, Lofink, Reynolds, Roy, Stone, Thornburg, Valihura & Spence - 18.

NOT VOTING: Representative Lavelle - 1.

ABSENT: Representative Smith - 1.

Therefore, having received a constitutional majority **HB 99 w/HA 2, 9, 12 & 13** was sent to the Senate for concurrence.

The Majority Leader moved to recess for dinner at 7:50 p.m.

The House reconvened at 9:10 p.m.

Mr. Speaker Spence introduced a guest.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **HB 178 w/HA 1 & 2 & SA 2, 3 & 4**, jointly sponsored by Senator Cook & Representatives Lee, Atkins, Buckworth, Caulk, D. Ennis, Ewing, Quillen, VanSant, B. Ennis, Houghton, Williams, Booth, Hocker, Thornburg, Valihura & Senators Bonini, Bunting, Simpson, Still, Vaughn & Venables, before the House for concurrence on **SA 2, 3 & 4**.

**HB 178 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.**

Representative Wagner made comments.

The roll call on **HB 178 w/HA 1 & 2 & SA 2, 3 & 4** was taken and revealed:

YES: 35.

NO: Representatives Gilligan, Keeley & Plant - 3.

ABSENT: Representatives Maier, Quillen & Roy - 3.

Therefore, having received a constitutional majority, **HB 178 w/HA 1 & 2 & SA 2, 3 & 4** was sent to the Governor.

Representative Smith deferred to Representative Atkins.

Representative Atkins moved to suspend the rules which interfere with action on **HB 293**. The motion was properly seconded and adopted by voice vote.

Representative Atkins brought **HB 293**, jointly sponsored by Senator Bunting, before the House for consideration.

**HB 293 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO PROHIBITIONS CONCERNING GAME AND FISH.**

Representatives Atkins, Caulk & Ewing made comments.

Representative Caulk requested and was granted privilege of the floor for John Brady, House Attorney.

Representatives Caulk & Ulbrich made comments.

The roll call on **HB 293** was taken and revealed:

YES: 37.

NO: Representative Houghton - 1.

ABSENT: Representatives Maier, Quillen & Roy - 3.

Therefore, having received a constitutional majority, **HB 293** 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 **HS 1 for HB 253**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative DiPinto brought **HS 1 for HB 253**, jointly sponsored by Senator McDowell & Representatives Hudson, Roy, Valihura, Wagner, Houghton & Keeley & Senators Marshall, Blevins, Henry, Peterson, Sorenson & Amick, before the House for consideration.

**HB 253 - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND TO PROVIDE FOR MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS. (2/3 bill)**

Representative DiPinto brought **HA 1 to HS 1 for HB 253** before the House for consideration.

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

Representatives DiPinto, Wagner, D. Ennis & Lavelle made comments.

The roll call on **HS 1 for HB 253 w/HA 1** was taken and revealed:

YES: 37.

NOT VOTING: Representative Oberle - 1.

ABSENT: Representatives Maier, Quillen & Roy - 3.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HS 1 for HB 253 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Schwartzkopf.

Representative Schwartzkopf moved to suspend the rules which interfere with action on **HB 289**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Schwartzkopf brought **HB 289**, jointly sponsored by Senator Simpson, before the House for consideration.

**HB 289 - AN ACT AUTHORIZING THE CONVEYANCE OF THE STATE OF DELAWARE'S INTEREST IN CERTAIN LANDS LOCATED IN SUSSEX COUNTY, DELAWARE.**

Representatives Schwartzkopf, Ewing & D. Ennis made comments.

The roll call on **HB 289** was taken and revealed:

YES: 38.

ABSENT: Representatives Maier, Quillen & Roy - 3.

Therefore, having received a constitutional majority, **HB 289** was sent to the Senate for concurrence.

The Majority Leader moved to recess for caucus at 9:45 p.m.

The House reconvened at 10:29 p.m.

Representative Smith brought **Consent Agenda H** which requires a two-thirds vote, before the House for concurrence on Senate Amendments.

**HB 43 w/SA 1 - OBERLE & REPRESENTATIVES D. ENNIS, FALLON, LOFINK, REYNOLDS & ROY & SENATORS HENRY & SOKOLA** - An Act to Amend Title 21 of the Delaware Code Relating to the Occupant Protection System Safety Act.

**HB 129 w/SA 1 - HUDSON & REPRESENTATIVE WAGNER & SENATOR BLEVINS & SENATOR VAUGHN** - An Act to Amend Title 29 of the Delaware Code Relating to the Tobacco Settlement Act. (2/3 bill)

**HB 136 w/SA 1 - BUCKWORTH & SENATOR MCDOWELL & SENATOR SORENSON & REPRESENTATIVES CAREY, CATHCART, CAULK, DIPINTO, D. ENNIS, FALLON, HOCKER, HUDSON, LAVELLE, LOFINK, MAIER, MIRO, REYNOLDS, STONE, ULBRICH, WAGNER, VANSANT, B. ENNIS, HALL-LONG, HOUGHTON, KEELEY, MULROONEY, VIOLA & WILLIAMS** - An Act to Amend Title 13 of the Delaware Code Relating to Adoption.

**HB 241 w/SA 1 - ROY & SENATOR COOK** - An Act to Amend Title 30 of the Delaware Code Relating to Delaware Taxes. (2/3 bill)

**HJR 9 w/SA 1 - GEORGE & REPRESENTATIVE SPENCE & SENATOR SORENSON & SENATOR SOKOLA & REPRESENTATIVES BOOTH, BUCKWORTH, B. ENNIS, FALLON, GILLIGAN, HALL-LONG, HOCKER, HOUGHTON, KEELEY, MULROONEY, PLANT, REYNOLDS, SCHWARTZKOPF, VANSANT & VIOLA & SENATORS CONNOR, COPELAND, MCDOWELL & SIMPSON** - Creating a Task Force to Examine Early Childhood Education Programs in Delaware and to Develop a Plan for Implementation of Universal Prekindergarten and Full-Day Kindergarten. (2/3 bill)

**HJR 11 w/SA 2 - OBERLE & SENATOR COOK & REPRESENTATIVES SPENCE & LOFINK** - Directing the Director of the State Personnel Office to Conduct a Study to Compare the Pay Equity of the Capitol Police in Comparison to Other Police Departments in the State of Delaware. (2/3 bill)

Representative Smith requested that **HB 43 w/SA 1** be removed from **Consent Agenda H** and that **HB 210 w/SA 3** be added to **Consent Agenda H**.

**HB 210 - SMITH & REPRESENTATIVE VANSANT & REPRESENTATIVE WAGNER & REPRESENTATIVE DIPINTO & REPRESENTATIVE B. ENNIS & SENATOR VAUGHN & SENATOR SORENSON & REPRESENTATIVES SPENCE, LEE, BUCKWORTH, CAREY, D. ENNIS, EWING, FALLON, HUDSON, LAVELLE, LOFINK, MAIER, OBERLE, QUILLEN, REYNOLDS, ULBRICH, VALIHURA, GILLIGAN, HALL-LONG, HOUGHTON, KEELEY, MULROONEY & WILLIAMS & SENATORS BLEVINS, HENRY, MARSHALL, PETERSON, SOKOLA, VENABLES, STILL, SIMPSON & CLOUTIER** - An Act to Amend Titles 10, 11, 16 and 21 of the Delaware Code Relating to Certain Crimes. (2/3 bill)

The roll call on **Consent Agenda H** was taken and revealed:

YES: 34.

ABSENT: Representatives Carey, Caulk, Ewing, Fallon, Maier, Quillen, Roy - 7.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 129 w/SA 1, HB 136 w/SA 1, HB 241 w/SA 1, HJR 9 w/SA1, HJR 11 w/SA 2 & HB 210 w/SA 3** were sent to the Governor.

Representative Smith deferred to Representative Oberle.

Representative Oberle brought **HB 43 w/SA 1**, jointly sponsored by Representatives D. Ennis, Fallon, Lofink, Reynolds & Roy & Senators Henry & Sokola, before the House for concurrence on **SA 1**.

**HB 43 - AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO THE OCCUPANT PROTECTION SYSTEM SAFETY ACT.**

Representative Oberle made comments. In Representative Ewing's absence, Mr. Speaker Spence designated Representative Oberle as acting sponsor of **HA 1 to HB 43**. Representative Oberle requested that **HA 1 to HB 43**, sponsored by Representative Ewing, be stricken. Representative Oberle made comments.

The roll call on **HB 43 w/SA 1** was taken and revealed:

YES: 27.

NO: Representatives Atkins, Booth, B. Ennis, Hocker, Lee & Thornburg - 6.

ABSENT: Representatives Carey, Caulk, Ewing, Fallon, Maier, Quillen, Roy & Smith - 8.

Therefore, having received a constitutional majority, **HB 43 w/SA 1** was sent to the Governor.

Mr. Speaker Spence introduced a guest. Representative Oberle made comments.

Representative Smith deferred to Representative Miro.

Representative Miro brought **SB 42 w/SA 1**, sponsored by Senator Sokola, before the House for consideration.

**SB 42 - AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS AND CERTAIN PENALTIES IMPOSED AGAINST LICENSEES.**

Representative Miro made comments.

The roll call on **SB 42 w/SA 1** was taken and revealed:

YES: 34.

ABSENT: Representatives Carey, Caulk, Ewing, Fallon, Maier, Quillen & Roy - 7.

Therefore, having received a constitutional majority, **SB 42 w/SA 1** was returned to the Senate. Representative Smith made an announcement.

Representative Boulden made comments.

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

EDUCATION: **SB 162 - 10M**; **SB 167 w/SA 1 - 8M**.

The Majority Leader moved to recess to the call of the Chair at 10:50 p.m.

Mr. Speaker Spence called the House to order at 2:20 p.m. on June 30, 2003.

Mr. Speaker Spence requested that **HB 288** be stricken.

The Majority Whip moved to adjourn at 2:21 p.m., thereby ending the current legislative day. The House reconvened at 2:22 p.m.

**42nd LEGISLATIVE DAY - 142nd GENERAL ASSEMBLY - First Session  
June 30, 2003**

The Chief Clerk called the roll:

Members Present: 41

A prayer was offered by Representative John C. Atkins Forty-First Representative District.

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

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

The following prefiled legislation was introduced:

**HB 298 - GILLIGAN & REPRESENTATIVE OBERLE & REPRESENTATIVE SPENCE & REPRESENTATIVE ROY & SENATOR DELUCA - GAMING & PARIMUTUELS - An Act to Amend Titles 3 and 11 of the Delaware Code Relating to Gambling and Pari-mutuel and Totalizator Pools.**

**HB 299 - SPENCE - LABOR - An Act to Amend Chapter 55, Title 29 of the Delaware Code Relating to the State Employee's Pension Plan, and Providing "Credited Service" Status to Individuals Who Have Served in the Armed Forces and Who Have Been Employed by the State of Delaware for Twenty Years.**

**HA 1 to HB 220 - KEELEY - Placed with the Bill.**

**HA 1 to HB 245 - ULBRICH - Placed with the Bill.**

**HA 1 to HB 256 - EWING - Placed with the Bill.**

**SB 43 w/SA 2 - DELUCA & REPRESENTATIVE CATHCART; SENATORS ADAMS, CONNOR, HENRY, SOKOLA; REPRESENTATIVES B. ENNIS, REYNOLDS, ROY, SPENCE - LAND USE AND INFRASTRUCTURE - An Act to Amend Title 29 of the Delaware Code, Relating to Applications for Re-zoning, Variances, and Subdivision Approval.**

**SB 116 w/SA 1 - CONNOR & REPRESENTATIVE DIPINTO & REPRESENTATIVE HALL-LONG; SENATORS AMICK, BLEVINS, CLOUTIER, COPELAND, HENRY, SOKOLA, SORENSON; REPRESENTATIVES CAULK, EWING, FALLON, GEORGE, HOCKER, HOUGHTON, HUDSON, MAIER, MIRO, QUILLEN, THORNBURG, ULBRICH, VANSANT, VIOLA - HOUSE ADMINISTRATION - An Act to Amend Title 1 of the Delaware Code Relating to Special Days and Months.**

**SB 152 - COOK & REPRESENTATIVE EWING - PUBLIC SAFETY - An Act to Amend Title 21 of the Delaware Code Relating to Driving Under the Influence.**

**SB 155 - BLEVINS & REPRESENTATIVE STONE - ECONOMIC DEVELOPMENT/BANKING & INSURANCE - An Act to Amend Title 18 of the Delaware Code Relating to Stock of Subsidiaries.**

**SB 169 - COOK & REPRESENTATIVE DIPINTO & REPRESENTATIVE WAGNER; SENATORS BUNTING, HENRY, VAUGHN, AMICK, CLOUTIER, CONNOR; REPRESENTATIVES BUCKWORTH, D. ENNIS, FALLON, HOUGHTON, WILLIAMS - LABOR - An Act to Amend Title 14 and Title 29 of the Delaware Code Relating to Leave of Absence for Military Service.**

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SCR 26** and requests the concurrence of the House; **HCR 29 & HCR 36** and is returning same to the House; **SB 116 w/SA 1 & SB 169** and requests the concurrence of the House; **HB 118, HB 150 w/HA 1 & SA 1, HB 154, HB 262 w/HA 1 & HB 143 w/HA 1 & SA 1** and is returning same to the House; **SCR 23 & SCR 24** and requests the concurrence of the House; **HB 178 w/HA 1 & 2 & SA 2, 3 & 4** and is returning same to the House; **SB 43 w/SA 2, SB 180 & SB 181** and requests the concurrence of the House; **HB 115, HB 76 w/HA 1, HB 84 & HB 210 w/SA 3** and is returning same to the House; **SB 152** and requests the concurrence of the House; **HB 171 & HB 173** and is returning same to the House.

June 27, 2003

**LEGISLATIVE ADVISORY #8**

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/25/03 – **HJR 13, HJR 14 & HB 300**; 6/26/03 – **SB 170 & SB 67**.

Representative Gilligan requested that **HS 1 for HB 90, HB 91, HB 92, HB 93, HB 95 & HB 137** be stricken

Representatives Buckworth, Keeley, Lavelle & Smith requested that they be marked present.  
 The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #34

DATE: June 30, 2003

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>
H142-751	Buckworth	6/20/2003	T	Katie Miller - All-State Girls Soccer First Team
H142-752	Buckworth	6/20/2003	T	Mark Reynolds - All-State Boys' Lacrosse First Team
H142-753	Buckworth	6/20/2003	T	Josh Coveleski - All-State Boys' Lacrosse First Team
H142-754	Wagner	6/19/2003	T	Peter DeMarie - Citizen of the Year - Dover Elks
H142-755	Maier	6/21/2003	T	Preston Ward - Eagle Scout
H142-756	Schwartzkopf	7/27/2003	T	Kiwanis Club - Rehoboth Beach - 75th Anniversary
H142-757	Carey	10/14/2003	T	AARP - Milford - 25th Anniversary
H142-758	Thornburg	6/28/2003	T	Gary Minner - Retirement - DelDOT - 33 Years
H142-759	Quillen	6/27/2003	T	James Cain - Retirement - DelDOT - 30+ Years
H142-760	Carey	6/29/2003	T	Scott Hamilton - Welcome Home from Iraqi Freedom
H142-761	Wagner	6/28/2003	T	Dover Elks Lodge - 50th Anniversary
H142-762	Spence	7/3/2003	T	Colonel John Cunningham - Retirement - 29 Years - Law Enforcement
H142-763	Spence	6/24/2003	T	Steven Wood - Assistance - House Members
H142-764	Reynolds	6/30/2003	T	Elizabeth Carpenter - Retirement - Colonial Schools
H142-765	Caulk	6/26/2003	T	William Fasano - Outstanding Performance - Legislative Fellow
H142-766	Hudson	6/26/2003	T	John Trochimowicz - Outstanding Performance - Legislative Fellow
H142-767	Smith	6/26/2003	T	Aryah Fradkin - Outstanding Performance - Legislative Fellow
H142-768	Maier	6/26/2003	T	Stacy Savickas - Outstanding Performance - Legislative Fellow
H142-769	Boulden	6/26/2003	T	William Clark - Outstanding Performance - Legislative Fellow
H142-770	Wagner	6/26/2003	T	Sarah Hench - Outstanding Performance - Legislative Fellow
H142-771	Gilligan	6/26/2003	T	Janna Craig - Outstanding Performance - Legislative Fellow
H142-772	Carey	6/26/2003	T	Adam Beauregard - Volunteer - House Legal Department
H142-773	Maier	6/11/2003	T	Aldine & Walter Maier - 50th Wedding Anniversary
H142-774	Wagner	7/5/2003	T	Michelle Isemann & Colin Flanagan - Marriage
H142-775	Wagner	7/10/2003	T	Nikki Connors & Daniel Boone, III - Marriage

HOUSE TRIBUTE ANNOUNCEMENT #35

DATE: June 30, 2003

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>
H142-776	Wagner	7/12/2003	T	Amanda Hitchens & Marshall Downes - Marriage
H142-777	DiPinto	6/25/2003	M	Honorable John D. Kelly, III
H142-778	Gilligan	6/19/2003	M	Patricia Cook Mulrooney
H142-779	Quillen	9/19/2003	T	Sergeant Richard Ashley - Police Recruit Class - 20 Years
H142-780	Booth	9/19/2003	T	Lieutenant Richard Cohee - Police Recruit Class - 20 Years

H142-781	Boulden	9/19/2003	T	Sergeant Richard Dennis - Police Recruit Class - 20 Years
H142-782	Caulk	9/19/2003	T	Lieutenant Harry Downes, Jr. - Police Recruit Class - 20 Years
H142-783	Maier	9/19/2003	T	Master Corporal Wayne Erne - Police Recruit Class - 20 Years
H142-784	Lavelle	9/19/2003	T	Master Corporal Robert Gallo - Police Recruit Class - 20 Years
H142-785	Cathcart	6/19/2003	T	Sergeant Timothy LaMarche - Police Recruit Class - 20 Years
H142-786	Lee	9/19/2003	T	Master Corporal John Owings - Police Recruit Class - 20 Years
H142-787	Valihura	9/19/2003	T	Master Corporal James Phillips - Police Recruit Class - 20 Years
H142-788	Reynolds	9/19/2003	T	Master Corporal Walter Sherlock, III - Police Recruit Class - 20 Years
H142-789	Reynolds	9/19/2003	T	Sergeant Donna Simpson - Police Recruit Class - 20 Years
H142-790	Reynolds	9/19/2003	T	Sergeant Raymond Simpson, Jr. - Police Recruit Class - 20 Years
H142-791	Roy	9/19/2003	T	Master Corporal Michael Smith - Police Recruit Class - 20 Years
H142-792	Thornburg	9/19/2003	T	Captain John Yeomans - Police Recruit Class - 20 Years
H142-793	Schwartzkopf	9/19/2003	T	Corporal Christine Price - Police Recruit Class - 20 Years
H142-794	Lofink	9/19/2003	T	Trooper Laurel King - Police Recruit Class - 20 Years
H142-795	Buckworth	6/25/2003	T	Lola Tue - Dedication - Teacher - 60 Years
H142-796	Carey	6/29/2003	T	William Rickards - Welcome Home - Operation Iraqi Freedom
H142-797	Carey	6/29/2003	T	Bruce Ritter - Welcome Home - Operation Iraqi Freedom
H142-798	Atkins	6/29/2003	T	John West, III - Welcome Home - Operation Iraqi Freedom
H142-799	Atkins	6/29/2003	T	Shawn Davis - Welcome Home - Operation Iraqi Freedom

T- Tribute

M - Memoriam

Representative Smith brought the following prefiled **Consent Calendar #13** before the House for consideration.

**HR 35** - MIRO & REPRESENTATIVE GILLIGAN & REPRESENTATIVE ROY & REPRESENTATIVE DIPINTO & REPRESENTATIVE HUDSON & REPRESENTATIVES KEELEY, MAIER & VANSANT - Paying Tribute to Antoinette "Toni" Eaton as She Steps Down from the School Board of the Consolidated Red Clay School District.

**HR 36** - GILLIGAN & REPRESENTATIVE ROY & REPRESENTATIVE DIPINTO & REPRESENTATIVE HUDSON & REPRESENTATIVES KEELEY, MAIER, VANSANT & MIRO - Recognizing William Manning's 15 Years of Service to Education Reform in Delaware on the Red Clay School Board.

**HR 40** - SPENCE - A Resolution Encouraging and Requesting that Delaware School Boards Stock Vending Machines in Schools with Healthy Drinks and Healthy Food Items.

**HR 42** - B. ENNIS & REPRESENTATIVES D. ENNIS, HOUGHTON, KEELEY, SPENCE & VANSANT - Re-Constituting the Motorcycle Rider Education Advisory Committee.

**HR 43** - WAGNER & REPRESENTATIVES LEE, BUCKWORTH, CAREY, CAULK, EWING, FALLON, QUILLEN, STONE & THORNBURG - A Resolution Requesting WHY? Establish a Television Station in Dover.

**HCR 37** - BUCKWORTH & SENATOR STILL & REPRESENTATIVES LEE, CAREY, QUILLEN, THORNBURG, WAGNER, B. ENNIS & KEELEY - Requesting the Department of Education to Explore the Feasibility of Implementing a Character Development Strategy, I.E. "Words to Live By" as Promoted by the Delaware Police Chief's Council, Inc.

**SCR 22 - STILL & REPRESENTATIVE STONE & SENATOR ADAMS & SENATOR BUNTING & SENATOR CONNOR & SENATOR COOK & SENATOR MCBRIDE & SENATOR SORENSON & SENATOR VAUGHN & REPRESENTATIVE BUCKWORTH & REPRESENTATIVE CAULK & REPRESENTATIVE B. ENNIS & REPRESENTATIVE GILLIGAN & REPRESENTATIVE OBERLE & REPRESENTATIVE QUILLEN & REPRESENTATIVE REYNOLDS & REPRESENTATIVE SPENCE & REPRESENTATIVE THORNBURG & REPRESENTATIVE WAGNER & SENATOR BONINI** - Establishing an Independent, Bi-Partisan Task Force to Study the Future of Dover Air force Base and the Delaware National Guard Facilities on the New Castle County Airport Including the Impact on Kent County and New Castle Counties, State of Delaware, the Impact of the BRAC Commission and the Long Term Viability of Its Mission at Dover Air Force Base and Delaware National Guard Facilities on the New Castle County Airport.

**SCR 23 – AMICK; REPRESENTATIVE ULBRICH** - Creating a Legislative Task force to Study Hospice Business Ethics and Patient Services.

**SCR 24 - MCDOWELL & REPRESENTATIVE DIPINTO** - Recognizing the Life and Work of David Hudson and Commending the Efforts of Those Seeking to Reconstruct the Sugar Bowl Pavilion in His Memory.

**SCR 26 - HENRY & REPRESENTATIVE WILLIAMS & SENATORS MARSHALL & MCDOWELL & REPRESENTATIVES D. ENNIS, KEELEY & PLANT** - Requesting That the Delaware Solid Waste Authority and the Department of Natural Resources and Environmental Control Undertake Public Educational Activities Associated with the Proposed Expansion of the Cherry Island Landfill.

**Consent Calendar #13** was adopted by voice vote and **HR 35, HR 36, HR 40, HR 42 & HR 43** were declared passed & **HCR 37** was sent to the Senate for concurrence & **SCR 22, SCR 23, SCR 24 & SCR 26** were returned to the Senate.

Representatives DiPinto, Ulbrich, Schwartzkopf & Miro requested that they be marked present.

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

The House reconvened at 5:07 p.m. with Representative Quillen as Acting Speaker.

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

LABOR: **SB 143** - 1F,4M.

TRANSPORTATION: **SB 118** - 1F,3M.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought **SB 47 w/SA 1**, jointly sponsored by Senator Adams, before the House for consideration.

**SB 47 - AN ACT TO AMEND SECTION 2702 OF TITLE 11 OF THE DELAWARE CODE RELATING TO THE JURISDICTION OF THE JUSTICE OF THE PEACE COURT.** (2/3 bill)

Representative Ewing made comments.

The roll call on **SB 47 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives DiPinto & Spence - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 47 w/SA 1** was returned to the Senate.

Representatives Plant, Reynolds, Williams, D. Ennis, Cathcart & Maier requested that they be marked present during the roll call.

Representative Lee deferred to Representative Wagner.

Representative Wagner brought **SB 28**, jointly sponsored by Senator Blevins, before the House for consideration.

**SB 28 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO BAIL CONDITIONS.** (F/N)

Representatives Wagner & Lavelle made comments. Representative Wagner requested and was granted privilege of the floor for Paul Wallace, Deputy Attorney General.

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

YES: 39.

ABSENT: Representatives Smith & Spence - 2.

Therefore, having received a constitutional majority, **SB 28** was returned to the Senate.

Representative Wagner requested and was granted privilege of the floor to present a House Tribute to Julian Freeman.

Representative Lee deferred to Representative Oberle.

Representative Oberle brought **HB 240**, jointly sponsored by Senator Blevins & Representative Maier, before the House for consideration.

**HB 240 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO HOME HEALTH AGENCY PROGRAMS.**

Representative Oberle made comments.

The roll call on **HB 240** was taken and revealed:

YES: 40.

ABSENT: Representative Smith - 1.

Therefore, having received a constitutional majority, **HB 240** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Wagner.

Representative Wagner brought **HB 134**, jointly sponsored by Senator McDowell, before the House for consideration.

**HB 134 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POSSESSION OF INSTRUMENTS OF CERTAIN CRIMES.**

Representative Wagner made comments.

The roll call on **HB 134** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 134** was sent to the Senate for concurrence.

Representative Lee deferred to Representative Wagner.

Representative Wagner brought **HB 237**, jointly sponsored by Representative D. Ennis & Representatives Booth, Caulk, Ewing, Hocker, Quillen, Stone, B. Ennis, Houghton, Keeley & Plant & Senator Peterson, before the House for consideration.

**HB 237 - AN ACT TO AMEND CHAPTER 59 OF TITLE 29 RELATING TO GRIEVANCES.**

Representative Wagner made comments.

The roll call on **HB 237** was taken and revealed:

YES: 40.

ABSENT: Representative Spence - 1.

Therefore, having received a constitutional majority, **HB 237** was sent to the Senate for concurrence.

Representative Smith moved to suspend the rules which interfere with introduction of and action on

**HB 306.** The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith made an announcement.

Representative Smith introduced and brought **HB 306**, jointly sponsored by Senator McDowell & Representatives Spence, Booth, DiPinto, Stone, Wagner, B. Ennis, Gilligan, Houghton, Keeley, Plant & Williams & Senators Henry, Marshall, Sorenson & Still, before the House for consideration.

**HB 306 - AN ACT TO AMEND TITLE 8 OF THE DELAWARE CODE RELATING TO THE DELAWARE GENERAL CORPORATION LAW AND FEES CHARGED AND COLLECTED BY THE SECRETARY OF STATE. (2/3 bill)**

Representative Smith made comments.

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

Representative Smith:

June 26, 2003

The Honorable Harris B. McDowell, III

State Senator

Legislative Hall

Dover, DE 19903

The Honorable Liane M. Sorenson

State Senator

Legislative Hall

Dover, DE 19903

The Honorable Robert F. Gilligan

State Representative

Legislative Hall

Dover, DE 19903

The Honorable Wayne A. Smith

State Representative

Legislative Hall

Dover, DE 19903

Dear Senators McDowell and Sorenson and

Representatives Gilligan and Smith:

Thank you for your dedicated service on the Governor's Task Force on Financial Options for the City of Wilmington. Because of your commitment and wise counsel, we are now poised for General Assembly consideration of five pieces of legislation to expand the City's revenue generation abilities in the areas of local lodging, events, natural gas usage, and corporate and limited liability corporate filings.

I want to reinforce my commitment to improving the fiscal health of the City and will be urging City Council to support the following additional fiscal measures:

- Expansion of the authority of the Wilmington Economic and Financial Advisory Council (WEFAC) to conduct five-year projections of City revenues instead of their current one-year forecasts.
- Expansion of the City's contract with Public Financial Management (PFM) to directing PFM to conduct fiscal management reviews of a number of critical City functions, such as trash collection, to seek further expenditure reductions wherever possible
- Enactment of City legislation to phase in a 98% City spending cap similar to the State's provision. This measure will complement the City's current Budget Reserve and Permanent Reserve "rainy day" accounts.

Your strong commitment to the financial viability of the City of Wilmington is greatly appreciated by all of us who serve the City and by the constituents we represent. Thank you, again, for all your support and assistance.

With warmest regards,

James M. Baker

Mayor

Representatives Smith & Valihura made comments.

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

YES: 39.

NOT VOTING: Representatives Cathcart & Caulk - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House,

**HB 306** was sent to the Senate for concurrence.

Representative Smith moved to suspend the rules which interfere with introduction of and action on

**HB 307**. The motion was properly seconded and adopted by voice vote.

Representative Smith introduced and brought **HB 307**, jointly sponsored by Senator McDowell & Representatives Spence, Booth, DiPinto, Stone, Wagner, B. Ennis, Gilligan, Houghton, Keeley, Plant & Williams & Senators Henry, Marshall, Sorenson & Still, before the House for consideration.

**HB 307** - AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO THE LIMITED LIABILITY COMPANY ACT AND FEES CHARGED AND COLLECTED BY THE SECRETARY OF STATE. (3/5 bill)

Representative Smith made comments.

The roll call on **HB 307** was taken and revealed:

YES: 39.

NO: Representative Caulk - 1.

NOT VOTING: Representative Cathcart - 1.

Therefore, having received a constitutional majority of at least three-fifths Members of the House,

**HB 307** was sent to the Senate for concurrence.

Representative Smith moved to suspend the rules which interfere with action on **SB 180**. The

motion was properly seconded and adopted by voice vote.

Representative Smith brought **SB 180**, jointly sponsored by Senators McDowell, Henry, Marshall & Sorenson & Representatives Gilligan, DiPinto, Houghton, Keeley, Plant & Williams, before the House for consideration.

**SB 180** - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO GROSS RECEIPTS. (2/3 bill)

Representatives Smith, Valihura, Hudson, Boulden, Roy, Caulk & DiPinto made comments.

The roll call on **SB 180** was taken and revealed:

YES: 30.

NO: Representatives Caulk, Hudson, Lavelle, Roy, Stone, Thornburg, Valihura, Wagner & Quillen - 9.

NOT VOTING: Representatives Cathcart & Fallon - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB**

**180** was returned to the Senate.

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

PUBLIC SAFETY: **SB 152** - 5M.

Mr. Speaker Spence resumed the Chair.

Representative Smith moved to suspend the rules which interfere with action on **SB 181**. The motion was properly seconded and adopted by voice vote.

Representative Smith brought **SB 181**, jointly sponsored by Senators McDowell, Henry, Marshall & Sorenson & Representatives Gilligan, DiPinto, Houghton, Keeley, Plant & Williams, before the House for consideration.

**SB 181** - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO EVENT TAXES. (2/3 bill)

Representatives Smith, Valihura, Miro, Lavelle, Hudson, Williams & Ulbrich made comments.

The Majority Leader moved to recess for caucus at 6:20 p.m.

The House reconvened at 6:40 p.m.

Representative Smith deferred to Representative Gilligan.

Representative Gilligan made comments.

The roll call on **SB 181** was taken and revealed:

YES: 31.

NO: Representatives Boulden, Caulk, Hudson, Lavelle, Maier, Miro, Stone, Thornburg & Valihura - 9.

NOT VOTING: Representative Cathcart - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB**

**181** was returned to the Senate.

Mr. Speaker Spence appointed Representative Roy as Acting Speaker.  
Representative Ulbrich introduced **HB 308**, jointly sponsored by Representatives Hudson & Valihura & Senators Copeland & Sokola.

**HB 308 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE MEDICAL PRACTICES ACT.**

Mr. Acting Speaker assigned **HB 308** to the Policy Analysis & Government Accountability Committee.

The Reading Clerk read the following communications into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Tina Fallon, do hereby request that my name be removed as cosponsor of **SB 167**.

Date: June 30, 2003

Signed: Tina Fallon

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Nancy Wagner, do hereby request that my name be removed as cosponsor of **SB 167**.

Date: June 30, 2003

Signed: Nancy H. Wagner

Representative Spence requested and was granted privilege of the floor to present a House Tribute to Steven P. Wood, Esquire, Deputy Attorney General. Representatives Smith, Wagner, Williams & Ewing made comments. Attorney General M. Jane Brady addressed the House. Steven Wood addressed the House.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on **HB 302**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative DiPinto introduced and brought **HB 302**, jointly sponsored by Senator Cook & Representatives Buckworth, D. Ennis, Fallon, Houghton & Williams & Senators Bunting, Henry, Vaughn, Amick & Cloutier, before the House for consideration.

**HB 302 - AN ACT MAKING APPROPRIATIONS FOR CERTAIN GRANTS-IN-AID FOR THE FISCAL YEAR ENDING JUNE 30, 2004; SPECIFYING CERTAIN PROCEDURES, CONDITIONS AND LIMITATIONS FOR THE EXPENDITURE OF SUCH FUNDS; AMENDING THE FISCAL YEAR 2004 APPROPRIATIONS ACT; AND AMENDING CERTAIN PERTINENT STATUTORY PROVISIONS. (3/4 bill)**

Representative DiPinto made comments.

The roll call on **HB 302** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least three-fourths Members of the House, **HB 302** was sent to the Senate for concurrence.

Mr. Speaker Spence introduced a guest. Representative Oberle requested and was granted personal privilege of the floor to make an announcement. Representatives Williams & DiPinto introduced guests.

Mr. Speaker Spence appointed Representative Oberle as Acting Speaker.

Representative Spence introduced and brought **HR 39** before the House for consideration.

**HR 39 - A RESOLUTION ESTABLISHING A HOUSE TASK FORCE ON MEDICAID TO REVIEW CURRENT LAW AND POLICY AND TO MAKE RECOMMENDATIONS FOR IMPROVEMENTS.**

Representative Spence made comments. Representative Spence introduced and brought **HA 1 to HR 39** before the House for consideration. Representative Spence requested that **HA 1** be stricken.

Representative Spence introduced and brought **HA 2 to HR 39** before the House for consideration.

Representative Spence made comments. **HA 2** was adopted by voice vote. Representative Spence made comments.

**HR 39 w/HA 2** was adopted by voice vote.

Representative Smith made an announcement.

Representative Smith deferred to Representative Valihura.

Representative Valihura moved to suspend the rules which interfere with introduction of and action on **HB 310**. The motion was properly seconded and adopted by voice vote.

Representative Valihura introduced and brought **HB 310**, jointly sponsored by Representative Smith & Representative D. Ennis & Representative Spence & Representative Lee & Representative VanSant & Senator Adams & Senator McDowell & Senator DeLuca & Senator Sorenson & Representatives Atkins, Booth, Boulden, Buckworth, Carey, Cathcart, Caulk, DiPinto, Ewing, Fallon, Hocker, Hudson, Lavelle, Lofink, Maier, Miro, Quillen, Reynolds, Roy, Stone, Thornburg, Ulbrich, Wagner, George, Hall-Long & Schwartzkopf & Senators Blevins, Cook, Vaughn, Cloutier & Copeland, before the House for consideration.

**HB 310 - AN ACT TO AMEND TITLES 10 AND 18 OF THE DELAWARE CODE RELATING TO HEALTH CARE MEDICAL NEGLIGENCE INSURANCE AND LITIGATION, AND COURT PROCEDURE.**

Representatives Valihura, Smith, Spence & Schwartzkopf made comments.

The roll call on **HB 310** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 310** was sent to the Senate for concurrence.

The Majority Leader moved to recess for dinner at 7:20 p.m.

The House reconvened at 8:45 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 **SB 104 w/SA 1 & 2** and requests the concurrence of the House; **HB 166 w/HA 1 & HB 172** and is returning same to the House.

**WITHDRAWAL OF SPONSORSHIP REQUEST**

I, Donna Stone, do hereby request that my name be removed as cosponsor of **SB 167 w/SA 1**.

Date: June 30, 2003

Signed: Donna D. Stone

Representative Smith deferred to Representative Reynolds.

Representative Reynolds brought **SB 158 w/SA 1**, jointly sponsored by Senator Sokola, before the House for consideration.

**SB 158 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO POSSESSION OF A FIREARM OR DEADLY WEAPON IN A SAFE SCHOOL AND RECREATION ZONE. (2/3 bill)**

Representative Reynolds made a comment.

The roll call on **SB 158 w/SA 1** was taken and revealed:

YES: 34.

NO: Representative Thornburg - 1.

ABSENT: Representatives Buckworth, Carey, DiPinto, Ewing, Quillen & Valihura - 6.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 158 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Hocker.

Representative Hocker introduced a guest.

Representative Smith deferred to Representative Maier.

Representative Maier requested that **HA 1 to SB 143** be stricken.

Representative Smith deferred to Representative B. Ennis.

Representative B. Ennis brought **HB 265**, jointly sponsored by Senator Vaughn & Representatives Cathcart, Caulk, D. Ennis, Gilligan, Hall-Long, Hocker, Houghton, Keeley, Mulrooney, Oberle, Plant, Spence, Thornburg, VanSant, Viola, Williams & Senators Bonini & Venables & cosponsored by Representative Atkins, before the House for consideration.

**HB 265 - AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO HUNTING, TRAPPING AND FISHING LICENSES.**

Representative B. Ennis made comments.

The roll call on **HB 265** was taken and revealed:

YES: 37.

ABSENT: Representatives Buckworth, Carey, Ewing & Quillen - 4.

Therefore, having received a constitutional majority, **HB 265** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ulbrich.

Representative Ulbrich brought **SB 5 w/SA 1**, jointly sponsored by Senator Amick & Representative Miro & cosponsored by Representative Hall-Long & Senator Sokola, before the House for consideration.

**SB 5 - AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO PROFESSIONS AND OCCUPATIONS.**

Representatives Ulbrich & Lavelle made comments.

The roll call on **SB 5 w/SA 1** was taken and revealed:

YES: 36.

NO: Representative Roy - 1.

ABSENT: Representatives Buckworth, Carey, Ewing & Quillen - 4.

Therefore, having received a constitutional majority, **SB 5 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Lee.

Representative Lee brought **SB 153**, jointly sponsored by Senator Blevins, before the House for consideration.

**SB 153 - AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.**

Representative Lee made comments.

The roll call on **SB 153** was taken and revealed:

YES: 39.

ABSENT: Representatives Buckworth & Spence - 2.

Therefore, having received a constitutional majority, **SB 153** was returned to the Senate.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **SB 34 w/SA 1 & 2**, sponsored by Senator McDowell & Representative Keeley & Representative Valihura & Senator Henry & Representatives DiPinto, Houghton, Plant & Williams, before the House for consideration.

**SB 34 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE JUSTICES OF THE PEACE AND THE SENTENCES FOR MISDEMEANORS.**

Representative Wagner deferred to Representative Keeley.

Representative Valihura requested that **HA 1 to SB 34** be stricken.

Representative Keeley made comments.

The roll call on **SB 34 w/SA 1 & 2** was taken and revealed:

YES: 40.

ABSENT: Representative Buckworth - 1.

Therefore, having received a constitutional majority, **SB 34 w/SA 1 & 2** was returned to the Senate.

Representative Stone requested and was granted personal privilege of the floor to make comments regarding **SB 34**. Representative Lavelle made comments regarding **SB 34**.

Representative Smith introduced guests.

Representative Smith deferred to Representative Ewing.

Representative Ewing requested that **HB 256** be stricken.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds brought **SB 141**, jointly sponsored by Senator Sokola & cosponsored by Senators Blevins, Copeland, Peterson, Simpson, Still & Venables & Representatives Booth, Boulden, Buckworth, George, Mulrooney, Oberle, Ulbrich & Viola, before the House for consideration.

**SB 141 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO THE USE OF OTHER INDICATORS PRIOR TO MANDATORY SUMMER SCHOOL.**

Representatives Reynolds, Caulk, Oberle, Maier, B. Ennis, Lavelle, Hocker & Wagner made comments.

The roll call on **SB 141** was taken and revealed:

YES: 40.

NO: Representative Valihura - 1.

Therefore, having received a constitutional majority, **SB 141** was returned to the Senate.

Representative Smith moved to suspend the rules which interfere with introduction of and action on **HB 305**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith introduced and brought **HB 305**, jointly sponsored by Senator McDowell & Representatives DiPinto, Gilligan, Houghton, Keeley, Plant & Williams & Senators Henry, Marshall & Sorenson, before the House for consideration.

**HB 305 - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE RELATING TO TAXES. (2/3 bill)**

Representative Smith deferred to Representative Keeley. Representative Keeley introduced and brought **HA 1 to HB 305** before the House for consideration. Representative Keeley made a comment. **HA 1** was adopted by voice vote. Representative Miro made comments. Representative Miro requested and was granted privilege of the floor for Champe C. McCulloch, Vice-President, Delaware Hotel and Lodging Association.

Representatives Miro made comments.

Mr. Speaker Spence resumed the Chair.

Representatives Roy, Williams, Keeley, Miro, Hudson, Caulk & Smith made comments.

The roll call on **HB 305 w/HA 1** was taken and revealed:

YES: 28.

NO: Representatives Buckworth, Caulk, Fallon, Hocker, Hudson, Lavelle, Miro, Quillen, Stone, Thornburg, Valihura & Wagner - 12.

NOT VOTING: Representative Cathcart - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 305 w/HA 1** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought **SB 98**, jointly sponsored by Senator Henry, before the House for consideration.

**SB 98 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE WITH RESPECT TO PARTICIPATION IN VIOLENT GANGS.**

Representative Ewing made comments.

The roll call on **SB 98** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 98** was returned to the Senate.

Representative Smith brought the following prefiled **Consent Calendar #14** before the House, before the House for consideration.

**HR 41** - WAGNER - Establishing a Task force to Investigate Ways to Implement the Recommendations, as to Alderman Court, Contained in the Final Report of the Commission on Delaware Courts 2000.

**HR 44** - SMITH & REPRESENTATIVE ROY & REPRESENTATIVE VALIHURA - Directing the Department of Transportation to Study Alternatives and Associated Engineering Cost Estimates for Continuing the Rail-Trail Through the Area Impacted by the Elimination of the Route 13 and Interstate 295 Bridges Over the Publicly Held Abandoned Rail Corridor.

**HR 46** - SMITH - Requesting the Department of Transportation to Examine Current Practices of Snow Removal in the State of Delaware and Address Issues Brought to Light During the Winter of 2003 Snow Storms.

**HR 47** - VALIHURA - Requesting the Department of Transportation to Study and Evaluate the Possible Implementation of an Adopt a Median Strip Program for the State of Delaware.

**HR 48** - VALIHURA - Creating a Task force to Investigate the Need for the Several County and Local Governments in the State to Promulgate Regulations Requiring the Establishment of Buffer Zones and Sound Barriers Along Federal and State Limited Access Highways Traversing the State.

**HR 49** - D. ENNIS & REPRESENTATIVE WILLIAMS & REPRESENTATIVE KEELEY & REPRESENTATIVE PLANT & REPRESENTATIVE VALIHURA & REPRESENTATIVE LAVELLE - Urging the Delaware Department of Natural Resources to Consider Making Fundamental Changes in the Management of Waste, Grant a Permit to Correct Problems at the Cherry Island Landfill, Deny the Capacity Expansion of the Cherry Island Landfill, and Create a Statewide Waste Source Reduction and Recycling Plan.

**HR 50** - MAIER & REPRESENTATIVE VALIHURA ON BEHALF OF ALL REPRESENTATIVES - Recognizing Shirley Cuperly for Her Endless Work as an Advocate for the Children of Delaware for More than 30 Years

**HR 51** - VALIHURA & REPRESENTATIVE SMITH & REPRESENTATIVE LAVELLE & REPRESENTATIVE D. ENNIS - Urging the Delaware Congressional Delegation to Continue Efforts to Reduce the Impact on Northern Delaware of Increasing Air Traffic Flying Into and Out of the Philadelphia International Airport.

**HR 52** - HOCKER - Recognizing Baltimore Trust for their Excellence in Banking Service and 100 Years of Service to the Citizens of Delaware.

**HR 53** - WAGNER & REPRESENTATIVE D. ENNIS & REPRESENTATIVES B. ENNIS & KEELEY - Authorizing the Director of State Personnel to Develop a Pilot Program to Provide for an Expedited Intermediate Review Process for Maintenance Classification Appeals.

**HCR 38** - SMITH & SENATOR AMICK - Wishing the United States of America a Most Happy Birthday on July 4th, 2003 and Urging All Delawareans to Celebrate the Anniversary of the Independence of the Greatest Nation on the Face of the Earth.

**Consent Calendar #14** was adopted by voice vote & **HR 41, HR 44, HR 46, HR 47, HR 48, HR 49, HR 50, HR 51, HR 52 & HR 53** were declared passed & **HCR 38** was sent to the Senate for concurrence.

Representative Smith deferred to Representative Schwartzkopf.

Representative Schwartzkopf made comments.

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

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

LAND USE AND INFRASTRUCTURE: **SB 43 w/SA 2 - 5M.**

Representative Smith moved to suspend the rules which interfere with action on **Consent Agenda J.**

The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith brought **Consent Agenda J**, which has a three-fifths vote requirement, before the House for consideration.

**SB 92** - COPELAND & SENATOR SOKOLA & REPRESENTATIVE LAVELLE - An Act to Amend Title 14 of the Delaware Code Relating to Critical Need Scholarships.

**SB 162** - GILLIGAN & REPRESENTATIVES ROY, VANSANT, DIPINTO & HUDSON & SENATORS AMICK & SORENSON - An Act to Amend Title 14 of the Delaware Code Relating to Licensure and Certification of Non-Public School Teachers, Specialists and Administrators.

**SB 94** - GILLIGAN & REPRESENTATIVE VANSANT & SENATOR ADAMS, MCDOWELL & DELUCA - An Act to Amend Title 15 of the Delaware Code Relating to Elections.

**HB 275** - EWING & SENATOR VAUGHN - An Act to Amend Title 4, Title 11, Title 18 and Title 29 of the Delaware Code Relating to the Division of Alcoholic Beverage Control and tobacco Enforcement.

**SB 155** - VALIHURA & REPRESENTATIVES D. ENNIS & QUILLEN - An Act to Amend Title 18 of the Delaware Code Relating to Stock of Subsidiaries.

**SB 131** - HENRY & REPRESENTATIVE EWING - An Act to Amend Title 21 of the Delaware Code Relating to the Occupant Protection System Safety Act.

**SB 167 w/SA 1** - MCDOWELL & SENATORS HENRY & STILL & REPRESENTATIVES EWING, LEE, LOFINK, HALL-LONG, MULROONEY, SCHWARTZKOPF, VANSANT, VIOLA & WILLIAMS - An Act to Amend Title 14 of the Delaware Code by Relating to Delaware State University.

**SB 130** - HENRY & REPRESENTATIVE EWING & SENATOR STILL - An Act to Amend Title 21 of the Delaware Code Relating to License Plates and Fees. (3/5 bill)

Representative Smith requested that **SB 167** be removed from **Consent Agenda J**.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds made comments regarding **SB 162**.

The roll call on **Consent Agenda J** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 92, SB 162, SB 94, SB 155, SB 131 & SB 130** were returned to the Senate & **HB 275** was sent to the Senate for concurrence.

Representative Smith moved to place **SB 167 w/SA 1** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

**SB 167 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE BY RELATING TO DELAWARE STATE UNIVERSITY.**

The House observed a moment of silence for Father James Trainor at the request of Representative Gilligan.

Representative Smith deferred to Representative Hudson.

Representative Hudson brought **SB 87**, jointly sponsored by Senator Marshall, before the House for consideration.

**SB 87 - AN ACT TO AMEND TITLE 30 OF THE DELAWARE CODE RELATING TO COLLECTION OF TAXES AND ENFORCEMENT.**

Representative Hudson made comments. Representative Oberle requested and was granted privilege of the floor for Ron Smith, House Attorney. Representative Oberle made comments.

The roll call on **SB 87** was taken and revealed:

YES: 39.

ABSENT: Representatives Lavelle & Williams - 2.

Therefore, having received a constitutional majority, **SB 87** was returned to the Senate.

The Majority Leader moved to recess at 10:05 p.m.

The House reconvened at 10:55 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 65 w/SA 2 & 3 & HA 2 & SA 4** and requests the concurrence of the House; **HB 96 w/HA 1 & SA 1, HB 183 w/SA 1, HB 284, HB 306, HB 307, HB 310 & HS 1 for HB 253 w/HA 1 & SA 1 & 2** and is returning same to the House.

Representative Smith introduced **HB 312**, sponsored by Representative Oberle & Representative Caulk & Representatives DiPinto, Hudson, Thornburg, Keeley & Williams & cosponsored by Representative Valihura.

**HB 312 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE LOTTERY.**

Mr. Acting Speaker assigned **HB 312** to the Gaming & Parimutuels Committee.

Representative Smith brought the following prefiled **Consent Calendar #15** before the House for consideration.

**HR 54 - VALIHURA & REPRESENTATIVE WAGNER & REPRESENTATIVE SMITH** - Creating a Task Force to Review Juvenile Justice Laws in their Relationship Between Family Court and Superior Court in Delaware.

**HR 55 - VALIHURA** - Directing the Department of Transportation to Study Alternatives and Associated Engineering Cost Estimates for Continuing the Rail-Trail Through the Area Impacted by the Elimination of the Route 13 and Interstate 295 Bridges Over the Publicly Held Abandoned Rail Corridor.

**HR 56 - CATHCART & REPRESENTATIVE LAVELLE** - Urging Motiva to Take Immediate Steps to Build Regenerative Scrubbers at the Delaware City Refinery and Requesting the Department of Natural Resources and the Department of Justice to Keep the General Assembly Informed as to Any Negotiations or Possible Agreements with Motiva.

**HR 57 - VALIHURA & REPRESENTATIVE D. ENNIS & REPRESENTATIVE SMITH** - Creating a Task Force to Examine the Governments of New Castle County and the City of Wilmington.

**Consent Calendar #15** was adopted by voice vote and **HR 54, HR 55, HR 56 & HR 57** were declared passed.

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

JUDICIARY: **SB 125 w/SA 1** - 5M.

Representative Smith deferred to Representative Wagner.

Representative Wagner brought **SB 62 w/SA 1**, jointly sponsored by Senator Simpson & Senator Venables & Senators Amick & Copeland & Representatives Buckworth, Carey, B. Ennis, Keeley, Lee, Lofink, Quillen, Schwartzkopf, Valihura & VanSant, before the House for consideration.

**SB 62 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO PARDONS.**

Representatives Wagner & Ewing made comments.

The roll call on **SB 62 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **SB 62 w/SA 1** was returned to the Senate.

Representative Smith deferred to Representative Valihura.

Representative Valihura brought **SB 105 w/SA 1**, jointly sponsored by Senator Blevins, before the House for consideration.

**SB 105 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO STUDENTS WITH TRAUMATIC BRAIN INJURY.**

Representative Valihura made comments.

The roll call on **SB 105 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 105 w/SA 1** was returned to the Senate.

Mr. Speaker Spence resumed the Chair.

Representative Smith deferred to Representative Wagner.

Representative Wagner moved to suspend the rules which interfere with action on **SB 125 w/SA 1**.

The motion was properly seconded and adopted by voice vote.

Representative Wagner brought **SB 125 w/SA 1**, jointly sponsored by Senator Amick & Representative George & Senators Bonini, Cloutier, Connor, Cook, Henry, Peterson, Simpson, Sokola, Sorenson & Still & Representatives Atkins, Buckworth, Carey, Cathcart, DiPinto, B. Ennis, Ewing, Hocker, Houghton, Hudson, Keeley & Valihura, before the House for consideration.

**SB 125 - AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURT COMMISSIONERS.**

Representative Wagner made comments.

The roll call on **SB 125 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **SB 125 w/SA 1** was returned to the Senate.

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

Representative Smith deferred to Representative DiPinto.

Representative DiPinto moved to suspend the rules which interfere with introduction of and action on **SB 185**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative DiPinto introduced and brought **SB 185**, jointly sponsored by Senator Cook & All Senators & Representative Oberle & All Representatives, before the House for consideration.

**SB 185 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE TO PROVIDE POST-RETIREMENT INCREASES TO PENSIONERS.**

Representatives DiPinto, Fallon & Ewing made comments.

The roll call on **SB 185** was taken and revealed:

YES: 40.

ABSENT: Representative Miro - 1.

Therefore, having received a constitutional majority, **SB 185** was returned to the Senate.

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**, which requires a two-thirds vote, before the House for consideration and for concurrence on Senate Amendments.

**HB 143 w/HA 1 & SA 1 - DIPINTO & SENATOR ADAMS - An Act to Amend Titles 16 and 30 of the Delaware Code Relating to the Emergency Reporting System Fund and Procedures Relating Thereto. (3/5 bill) (F/I)**

**HB 150 w/HA 1 & SA 1 - D. ENNIS & REPRESENTATIVES CAULK, DIPINTO, HOCKER, KEELEY, QUILLEN, B. ENNIS & HALL-LONG & SENATORS BUNTING, SORENSON, CONNOR & SIMPSON - An Act to Amend Title 7, Chapter 60 of the Delaware Code Relating to the Department of Natural Resources and Environmental Control. (3/5 bill) (F/I)**

**SB 116 w/SA 1 - CONNOR & REPRESENTATIVE DIPINTO & REPRESENTATIVE HALL-LONG & SENATORS AMICK, BLEVINS, CLOUTIER, COPELAND, HENRY, SOKOLA & SORENSON & REPRESENTATIVES CAULK, EWING, FALLON, GEORGE, HOCKER, HOUGHTON, HUDSON, MAIER, MIRO, QUILLEN, THORNBURG, ULBRICH, VANSANT & VIOLA - An Act to Amend Title 1 of the Delaware Code Relating to Special Days and Months. (3/5 bill) (F/I)**

**SB 152** - COOK & REPRESENTATIVE EWING - An Act to Amend Title 21 of the Delaware Code Relating to Driving Under the Influence. (3/5 bill) (F/I)

**SB 169** - COOK & REPRESENTATIVE DIPINTO & SENATORS BUNTING, HENRY, VAUGHN, AMICK & CLOUTIER & REPRESENTATIVES BUCKWORTH, D. ENNIS, FALLON, HOUGHTON & WILLIAMS - An Act to Amend Title 14 and Title 29 of the Delaware Code Relating to Leave of Absence for Military Service. (3/5 bill) (F/I)

**SB 118** - DELUCA & REPRESENTATIVE MIRO & SENATORS BUNTING, MARSHALL, PETERSON, SOKOLA, VAUGHN, AMICK, STILL, CONNOR & CLOUTIER & REPRESENTATIVES BOULDEN, EWING, GEORGE, GILLIGAN, LAVELLE, BUCKWORTH, CATHCART, B. ENNIS, D. ENNIS, VALIHURA - An Act to Amend Title 17 of the Delaware Code Relating to Vehicle Sales Activities Conducted on Rights-of-Way. (2/3 bill) (F/I)

The roll call on **Consent Agenda K** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HB 143 w/HA 1 & SA 1 & HB 150 w/HA 1 & SA 1** were sent to the Governor and **SB 116 w/SA 1, SB 152, SB 169 & SB 118** were returned to the Senate.

Representative Smith deferred to Representative Cathcart.

Representative Cathcart brought **SB 65 w/SA 2 & 3 & HA 2 & SA 4**, jointly sponsored by Senator Adams & Senators Bunting, DeLuca, Henry, Sokola, Venables, Cloutier, Copeland, Simpson, Still & Sorenson & Representatives Carey, Lofink, Roy, Smith, Stone, B. Ennis, Hall-Long & Schwartzkopf, before the House for concurrence on **SA 4**.

**SB 65** - AN ACT TO AMEND TITLES 9 AND 29 OF THE DELAWARE CODE RELATING TO LAND USE PLANNING.

Representative Cathcart made comments.

Representative Valihura requested and was granted privilege of the floor for Constance C. Holland, Director, State Planning Office. Representative Cathcart made comments.

The roll call on **SB 65 w/SA 2 & 3 & HA 2 & SA 4** was taken and revealed:

YES: 40.

NOT VOTING: Representative Oberle - 1.

Therefore, having received a constitutional majority, **SB 65 w/SA 2, 3 & HA 2 & SA 4** was returned to the Senate.

Representative Smith deferred to Representative Maier.

Representative Maier moved to suspend the rules which interfere with action on **SB 143**. The motion was properly seconded and adopted by voice vote.

Representative Maier brought **SB 143**, jointly sponsored by Senators Cook & Vaughn & Representatives Oberle & DiPinto, before the House for consideration.

**SB 143** - AN ACT TO AMEND TITLE 29, DELAWARE CODE, RELATING TO LEAVE OF ABSENCE FOR MILITARY SERVICE AND THE PAYMENT OF BENEFITS FROM THE DELAWARE PUBLIC EMPLOYEES' RETIREMENT SYSTEM.

Representative Maier made comments.

The roll call on **SB 143** was taken and revealed:

YES: 40.

ABSENT: Representative Oberle - 1.

Therefore, having received a constitutional majority, **SB 143** was returned to the Senate.

Representative Smith deferred to Representative Hocker.

Representative Hocker brought **HB 183 w/SA 1**, jointly sponsored by Representatives Spence, Carey, Caulk, DiPinto, D. Ennis, Ewing, Miro, Reynolds & Valihura & Senators Bunting, Sorenson & Simpson, before the House for concurrence on **SA 1**.

**HB 183** - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO UNIT PROPERTIES.

Representative Hocker made a comment.

The roll call on **HB 183 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Roy - 1.

Therefore, having received a constitutional majority, **HB 183 w/SA 1** was sent to the Governor.

Representative Smith deferred to Representative Ewing.

Representative Ewing brought **HB 75 w/SA 1**, jointly sponsored by Representative Quillen & Senator Simpson, before the House for concurrence on **SA 1**.

**HB 75** - AN ACT TO AMEND TITLE 21, CHAPTER 28 OF THE DELAWARE CODE RELATING TO HABITUAL OFFENDERS.

Representative Ewing made a comment.

The roll call on **HB 75 w/SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 75 w/SA 1** was sent to the Governor.

Representative Smith deferred to Representative DiPinto.

Representative DiPinto brought **HS 1 for HB 253 w/HA 1 & SA 1 & 2**, jointly sponsored by Senator McDowell & Representatives Hudson, Roy, Valihura, Wagner, Houghton & Keeley & Senators Marshall, Blevins, Henry, Peterson, Sorenson & Amick, before the House for concurrence on **SA 1 & 2**.

**HB 253 - AN ACT TO AMEND TITLE 22 OF THE DELAWARE CODE TO PROVIDE FOR MUNICIPAL TAX INCREMENT FINANCING AND TO PROVIDE FOR MUNICIPAL SPECIAL DEVELOPMENT DISTRICTS. (2/3 bill)**

Representative DiPinto made comments.

The roll call on **HS 1 for HB 253 w/HA 1 & SA 1 & 2** was taken and revealed:

YES: 39.

NO: Representatives Booth & Hocker - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **HS 1 for HB 253 w/HA 1 & SA 1 & 2** was sent to the Governor.

Representative DiPinto brought **HB 96 w/HA 1 & SA 1**, jointly sponsored by Representative Keeley & Senator Vaughn, before the House for concurrence on **SA 1**.

**HB 96 - AN ACT TO AMEND VOLUME 73 OF THE LAWS OF DELAWARE, CHAPTER 408, TITLE 10 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE AND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVERS' LICENSES. (F/N)**

The roll call on **HB 96 w/HA 1 & SA 1** was taken and revealed:

YES: 41.

Therefore, having received a constitutional majority, **HB 96 w/HA 1 & SA 1** was sent to the Governor.

Representative Smith deferred to Representative Oberle.

Representative Oberle moved to suspend the rules which interfere with introduction of and action on **SB 104 w/SA 1 & 2**. The motion was seconded by Representative Booth and adopted by voice vote.

Representative Oberle introduced and brought **SB 104 w/SA 1 & 2**, jointly sponsored by Senator Blevins, before the House for consideration.

**SB 104 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE WITH RESPECT TO STALKING. (2/3 bill)**

Representative Oberle made comments.

The roll call on **SB 104 w/SA 1 & 2** was taken and revealed:

YES: 40.

ABSENT: Representative Ulbrich - 1.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 104 w/SA 1 & 2** was returned to the Senate.

Representative Smith deferred to Representative Reynolds.

Representative Reynolds moved to lift **SB 167 w/SA 1** from the Speaker's Table. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Reynolds brought **SB 167 w/SA 1**, sponsored by Senator McDowell & Senators Henry & Still & Representatives Ewing, Lee, Lofink, Hall-Long, Mulrooney, Schwartzkopf, VanSant, Viola & Williams, before the House for consideration.

**SB 167 - AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE BY RELATING TO DELAWARE STATE UNIVERSITY.**

Representative Reynolds deferred to Representative Cathcart.

Representatives Cathcart, Wagner & Stone made comments.

The roll call on **SB 167 w/SA 1** was taken and revealed:

NO: 41.

Therefore, not having received a constitutional majority, **SB 167 w/SA 1** was declared defeated.

The Majority Whip moved to adjourn the First Session of the 142nd General Assembly at 12:00 a.m.

**1st LEGISLATIVE DAY - 142nd GENERAL ASSEMBLY - First Special Session  
July 1, 2003**

Mr. Speaker Spence called the House to order at 12:01 a.m.

The Reading Clerk read the following communication into the record:

TO: The Members of the 142nd 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, 2003

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 142nd 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

The Chief Clerk called the roll.

Members Present: 41.

A prayer was offered by Representative David H. Ennis, Sixth Representative District.

Mr. Speaker Spence led those present in a pledge of allegiance to the flag.

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

The following out of session prefiled legislation was introduced:

July 10, 2003

**HB 303** – ULBRICH & REPRESENTATIVE MAIER & SENATOR BLEVINS; SENATORS HENRY & PETERSON – POLICY ANALYSIS & GOVERNMENT ACCOUNTABILITY – An Act to Amend Title 24 of the Delaware Code Relating to the Practice of Dental Hygiene.

**HB 309** – VALIHURA & SENATOR VAUGHN – JUDICIARY - An Act Proposing an Amendment to Article 1, §6 of the Constitution of Delaware of 1897, as Amended, Relating to Searches and Seizures.

**HB 311** – BOOTH – JUDICIARY - An Act to Amend Title 11 of the Delaware Code Relating to Specific Offenses.

**HB 313** – DIPINTO & REPRESENTATIVE HUDSON – REVENUE & FINANCE - An Act to Amend Title 30 of the Delaware Code Related to Land and Historic Resource Tax Credit.

**HB 314** – CAULK & SENATOR BONINI – HOUSING & COMMUNITY AFFAIRS – An Act to Amend Title 9 of the Delaware Code Relating to Swimming Pools.

**HB 315** – DIPINTO – REVENUE & FINANCE – An Act Proposing to Amend the Delaware Constitution of 1897 as Amended Relating to Revenue and Taxation.

**HB 316** – VALIHURA & SENATOR MCDOWELL; REPRESENTATIVES BOOTH, CATHCART, CAULK, D. ENNIS, HOCKER, LOFINK, MAIER, ROY, SPENCE, VIOLA; SENATORS AMICK, BUNTING, CLOUTIER, CONNOR, COOK, COPELAND, MCBRIDE, PETERSON, SOKOLA, SORENSON, VENABLES – LAND USE & INFRASTRUCTURE – An Act to Amend Title 9 of the Delaware Code Relating to County Land Protection Initiatives.

**HA 1 to HB 18** – WAGNER – Placed with the Bill.

**HJR 15** – SPENCE & REPRESENTATIVE DIPINTO; SENATOR HENRY - APPROPRIATIONS – A Joint Resolution Authorizing a \$5,000,000.00 Loan from the State of Delaware to the City of Wilmington and the Establishment of a Loan Oversight Committee.

**HJR 16** – GEORGE; REPRESENTATIVES B. ENNIS, HALL-LONG, HOUGHTON, KEELEY, MULROONEY, PLANT, SPENCE, VIOLA, WILLIAMS – HEALTH & HUMAN DEVELOPMENT – Directing the Division of Public Health to Provide Information About Drug Assistance Programs and Assistance in Accessing These Programs.

**SB 163** – MARSHALL & REPRESENTATIVE KEELEY; REPRESENTATIVE OBERLE – LABOR – An Act to Amend Title 29 of the Delaware Code Relating to the State Pension Advisory Council Plan.

**SB 171** – HENRY & REPRESENTATIVE EWING – PUBLIC SAFETY – An Act to Amend Title 21 of the Delaware Code Relating to Motor Vehicles and Hazardous Materials Endorsements on Commercial Driver Licenses.

**SB 174** – CLOUTIER & REPRESENTATIVE MIRO; SENATORS AMICK, CONNOR, COPELAND, HENRY, PETERSON, SOKOLA, SORENSON; REPRESENTATIVES HUDSON, LAVELLE, SMITH, SPENCE, VALIHURA – PUBLIC SAFETY – An Act to Amend Title 21 of the Delaware Code Relating to Cell Phone Use by School Bus Drivers.

**SB 178** – VAUGHN & REPRESENTATIVE CATHCART – HOUSE ADMINISTRATION – An Act to Waive the Statutory Provisions of Title 13 of the Delaware Code Relating to the Solemnization of Certain Marriages.

Representative Smith deferred to Representative Carey.

Representative Carey moved to suspend the rules which interfere with introduction of and action on **SB 157 w/SA 1**. The motion was properly seconded and adopted by voice vote.

Representative Carey introduced and brought **SB 157 w/SA 1**, jointly sponsored by Senator McBride & Senator Marshall & Representative Quillen & Senators Bunting, Venables, Connor & Simpson & Representatives Atkins, Booth, Caulk, Hocker, Hall-Long, Mulrooney & Plant, before the House for consideration.

**SB 157 - AN ACT TO AMEND CHAPTER 91 OF TITLE 7 OF THE DELAWARE CODE RELATIANG TO CONSERVATION AND TO DEFINE PROSPECTIVE PURCHASER, TO CREATE LIABILITY PROTECTIONS FOR PROSPECTIVE PURCHASERS, INNOCENT LANDOWNERS, AND CONTIGUOUS PROPERTIES, AND CREATE A BROWNFIELDS REDEVELOPMENT DATABASE.**

The roll call on **SB 157 w/SA 1** was taken and revealed:

YES: 40.

ABSENT: Representative Williams - 1.

Therefore, having received a constitutional majority, **SB 157 w/SA 1** was returned to the Senate.

Mr. Speaker Spence made an announcement.

The Majority Leader moved to recess to the call of the Chair at 12:10 a.m.

Mr. Speaker Spence called the House to order at 2:15 p.m. on January 13, 2004.

The Reading Clerk read the following communications into the record:

July 7, 2003

**LEGISLATIVE ADVISORY #9**

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/30/03 – **SB 31 aab SA 2, SB 38, SB 48 aab SA 2, SB 54, SB 68, SB 74, SB 79 aab SA 1, SB 85, SB 103, SB 113, SB 123, SB 124, SB 126, SB 127, SB 128, SB 135 aab SA 1, SB 145 aab SA 1, SB 150, HS 1 to HB 19 aab HA 1, HB 43 aab SA 1, HB 76 aab HA 1, HB 101 aab HA 1, HB 115, HB 136 aab SA 1, HB 153 aab HA 1, HB 159, HB 171, HB 173, HB 190 aab HA 1, HB 193, HB 197, HB 194, HB 200, HB 201, HB 202, HB 210 aab SA 3, HB 212, HB 241 aab SA 1, HB 262 aab HA 1, HB 301, HB 302, HJR 6, HJR 9 aab SA 1, HJR 10 & HJR 11 aab SA 2.**

The following amendment to the Delaware Constitution does not require the signature of Governor Minner: **SB 7.**

The Majority Leader moved to adjourn the First Special Session of the 142nd General Assembly at 2:16 p.m., thereby ending the current legislative day. The House reconvened at 2:17 p.m.

**1st LEGISLATIVE DAY - 142nd GENERAL ASSEMBLY - Second Session  
January 13, 2004**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Caulk, Oberle & Wagner – 3.

A prayer was offered by Reverend Thomas J. Protack from St. Andrew's and St. Luke's in Fenwick Island and St. John Newmann in Ocean City, Maryland.

Mr. Speaker Spence & Lieutenant Governor John C. Carney led those present in the pledge of allegiance to the American Flag.

Representative Smith requested and was granted personal privilege of the floor to present a House Tribute to Timothy A. Slavin, Director, Delaware Public Archives. Representative Smith made comments.

Representative Smith requested and was granted personal privilege of the floor for the University of Delaware Fife and Drum Corps. Representative Smith made comments. Mr. Speaker Spence & Representative Smith made comments. Representative Smith requested and was granted privilege of the floor for Dr. Peter A. Lillback, Executive Director, The Providence Forum. The Fife and Drum Corps played another musical selection. Representative Smith requested and was granted personal privilege of the floor to make comments and to make a presentation to the Minority Leader.

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

Representative Boulden requested and was granted personal privilege of the floor to present a House Memoriam to Ken Glaser, his cousin. The House observed a moment of silence in memory of Robert L. Glaser at the request of Representative Boulden.

Representative Lofink introduced a guest.

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

Representative D. Ennis requested and was granted personal privilege of the floor to make comments. Representative Ulbrich requested and was granted personal privilege of the floor to introduce a guest. Mr. Speaker Spence made comments.

The Reading Clerk read the following communications into the record:

January 13, 2004

TO: House Speaker Terry R. Spence  
FROM: Representative G. Wallace Caulk  
SUBJECT: Absence from Session

Please be advised that I am unable to attend session on January 13, 14 and 15, 2004.

MEMORANDUM

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

FROM: Nancy H. Wagner  
Representative – Thirty-First Representative District  
RE: Absence from Session  
DATE: January 8, 2004

Please be advised that I will be unable to attend session, Tuesday, January 13, 2004 due 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: William A. Oberle, Jr.  
Representative – Twenty-Fourth Representative District  
RE: Absence from Session  
DATE: January 8, 2004

Please be advised that I will be unable to attend session, Tuesday, January 13, 2004 and Wednesday, January 14, 2004 due to personal business.

Thank you for your consideration in this matter.

The Senate wishes to inform the House that it has passed: **SS 1 to SB 174; SCR 27, SB 163, SB 157 w/SA 1, SB 185, SB 171 & SB 178** and requests the concurrence of the House; **HB 235, HB 233 w/SA 1, HB 280, HCR 37, HCR 38, HB 139 w/HA 2, HB 186, HB 191, HB 203 w/HA 2, HB 263 w/HA 1 & 2, HB 305 w/HA 1, HB 75 w/SA 1, HB 227 w/HA 1, HB 283, HB 302, HB 214, HB 225 w/HA 1, HB 258, HB 146 w/HA 1, HB 223, HB 255, HB 287, HB 49 w/HA 2** and is returning same to the House.

July 07, 2003

Office of the Chief Clerk  
House of Representatives  
Legislative Hall  
Dover, Delaware 19901  
Honorable Speaker and Distinguished Members of the House,

Thank you so much for the greetings you so kindly sent me on the occasion of the 40th anniversary of my Priestly Ordination. You really made me feel so elated. I am so grateful to each and every one of you.

Thank you for all the wonderful things you do for the people of Delaware. May God bless all your noble endeavors to preserve Delaware a "Small Wonder".

God bless America! God bless our First State! God bless the members of the House of Representatives of Delaware.

I wish you a Happy Summer!

Yours sincerely,  
Rev. Joseph Kandathiparampil  
St. John the Beloved Church  
Wilmington, Delaware

The White House  
Washington, DC

July 9, 2003

Dear Ms. Hedrick:

On behalf of the President, I would like to thank you for forwarding **House Concurrent Resolution 20**, recently adopted by the Delaware General Assembly.

I have taken the liberty of sharing your resolution with the appropriate officials for their review and consideration.

If I can be of further assistance, please feel free to contact me. With the President's best wishes.

Sincerely,  
Ruben Barrales  
Deputy Assistant to the President and  
Director of Intergovernmental Affairs

July 10, 2003

LEGISLATIVE ADVISORY #10

Governor Ruth Ann Minner signed the following legislation on the date indicated: 6/30/03 – **HB 168 aab HA 1; 7/3/03 – HB 172; 7/7/03 – SB 98, SB 104 aab SA 1 & SA 2; 7/8/03 – HB 305 aab HA 1, HB 306, HB 307, SB 180 & SB 181.**

July 15, 2003

LEGISLATIVE ADVISORY #11

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/8/03 – **SB 107 aab SA 1, HB 84, HB 129 aab SA 1 & HB 166 aab HA 1**

The following legislation was returned unsigned and vetoed by Governor Minner on the date indicated: 7/8/03 - **SB 27 aab SA 1.**

July 16, 2003

LEGISLATIVE ADVISORY #12

Governor Ruth Ann Minner signed the following legislation on the date indicated: 7/11/03 – **SB 94, SB 97, SB 129, SB 131, SB 144, SB 158 aab SA 1, SB 160 aab SA 1, HB 49 aab HA 2, HB 75 aab SA 1, HB 96 aab HA 1 & SA 1, HB 139 aab HA 2, HB 143 aab HA 1 & SA 1, HB 146 aab HA 1, HB 150 aab HA 1 & SA 1, HB 178 aab HA1, HA 2, SA 2, SA 3 & SA 4, HB 214, HB 183 aab SA 1, HB 223, HB 225 aab HA 1, HS 1 to HB 253 aab HA 1, SA 1 & SA 2, HB 255, HB 284 & HB 310.**

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

The Majority Leader moved to recess for caucus at 3:00 p.m.

The House reconvened at 4:10 pm.

The Reading Clerk read the following communication into the record:

The Senate wishes to inform the House that it has passed **SJR 6** and requests the concurrence of the House.

Representative Williams requested that he be marked present.

Representative Smith moved to suspend the rules which interfere with introduction of and action on **SJR 6**. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Smith introduced and brought **SJR 6**, jointly sponsored by Senator Adams & Representative Spence & Senators Still, McDowell, DeLuca & Sorenson & Representatives Lee, Gilligan & VanSant & All Senators & All Representatives, before the House for consideration.

**SJR 6 - CELEBRATING THE LIFE AND COMMEMORATING THE SERVICE OF THE HONORABLE WILLIAM V. ROTH, JR.**

The roll call on **SJR 6** was taken and revealed:

YES: 35.

ABSENT: Representatives Caulk, Oberle, Plant, VanSant, Viola & Wagner - 6.

Therefore, having received a constitutional majority, **SJR 6** was returned to the Senate.

Mr. Speaker Spence, Representatives Smith, Gilligan, D. Ennis, Keeley, Hudson & Reynolds made comments. Mr. Speaker Spence, Representatives Smith, Lee, Gilligan & VanSant presented Judge Jane Richards Roth with an American Flag. Mr. Speaker Spence made comments

The Majority Leader moved to recess to the call of the Chair at 4:30 p.m.

Mr. Speaker Spence called the House to order at 2:10 p.m. on January 14, 2004.

The Reading Clerk read the following communications into the record:

27 July 2003

JoAnn Hedrick

Chief Clerk

Delaware House of Representatives

Dover, Delaware 19901

Dear Ms. Hedrick,

I want to thank you for the care package you recently sent to the troops here at Camp Sather, Baghdad International Airport. The note you sent touched us here serving our country and we feel it is important to let you know we are appreciative of the support from home.

We have many sons and daughters still here doing an outstanding job and morale is high as Iraq struggles to emerge on its own. The thoughts and prayers from the United States are always welcome. Thank you again for your kindness.

Sincerely,

Colonel Dennis P. Ployer

447th Air Expeditionary Group Commander

Department of the Air Force

Baghdad International Airport, Iraq

July 29, 2003

LEGISLATIVE ADVISORY #13

Governor Ruth Ann Minner signed the following legislation on the date indicated:

6/30/03 – **HB 154; 7/15/03 - SB 5 aab SA 1, SB 11, SB 28, SB 34 aab SA 1 & SA 2, SB 42 aab SA 1, SB 47 aab SA 1, SB 62 aab SA 1, SB 71 aab SA 2, SB 84, SB 87, SB 92, SB 101 aab HA 1, SB 108, SB 111 aab SA 1, SB 121, SB 125 aab SA 1, SB 130, SB 141, SB 153, SB 162, HB 227 aab HA 1, HB 235, HB 283 & HB 287; 7/16/03 - SB 60 aab SA 1; 7/17/03 - HB 186, HB 191, HB 263 aab HA 1 & HA 2 & HB 280.**

August 6, 2003

LEGISLATIVE ADVISORY #14

Governor Ruth Ann Minner signed the following legislation on the date indicated:  
7/8/03 – **HB 118**; 7/30/03 – **SB 116 aab SA 1, SB 118, SB 152 & SB 185**; 8/4/03 - **HB 203 aab HA 2**.  
September 12, 2003

LEGISLATIVE ADVISORY #15

Governor Ruth Ann Minner signed the following legislation on the date indicated:  
8/11/03 – **SB 157 aab SA 1**; 8/14/03 – **SB 65 aab SA 2, SA 3, HA 2 & SA 4 & SB 105 aab SA 1**; 8/28/03 –  
**SB 155**; 9/8/03 – **SB 143 & SB 169**.

MEMORANDUM

TO: JoAnn P. Hedrick  
Chief Clerk  
House of Representatives  
FROM: Bernard J. Brady, Secretary of the Senate  
DATE: September 24, 2003  
RE: Returned Legislation

The Senate plans to consider a motion for the return and reconsideration of **House Bill No. 130**.  
Through this medium, I hereby request the return of said bill in preparation of the anticipated motion.  
Thank you.

MEMORANDUM

TO: Bernard J. Brady  
Secretary of the Senate  
FROM: JoAnn M. Hedrick  
Chief Clerk of the House  
DATE: September 24, 2003  
RE: **HB 130**

Please find attached **House Bill No. 130** per your request.  
October 3, 2003

LEGISLATIVE ADVISORY #16

Governor Ruth Ann Minner signed the following legislation on the date indicated: 9/22/03 – **SB 102**.  
The minutes of the previous legislative day were approved as posted.  
The Majority Whip moved to adjourn at 2:15 p.m., thereby ending the current legislative day. The  
House reconvened at 2:16 p.m.

**2nd LEGISLATIVE DAY - 142nd GENERAL ASSEMBLY - Second Session  
January 14, 2004**

The Chief Clerk called the roll:  
Members Present: 37.

Members Absent: Representatives Caulk, DiPinto, Oberle & Valihura – 4.

A prayer was offered by Representative George Robert Quillen, Thirtieth Representative District.  
Mr. Speaker Spence led those present in the pledge of allegiance to the American Flag.

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

Representatives Ulbrich & Maier requested that they be marked present.

Mr. Speaker Spence made an announcement.

Representative Plant requested that she be marked present.

Mr. Speaker Spence introduced guests.

Representative Wagner requested that she be marked present.

Representative Ulbrich requested and was granted personal privilege of the floor to make an  
announcement.

Representative Ewing & Mr. Speaker Spence made comments.

Representative Williams requested that he be marked present.

Representative Maier made announcements.

Representative Hall-Long requested and was granted personal privilege of the floor to introduce guests.

Mr. Speaker Spence & Representative Gilligan made comments.

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #36

DATE: January 14, 2004

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
H142-800	DiPinto	7/4/2003	T	Sister City - Wilmington - Kalmar, Sweden –

cosponsors: Reps. Houghton, Keeley, 40th Anniversary

Plant & Williams

H142-801	Maier	6/29/2003	T	Deacon Albert Rose - Resurrection Parish - 34 Years
H142-802	Valihura	6/26/2003	T	Sergeant Boyd Wicks, Jr. - Operation Iraqi Freedom
H142-803	Booth	6/6/2003	T	Tunnel & Raysor Law Office - Grand Opening
H142-804	Hocker	6/23/2003	T	Josh Freeman - Leadership - Community Service
H142-805	Cathcart	6/26/2003	T	Jamie Miller - Special Olympics - Team USA
H142-806	Quillen	6/26/2003	T	Meghan Adams - Amateur Golf Champion
H142-807	Williams	6/23/2003	M	Ania Lynn Moss
H142-808	Stone	6/24/2003	M	William A. L. Kaufmann
H142-809	Maier	6/9/2003	T	Raymond Gordon - 80th Birthday
H142-810	DiPinto	7/8/2003	T	Wilmington Trust Company - 100th Anniversary
cosponsors: All Representatives				
H142-811	Maier	4/14/2003	T	Albert Rose - 80th Birthday
H142-812	Wagner	6/30/2003	T	Julian Freeman - Heroic Action - Rescue Newborn Baby
H142-813	Wagner	6/30/2003	T	Kevin Danahy - Duathlon National Champion
H142-814	Atkins	6/28/2003	T	Ralph McCabe - 58 Years - Millsboro Fire Company
H142-815	Atkins	6/28/2003	T	Ned Carey - 58 Years - Millsboro Fire Company
H142-816	Atkins	6/28/2003	T	Joe Lingo - 56 Years - Millsboro Fire Company
H142-817	Atkins	6/28/2003	T	Tom Shockley - 54 Years - Millsboro Fire Company
H142-818	Atkins	6/28/2003	T	John Davis - 53 Years - Millsboro Fire Company
H142-819	Atkins	6/28/2003	T	Sam Timmons - 51 Years - Millsboro Fire Company
H142-820	Atkins	6/28/2003	T	Granville Holston - 51 Years - Millsboro Fire Company
H142-821	Hocker	6/30/2003	T	Baltimore Trust Company - 100th Anniversary
H142-822	B. Ennis	6/30/2003	T	Dr. William DeLauder - Retirement - 15 Years - Delaware State University
cosponsors: All Representatives				
H142-823	Atkins	6/28/2003	T	John Reppert - Fire Fighter of the Year - Millsboro

#### HOUSE TRIBUTE ANNOUNCEMENT #37

DATE: January 14, 2004

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
H142-824	Atkins	6/28/2003	T	Glen Moore, Sr. - 49 Years - Millsboro Fire Company
H142-825	Atkins	6/28/2003	T	Donald Shultie - 50 Years - Millsboro Fire Company
H142-826	Thornburg	6/30/2003	T	Laura MacDougall - Female Athlete of the Year - Wesley College
H142-827	Atkins	6/24/2003	T	TFC Donna Dykstra - Service Above Self Award
H142-828	Hocker	7/9/2003	T	Milda Berzins - 100th Birthday
H142-829	Atkins	6/27/2003	T	Mr. & Mrs. Maurice Daisey - 50th Wedding Anniversary
H142-830	Buckworth	7/11/2003	M	Dennis W. Hutson, Jr.
H142-831	Wagner	7/15/2003	T	Amanda Middleton - Employee of the Quarter - Kent Sussex Industries
H142-832	Wagner	5/21/2003	T	Alyssa Middleton & Lee Yates, Jr. - Marriage
H142-833	Wagner	7/19/2003	T	Christen Stokes & Jason Osika - Marriage
H142-834	Hall-Long	7/16/2003	T	Ariel Stevenson - Youth Hero Award
H142-835	B. Ennis	8/24/2003	T	Dorothy Winter - 80th Birthday
H142-836	Caulk	7/14/2003	M	Oliver G. Semans
H142-837	B. Ennis	6/30/2003	M	Ruth E. Downes
H142-838	B. Ennis	7/11/2003	M	Maurice K. Sipple, Sr.
H142-839	Hocker	4/19/2003	T	Stacey Powell & Brant Hart - Marriage
H142-840	Hocker	7/17/2003	T	Bethany/Fenwick Chamber of Commerce -

H142-841	Booth	9/30/2003	T	Finalist - Award of Excellence Lisa & Jim Hershelman - 25th Wedding Anniversary
H142-842	Schwartzkopf	6/13/2003	T	Mary & Harry Vercoe - 50th Wedding Anniversary
H142-843	Spence	8/14/2003	T	Aman Sethi - Eagle Scout
H142-844	Williams	7/6/2003	M	Teretha Diane Broadnax
H142-845	Williams	7/03/2003	M	Samuel Edward McCants
H142-846	Hudson	6/30/2003	T	Colleen Casey & Mark Podolak - Engagement
H142-847	Hudson	7/17/2003	T	Elizabeth Scorsone & Anthony Alferi - Engagement
H142-848	Hudson	6/21/2003	T	Doris & John Schmidt - 50th Wedding Anniversary
H142-849	VanSant	6/20/2003	T	Ileane & Henry Markiewicz - 50th Wedding Anniversary
H142-850	Gilligan	5/28/2003	T	Curtis & Sally Fuddy - 65th Wedding Anniversary

HOUSE TRIBUTE ANNOUNCEMENT # 38

DATE: January 14, 2004

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>
H142-851	Gilligan	6/20/2003	T	Curtis & Betty Coleman - 50th Wedding Anniversary
H142-852	Buckworth	7/17/2003	T	Laurel Kean - Youth Golf Tournament Participation
H142-853	Hudson	7/17/2003	T	William Sperry, Jr. - Retirement - duPont Company
H142-854	Williams	7/17/2003	T	Blossie Waters - Commitment to Public Education
H142-855	Williams	7/17/2003	T	Vester Triplett - Commitment to Community
H142-856	Williams	7/17/2003	T	George Tsalaris - Outstanding Boxing Career
H142-857	Williams	7/17/2003	T	Paul Dempsey - Commitment to Public Service
H142-858	Williams	7/17/2003	T	John Armstrong, III - Commitment to High School Sports
H142-859	Schwartzkopf	7/26/2003	T	Scott Schwartzkopf - Operation Iraqi Freedom
H142-860	Schwartzkopf	7/26/2003	T	Jeremiah Stone - Operation Iraqi Freedom
H142-861	Schwartzkopf	7/26/2003	T	Dennis Cunningham - Operation Iraqi Freedom
H142-862	Schwartzkopf	7/26/2003	T	Edward Smith - Operation Iraqi Freedom
H142-863	Schwartzkopf	7/26/2003	T	Stuart Seiple - Operation Iraqi Freedom
H142-864	Schwartzkopf	7/26/2003	T	Brian Houser - Operation Iraqi Freedom
H142-865	Schwartzkopf	7/26/2003	T	Eric Cassel - Operation Iraqi Freedom
H142-866	Schwartzkopf	7/26/2003	T	William Baldwin, IV - Operation Iraqi Freedom
H142-867	Fallon	8/27/2003	T	Anne Morphet - 101st Birthday
H142-868	Buckworth	6/20/2003	T	Elaine & Donald Bilow - 50th Wedding Anniversary
H142-869	Ewing	8/3/2003	T	Ann & W. Allen Jones - 50th Wedding Anniversary
H142-870	Fallon	8/4/2003	T	Delmarva Shorebirds Baseball Team - Child Help USA
H142-871	Wagner	7/26/2003	T	Patricia Langrell & Evan Frazer - Marriage
H142-872	Booth	7/22/2003	T	Sussex Eye Center Employees - Paraoptometric Certification
H142-873	Booth	7/5/2003	T	Elsie Beebe-Swezey - 95th Birthday
H142-874	Buckworth	7/20/2003	M	John Uriah Kitchen

HOUSE TRIBUTE ANNOUNCEMENT #39

DATE: January 14, 2004

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>
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H142-875	Boulden	7/23/2003	T	James F. Hall Trail - Dedication Ceremony
	cosponsor: Rep. Ulbrich			
H142-876	Hudson	7/21/2003	M	Frank L. Casalvera
H142-877	Spence	7/31/2003	T	Ernie Camoirano - Salute for Ernie
H142-878	Roy	6/6/2003	T	Aida & Robert Shaw, Sr. - 50th Wedding Anniversary
H142-879	Roy	2/7/2003	T	Rose & Paul Borrelli - 50th Wedding Anniversary
H142-880	Wagner	9/20/2003	T	Kimberly Reed & Glenn Wells - Marriage
H142-881	B. Ennis	7/24/2003	M	Robert P. Hudzina
H142-882	Gilligan	7/31/2003	T	Honorable Bruce C. Ennis - Retirement - 20 Years - Law Firm
	cosponsors: All Representatives			
H142-883	Oberle	7/7/2003	T	George Fiorile - Crab Cake Cook-Off
H142-884	Plant	8/1/2003	T	Dr. Donald Morton - Evening of Elegance Honors
H142-885	Buckworth	8/2/2003	T	Doris & John Vrhovac - 50th Wedding Anniversary
H142-886	Wagner	8/7/2003	T	Lee Blankenship - Retirement 30 Years - DelDOT
H142-887	Carey	8/7/2003	T	Dr. Ed Beste - Retirement - 32+ Years - University of Maryland
H142-888	Atkins	8/9/2003	T	Indian River Volunteer Fire Company - 50th Anniversary
	cosponsors: All Representatives			
H142-889	Maier	8/5/2003	T	Kyle Reed - Eagle Scout
	cosponsor: Rep. Oberle			
H142-890	Wagner	7/31/2003	M	Gary M. Cecchett
H142-891	Fallon	8/9/2003	T	Honorable Henry Nutter - Dedicated Service to Seaford
H142-892	Fallon	8/9/2003	T	Eastern Short Afram Festival - Welcome to Seaford
H142-893	Wagner	8/03/2003	T	Kitty & Horace Cook - 50th Wedding Anniversary
H142-894	Stone	8/03/2003	T	Marilyn & George Chabbott - 50th Wedding Anniversary
H142-895	Caulk	8/9/2003	T	Mary Pennington & Lee Jackson - Marriage
H142-896	Carey	8/7/2003	T	Paula Dill - Quick Response - Fiery Accident Scene
H142-897	Atkins	8/7/2003	T	Jill Green - Quick Response - Fiery Accident Scene

#### HOUSE TRIBUTE ANNOUNCEMENT #40

DATE: January 14, 2004

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>
H142-898	Hocker	8/7/2003	T	Kim Evans - Quick Response - Fiery Accident Scene
H142-899	Carey	8/23/2003	T	Carrie Argo & Steven Stewart - Marriage
	cosponsor: Rep. Quillen			
H142-900	Ulbrich	8/8/2003	T	Cheryl & Michael Hamilton - 30th Wedding Anniversary
H142-901	Booth	7/27/2003	T	Lewes Public Library - Volunteers
H142-902	Hocker	8/8/2003	T	Wendy Bills & Christopher Megee - Marriage
	cosponsor: Rep. Atkins			
H142-903	Quillen	8/17/2003	T	Harrington Historical Society - 25th Anniversary
H142-904	Wagner	8/2/2003	M	William H. Taylor
H142-905	Wagner	7/21/2003	T	Susan Seeney & Scott Schuh - Marriage
H142-906	Carey	8/18/2003	T	Mariner Middle School - New School
	cosponsor: Rep. Booth			
H142-907	Schwartzkopf	8/20/2003	T	Beacon Middle School - Ribbon Cutting Ceremony
	cosponsor: Rep. Booth			
H142-908	Stone	8/8/2003	M	Charles A. Metcalf
H142-909	Schwartzkopf	8/29/2003	T	Margaret & Dallas Seale - 50th Wedding Anniversary
H142-910	Schwartzkopf	4/25/2003	T	Terry & James Lyons - 50th Wedding Anniversary

H142-911	VanSant	4/25/2003	T	Marlene & Anthony Sosnowik - 50th Wedding Anniversary
H142-912	Mulrooney	8/1/2003	T	Joan & Richard Berl - 50th Wedding Anniversary
H142-913	Gilligan	8/15/2003	T	Theodore & Marion Weaver - 50th Wedding Anniversary
H142-914	Hocker	8/11/2003	T	Raymond Moore, Sr. - Outstanding Educator
H142-915	Stone	8/8/2003	M	Harriette Kertiles Fotias
	cosponsor: Rep. Buckworth			
H142-916	Hocker	8/15/2003	T	Daisy Furman - 90th Birthday
H142-917	Hocker	8/2/2003	T	Frances & L. Trice Gravatte, Jr. - 70th Wedding Anniversary
H142-918	George	9/3/2003	T	Paul Stanzone - Executive Director - YMCA
	cosponsor: Rep. Boulden			
H142-919	Roy	8/8/2003	T	Nancy & George Glynn, Jr. - 50th Wedding Anniversary

#### HOUSE TRIBUTE ANNOUNCEMENT #41

DATE: January 14, 2004

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>
H142-920	Thornburg	8/23/2003	T	Carol & Oather Queen - 50th Wedding Anniversary
	cosponsor: Rep. Buckworth			
H142-921	Wagner	8/18/2003	T	Church of God in Christ - Golden Jubilee
H142-922	Maier	8/22/2003	T	Esther & Ken Hughes - 50th Wedding Anniversary
H142-923	Spence	8/8/2003	M	Clayton W. Hewes, Sr.
H142-924	Stone	8/13/2003	T	Patricia & Joseph DiPinto - 48th Wedding Anniversary
	cosponsors: All Representatives			
H142-925	Lavelle	9/11/2003	T	Evan Crittenden - Eagle Scout
H142-926	Hudson	8/10/2003	M	Timothy Erik Love
H142-927	VanSant	8/15/2003	T	Lance Corporal Steven Kaper - Operation Iraqi Freedom
H142-928	Fallon	8/18/2003	T	Alison Perdue-Tingle - Teacher of the Year – Blades Elementary
H142-929	Reps.D. Ennis & Hudson	8/20/2003	T	Naamans Little League All-Stars – Reached World Series
	cosponsors: All Representatives			
H142-930	B. Ennis	8/13/2003	M	Joan Y. Ewing
H142-931	Maier	8/4/2003	T	Lillian Treut - 80th Birthday
H142-932	Hudson	8/19/2003	M	Emma M. DeStefano
H142-933	B. Ennis	8/21/2003	T	Smyrna School District - Overall Superior Rating
H142-934	Fallon	9/9/2003	T	Robert Marshall - 10+ Years Promoting Tourism
	cosponsor: Rep. Schwartzkopf			
H142-935	Carey	9/13/2003	T	Carrie Brown - NAACP Involvement
H142-936	Carey	9/13/2003	T	Honorable Solomon Henry - NAACP Involvement
H142-937	Carey	9/13/2003	T	Presiding Elder Joseph Tull - Charter Member – NAACP Milford-Slaughter Neck
	cosponsor: Rep. Quillen			
H142-938	Carey	9/13/2003	T	Rev. Dr. Jeanel Starling - Charter Member – NAACP Milford-Slaughter Neck
	cosponsor: Rep. Caulk			
H142-939	Carey	9/13/2003	T	James Starling, Sr. - Charter Member - NAACP Milford-Slaughter Neck
	cosponsor: Rep. Caulk			
H142-940	Carey	9/13/2003	T	Reverend John Ringgold - Charter Member – NAACP Milford-Slaughter Neck
H142-941	Carey	9/13/2003	T	Phyllis Mitchell - Charter Member - NAACP Milford-Slaughter Neck

#### HOUSE TRIBUTE ANNOUNCEMENT #42

DATE: January 14, 2004

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>
H142-942	Carey	9/13/2003	T	Thomas Mifflin - Charter Member - NAACP

H142-943	Carey	9/13/2003	T	Milford-Slaughter Neck Reverend I. Theophilus Freeman - Charter Member - NAACP Milford-Slaughter Neck
H142-944	Keeley	9/5/2003	T	Hispanic Heritage Month
H142-945	Maier	8/23/2003	M	Helen T. Hedrick
H142-946	cosponsors: All Representatives Reps. Buckworth 8/21/2003 M & Wagner			Robert T. Wagner, Sr.
H142-947	B. Ennis	8/23/2003	T	Grace Turner - 76th Birthday
H142-948	Caulk	8/30/2003	T	Lucille Peterman - 95th Birthday
H142-949	Booth	9/27/2003	T	Aron Serman - Eagle Scout
H142-950	Booth	8/27/2003	T	Lt. Col. Mark Murray - Bronze Star
H142-951	Fallon	9/4/2003	T	Nanticoke Health Services - Dedication Ceremony
H142-952	Fallon	9/5/2003	T	Seaford Police 9-1-1 Center - Accreditation Award
H142-953	Booth	9/8/2003	T	Gerald Hitchens - Retirement - 39 Years - Cape May-Lewes Ferry
H142-954	Spence	8/20/2003	M	James H. Gilliam, Jr.
H142-955	cosponsors: All Representatives Spence 8/21/2003 M			Edward Hojnicky, Sr.
H142-956	Lavelle	9/25/2003	T	Dawn Lamb - Service to Claymont
H142-957	Quillen	9/7/2003	T	Charles Hayes - 90th Birthday
H142-958	Hudson	9/7/2003	T	Virginia Motorcoach Association – Annual Convention
H142-959	Ewing	9/1/2003	M	Henry W. Webb, Jr.
H142-960	B. Ennis	7/27/2003	M	Kenneth S. Jarrell
H142-961	Wagner	8/30/2003	T	Sherri Henry & Darius Fennell - Marriage
H142-962	Wagner	8/30/2003	T	Karen Howard & Erick Hamilton - Marriage
H142-963	Spence	9/6/2003	M	Richard Lawson Windsor
H142-964	Carey	9/14/2003	T	Lida Wells - 80th Birthday

HOUSE TRIBUTE ANNOUNCEMENT #43

DATE: January 14, 2004

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>
H142-965	Miro	9/18/2003	T	John Shields, Jr. - 28 Years - New Castle County Review Board
H142-966	Buckworth	8/31/2003	T	H. Lloyd Alexander, Jr. - Retirement - 33 Years – DNREC
H142-967	Stone	9/25/2003	T	Kent County Theater Guild - 50th Anniversary
H142-968	Wagner	8/14/2003	M	Susan Carole Sipple
H142-969	Caulk	8/22/2003	T	Eleanor & Edmond Barnes - 50th Wedding Anniversary
H142-970	Hudson	7/31/2003	T	Glenna Yount & Matthew Stone - Engagement
H142-971	Reynolds	8/6/2003	T	James Resch - Supervisor of the Year
H142-972	Schwartzkopf	9/12/2003	T	Dean Belt - Retirement - Delaware Environthon Chair
H142-973	Buckworth	9/11/2003	T	Charles Heritage - Good Neighbor Award
H142-974	cosponsor: Rep. Thornburg Hudson 9/19/2003 T			Colonel David McAllister - New Castle County Police Chief
H142-975	Valihura	9/18/2003	T	New Castle County Ducks Unlimited - Dinner
H142-976	Thornburg	9/7/2003	M	Sergeant Jarrett B. Thompson
H142-977	cosponsors: All Representatives Caulk 9/18/2003 T			Rose Coffman - 90th Birthday
H142-978	Gilligan	9/24/2003	T	Joseph Hagee - Distinguished Service Award
H142-979	Lavelle; Wagner	10/10/2003	T	Dennis Jones - State Court Administrator - 3 Years
	cosponsors: All Representatives			

H142-980	Lofink	9/19/2003	T	All Delawareans Touched by Cancer
H142-981	DiPinto	10/1/2003	T	McBride, Shopa & Company - 25th Anniversary
H142-982	B. Ennis	9/6/2003	T	Happy Harry's, Smyrna - Pharmacy of the Year
H142-983	Schwartzkopf	9/20/2003	T	Beebe Medical Center - Grand Opening – Outpatient Care Center
H142-984	B. Ennis	8/29/2003	T	Emma & Franklin Pritchett - 50th Wedding Anniversary
H142-985	Fallon	10/25/2003	T	Seaford Moose Family Center - 50th Anniversary
H142-986	Wagner	9/21/2003	M	Socorro L. Longoria
H142-987	Wagner	9/26/2003	T	Tiphani Bruner & William McEvoy - Marriage

HOUSE TRIBUTE ANNOUNCEMENT #44

DATE: January 14, 2004

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
H142-988	Stone	9/24/2003	T	Biggs Museum - 10th Anniversary
H142-989	Roy	9/6/2003	T	Gloria & Charles Erikson - 50th Wedding Anniversary
H142-990	Wagner	9/27/2003	T	Jessica Persinger & Flavien Gascard - Marriage
H142-991	Wagner	10/12/2003	T	Christopher Frazier - Eagle Scout
H142-992	Stone	9/20/2003	M	Betty Jean Caniford
cosponsors: All Representatives				
H142-993	Williams	9/25/2003	T	Judge Leonard L. Williams - Legal Contributions
H142-994	Hall-Long	10/13/2003	T	David Woodward - Distinguished Service to Agriculture
H142-995	Booth	10/4/2003	T	Ritter Farms - Sussex County Farm Family of the Year
H142-996	B. Ennis	9/29/2003	T	Lacey Dixon - Kent County 2004 Ambassador – Farm Bureau
H142-997	Thornburg	9/29/2003	T	The Thomas Family - Kent County Farm Family of the Year
H142-998	Quillen	10/11/2003	T	Houston United Methodist Church - 120th Anniversary
H142-999	Wagner	10/7/2003	T	Norma Collins - Distinguished Alumni - DelTech
H142-1000	Wagner	9/13/2003	T	Carrie & Alfred Russell - 50th Wedding Anniversary
H142-1001	Maier	10/10/2003	T	Anne & Jerome Sekerke - 50th Wedding Anniversary
H142-1002	Booth	9/2/2003	T	Jayne & William Dickerson - 25th Wedding Anniversary
H142-1003	Miro	10/9/2003	T	Barbara Stapen - School Nurse of the Year
H142-1004	Fallon	9/27/2003	T	Nutter Park - Dedication Ceremony
H142-1005	Buckworth	9/24/2003	M	Mildred Ann Weyant
cosponsors: All Representatives				
H142-1006	Carey	10/19/2003	T	Shirley & Howard Millman - 50th Wedding Anniversary
H142-1007	DiPinto	10/10/2003	T	Double Ten National Day - Republic of China on Taiwan
cosponsor: Rep. Roy				
H142-1008	Hocker	9/26/2003	T	Walter Oueschuk, Sr. - Heroic Actions
H142-1009	Hocker	9/26/2003	T	Orlan Hanks - Heroic Actions
H142-1010	Stone	9/26/2003	M	Frank M. Dalton
H142-1011	Ewing	10/7/2003	T	The Pepper Family Farm - Century Farm Award

HOUSE TRIBUTE ANNOUNCEMENT #45

DATE: January 14, 2004

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
H142-1012	Quillen	10/7/2003	T	Ellwanger Family Farm - Century Farm Award
H142-1013	Fallon	10/1/2003	T	Seaford Kiwanis Club - 80th Anniversary
H142-1014	Lee	10/1/2003	T	Gene Glasscock - Welcome to Delaware
cosponsors: All Representatives				
H142-1015	Quillen	9/26/2003	T	Nancy Green - Ladies Auxiliary - DVFA –

				President
H142-1016	Wagner	9/30/2003	M	Melissa Lou Fleischer
H142-1017	Williams	9/18/2003	M	Ernest Louis Webster
H142-1018	Carey	2/6/2004	T	Roslyn & Joseph McFaul - 50th Wedding Anniversary
H142-1019	VanSant	9/19/2003	T	Joann & Carl Lundgren - 50th Wedding Anniversary
H142-1020	Carey	9/25/2003	T	Lloyd Golt - Civilian Recognition Award - DVFA
H142-1021	Caulk	9/26/2003	T	Marvin Sharp - President - DVFA
				cosponsor: Rep. Carey
H142-1022	Atkins	9/25/2003	T	Fred Bare - Fire Policeman of the Year
H142-1023	Lofink	10/3/2003	T	Dorothy Peoples - Community Service through Education - 25 Years
H142-1024	Carey	11/28/2003	T	Elizabeth Soucek - Winner - Junior Miss Pageant
H142-1025	Carey	10/14/2003	T	Olive Garden Restaurant - Supported Employment Program Award - Kent-Sussex Industries
H142-1026	Carey	10/14/2003	T	Marshalls - Supported Employment Program Award - Kent-Sussex Industries
H142-1027	Carey	10/14/2003	T	Procter & Gamble - Industrial Work Crew Program Award - Kent-Sussex Industries
H142-1028	Carey	10/14/2003	T	Atlantic Processing Services - Cartridge Service Award - Kent-Sussex Industries
H142-1029	Carey	10/14/2003	T	Delaware National Bank - Cartridge Service Award - Kent-Sussex Industries
H142-1030	Carey	10/14/2003	T	Department of Transportation - Cartridge Service Award - Kent-Sussex Industries
H142-1031	Carey	10/14/2003	T	Division of Child Support Enforcement - Cartridge Service Award - Kent-Sussex Industries
H142-1032	Carey	10/14/2003	T	Solid Waste Authority - Sub-Contract Award - Kent-Sussex Industries
H142-1033	Carey	10/14/2003	T	Fastenal Company - Sub-Contract Award - Kent-Sussex Industries
H142-1034	Carey	10/14/2003	T	Kingman - Sub-Contract Award - Kent-Sussex Industries

#### HOUSE TRIBUTE ANNOUNCEMENT #46

DATE: January 14, 2004

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
H142-1035	Carey	10/14/2003	T	Science Resource Center - Sub-Contract Award - Kent-Sussex Industries
H142-1036	Carey	10/14/2003	T	Intervet, Inc. Partnership Award - Kent-Sussex Industries
H142-1037	Booth	10/03/2003	T	Craig Robertson - Volunteer Equipment Manager - Sussex Central Football
				cosponsors: Reps. Atkins, Carey, Ewing & Lee
H142-1038	Carey	10/2/2003	T	Patrick Emory - Director, Division of Fish & Wildlife
H142-1039	D. Ennis	10/3/2003	T	Corrado-American Inc. - Contributions - Fox Point State Park, Phase II
H142-1040	DiPinto	9/18/2003	M	Rebecca J. V. Wolhar
H142-1041	Hocker	10/11/2003	T	Michelle Lee & James Vanvorst - Marriage
H142-1042	Thornburg	10/3/2003	T	Cheswold Volunteer Fire Company - 75th Anniversary
H142-1043	Booth	10/14/2003	T	Mary Norton - Teacher of the Year - North Georgetown Elementary
H142-1044	Keeley	10/3/2003	T	Jesus Prado - Wilmington Award in Education
H142-1045	Keeley	10/3/2003	T	David Gwyn - Wilmington Award for Community Service
H142-1046	Keeley	10/3/2003	T	Angel Colon - Wilmington Award - Faith
H142-1047	Keeley	10/3/2003	T	Antoine Allen, Ph.D. - Wilmington Award -

H142-1048	cosponsor: Rep. Mulrooney Keeley	10/3/2003	T	Dedication to Human & Civil Rights Judith Fardoulis - Wilmington Award for Community Service
H142-1049	Keeley	10/3/2003	T	Angelina Colon - Wilmington Award for Community Service
H142-1050	Hocker	10/3/2003	T	Phillip Showell Elementary School - National Blue Ribbon School
H142-1051	Wagner	10/3/2003	T	Susan Kopp - Teacher of the Year - Central Middle School
H142-1052	Fallon	10/6/2003	T	Reverend Cedric Cuthbert - Ministry - 1st Anniversary
H142-1053	Hall-Long	10/11/2003	T	Locust Grove - Dedication - Historical Marker
H142-1054	Spence	10/8/2003	T	National Physician Assistants Day
H142-1055	Buckworth	10/7/2003	T	Charles Spiering - Distinguished Alumni - DelTech
H142-1056	Caulk	10/7/2003	T	Charles Betts - Distinguished Alumni - DelTech
H142-1057	Lavelle	10/12/2003	T	Talleyville Volunteer Fire Company - 75th Anniversary

cosponsors: Reps. D. Ennis, Smith,  
& Valihura

#### HOUSE TRIBUTE ANNOUNCEMENT #47

DATE: January 14, 2004

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>
H142-1058	Reps. Boulden & DiPinto	10/9/2003	T	Honorable Ada Leigh & Dr. James Soles - Joseph delTufo Award
H142-1059	cosponsors: All Representatives Reps. DiPinto & D. Ennis	10/9/2003	T	Dr. Joseph Johnson - Joseph delTufo Award
H142-1060	cosponsors: All Representatives Reps. DiPinto & Smith	10/9/2003	T	Rona Finkelstein - Joseph delTufo Award
H142-1061	Wagner	10/4/2003	T	Anne Urick & Drew Gordon - Marriage
H142-1062	DiPinto	10/27/2003	T	Richard Patterson - Founding Member - Alliance for the Mentally Ill
H142-1063	DiPinto	10/27/2003	T	Robert Franz - Founding Member - Alliance for the Mentally Ill
H142-1064	Buckworth	10/4/2003	T	Dorothy & Delmas Failing - 50th Wedding Anniversary
H142-1065	DiPinto	10/12/2003	T	Rachela Russo - 80th Birthday
H142-1066	DiPinto	10/14/2003	T	The Paris Review - 50th Birthday
H142-1067	Spence	10/13/2003	T	Greggo & Ferrara - Lifetime Achievement Award
H142-1068	Boulden	10/11/2003	T	R. T. Foard & Jones Funeral Home - 100th Anniversary
H142-1069	Williams	10/15/2003	T	Friends of North Wilmington Library - Volunteer Services
H142-1070	Maier	10/28/2003	T	Child Development Watch & Early Intervention System - 10th Anniversary
H142-1071	Hudson	10/10/2003	T	Sue Lawrence-Reeder - Gold Aurora Award and Telly Award
H142-1072	Hudson	10/12/2003	T	Elvina & James Forrest, Sr. - 50th Wedding Anniversary
H142-1073	Mulrooney	8/14/2003	T	Bernice & DeWitt Cannon - 55th Wedding Anniversary
H142-1074	Houghton	8/22/2003	T	Betty & Charlie O'Neill - 50th Wedding Anniversary
H142-1075	Keeley	10/17/2003	T	Anna & John DiSabatino - 50th Wedding Anniversary
H142-1076	Houghton	9/19/2003	T	Berdia & Carol Ham - 50th Wedding Anniversary
H142-1077	Roy	10/16/2003	T	William Webb - Sixth in Nation - Transportation Association Rodeo

cosponsor: Rep. D. Ennis

H142-1078 Roy 10/16/2003 T Michael Kent - 16th in Nation - Mechanics' Competition  
 cosponsor: Rep. D. Ennis  
 H142-1079 Roy 10/16/2003 T Steven Vest - 16th in Nation - Mechanics' Competition  
 cosponsor: Rep. D. Ennis

HOUSE TRIBUTE ANNOUNCEMENT #48

DATE: January 14, 2004

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
H142-1080	Roy	10/16/2003	T	Frank Garbacz - 16th in Nation - Mechanics' Competition
	cosponsor: Rep. D. Ennis			
H142-1081	Roy	10/16/2003	T	Ray Miller - DE Transit Corporation - Best in Class
	cosponsor: Rep. D. Ennis			
H142-1082	Fallon	10/23/2003	T	Johnny & Mary Janosik - Allen Cup for Philanthropic Service
H142-1083	Gilligan	10/26/2003	T	Janice & George Fischbach - 40th Wedding Anniversary
	cosponsor: Rep. VanSant			
H142-1084	Carey	11/8/2003	T	Kay & Bob Willey - 50th Wedding Anniversary
H142-1085	Wagner	10/4/2003	T	Jillian Gallagher & Christopher Findlay - Marriage
H142-1086	Wagner	10/18/2003	T	Alissa Ash & Neil Jones - Marriage
H142-1087	Wagner	10/31/2003	T	Rebecca Street & Robert Beste - Marriage
H142-1088	Carey	10/2/2003	M	Earle L. Isaacs
H142-1089	Booth	11/8/2003	T	Adam Reed - Eagle Scout
H142-1090	Miro	10/17/2003	T	Reverend Thomas Hanley - Bishop's Community Service Award
H142-1091	Spence	10/19/2003	T	Jeffrey Sheraton - Eagle Scout
H142-1092	Atkins	10/27/2003	T	Stephen David Mitchell - Eagle Scout
H142-1093	Roy	11/29/2003	T	Douglas St. Amand - Eagle Scout
H142-1094	Carey	11/24/2003	T	Mae Joseph - 100th Birthday
H142-1095	Atkins	10/22/2003	T	Iveybell McCann - 80th Birthday
H142-1096	Williams	11/7/2003	T	Honorable Ted Blunt - Outstanding Service to Others
H142-1097	Atkins	10/19/2003	T	Cystic Fibrosis Foundation - Benefit - Chad Messick
H142-1098	DiPinto	10/29/2003	T	Richard Bayard - Retirement - Interneighborhood Foundation - 13 Years
	cosponsors: Reps. Plant & Williams			
H142-1099	Atkins	10/22/2003	T	Honorable George Bunting, Jr. - Efforts to Protect Manufactured Home Owners
	cosponsors: Reps. Booth & Hocker			
H142-1100	Wagner	10/11/2003	T	Merle Norman Cosmetics - 50th Anniversary
H142-1101	Hocker	9/30/2003	T	Department of Finance Staff - Sussex County - Certificate of Achievement
	cosponsors: Reps. Atkins, Booth, Carey, Ewing, Fallon & Lee			

HOUSE TRIBUTE ANNOUNCEMENT #49

DATE: January 14, 2004

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
H142-1102	Spence	9/25/2003	T	Edward McGovern - Senior Community Service Employment Program - Oldest Worker
H142-1103	Roy	10/16/2003	T	Dot & Frank Odell - 60th Wedding Anniversary
H142-1104	Ewing	11/8/2003	T	Mary Ellen & Preston Beauchamp - 50th Wedding Anniversary
H142-1105	Stone	10/17/2003	M	Irene Brintha Wilkinson
H142-1106	Carey	10/19/2003	M	Annie D. Young Frazier
H142-1107	Stone	10/21/2003	T	Sheraton Dover Hotel - Employer of the Year
	cosponsors: Reps. Thornburg & Wagner			
H142-1108	Gilligan	6/13/2003	T	Frank & Barbara Broujos - 50th Wedding Anniversary
H142-1109	B. Ennis	10/11/2003	M	Hazel B. Rochester

H142-1110	Ulbrich	10/20/2003	M	Charlesa Lowell
H142-1111	Maier	10/24/2003	T	Bernie & Joe Magnus - 50th Wedding Anniversary
H142-1112	B. Ennis	10/30/2003	T	Joyce Getty-Hamburg - 31 Years - State Police
H142-1113	B. Ennis	10/23/2003	T	Barry M. Smith - 24 Years - State Police
H142-1114	Maier	10/11/2003	T	Brenda & Mike Bernhardt - 35 Years - Boy Scouts
H142-1115	Lofink	10/25/2003	T	Marcia Mason - Organized DeLaWarr High School Reunion
H142-1116	Lofink	10/25/2003	T	Dorothy Bond - Organized DeLaWarr High School Reunion
H142-1117	Buckworth	10/25/2003	T	Sally & Jack Nichols - 50th Wedding Anniversary
H142-1118	Boulden	11/9/2003	T	Carol Yeatman-Bachman & Ralph Godwin - Marriage
H142-1119	Booth	10/9/2003	T	Vivian & Frank Lomax - 60th Wedding Anniversary
H142-1120	Booth	10/19/2003	T	Coolspring Presbyterian Church - 227th Anniversary
H142-1121	Booth	10/24/2003	T	Ronald Gooch - 20 Years - Lewes Police Department
H142-1122	Fallon	10/30/2003	T	Burton Brothers Hardware Store - Exceptional Customer Service
H142-1123	Wagner	11/7/2003	T	Evelyn & James Johnson - 50th Wedding Anniversary
H142-1124	Wagner	10/10/2003	T	Helen Irvin - 100th Birthday

HOUSE TRIBUTE ANNOUNCEMENT #50

DATE: January 14, 2004

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>
H142-1125	Lofink	11/1/2003	T	David Dedman - 50th Birthday
H142-1126	Hocker	11/5/2003	T	Jane Fowler - 15 Years - Bethany Beach Town Council
H142-1127	Quillen	10/24/2003	T	Corporal Michael Lawson - Policeman of the Year
H142-1128	Buckworth	10/31/2003	T	Thomas Pledgie - 32 Years - Department of Education
H142-1129	Spence	11/8/2003	T	Vietnam Veterans - 20th Anniversary of the Vietnam Memorial
H142-1130	B. Ennis	10/30/2003	T	Harriett Burris - 30 Years - Smyrna School District
H142-1131	Carey	11/9/2003	T	Barbara Lindenkohl - 80th Birthday
H142-1132	B. Ennis	11/1/2003	T	Margaret & Earnest Freeman - 50th Wedding Anniversary
H142-1133	Houghton	11/7/2003	T	Ruby Norris - Retirement - Brandywine Schools - 26 Years
H142-1134	Buckworth	10/23/2003	M	Thomas S. Dutton, Jr.
H142-1135	Buckworth	10/29/2003	M	Carol E. Golden
H142-1136	Buckworth	6/30/2003	T	Terrence McGinty - Retirement - Caesar Rodney Schools - 31 Years
H142-1137	Ewing	10/28/2003	T	Rita Hovermale - Teacher of the Year
H142-1138	Ewing	11/15/2003	T	L. Benjamin Sirman - Athletic Accomplishments
H142-1139	B. Ennis	10/26/2003	M	John H. Weiss, Jr.
H142-1140	Spence	11/03/2003	M	The Honorable A. James Manchin
H142-1141	Hocker	11/15/2003	T	Jay Bunting - Eastern Shore Baseball Hall of Fame Induction
H142-1142	Wagner	4/12/2003	T	Nicole O'Boyle & Todd Schaefer - Marriage
H142-1143	Miro; Roy	11/7/2003	T	Joan & George Jarvis - 50th Wedding Anniversary
H142-1144	Lavelle	12/18/2003	T	Robert Cooke - Eagle Scout

H142-1145	Ewing	11/8/2003	T	Heather Nennstiehl & Corey Taylor - Marriage
H142-1146	Lee	11/6/2003	T	Harry Naugle - Delmar Citizen of the Year
H142-1147	Atkins	11/21/2003	T	Wendy Kirby - 40th Birthday
H142-1148	Lee	11/5/2003	T	Janet Lee - Volunteer Firemen's Association Hall of Recognition
H142-1149	Lee	10/20/2003	T	Don D'Aquila - Business Person of the Year

HOUSE TRIBUTE ANNOUNCEMENT #51

DATE: January 14, 2004

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
H142-1150	George	9/26/2003	T	Raymond McCall, Jr. - Non-Heroic Firefighter of the Year Award
H142-1151	George	10/3/2003	T	John Lattomus, Jr. - Excellence in Fire Safety Education Award
H142-1152	George	10/3/2003	T	Christiana Fire Company - Edward McCormick Memorial Award
H142-1153	George	9/26/2003	T	Edward Rush, Jr. - President - Fire Chiefs Association
H142-1154	George	9/26/2003	T	Patricia McCall - President Ladies Auxiliary - Volunteer Firemen's Association
H142-1155	Boulden	12/14/2003	T	Jolen Conrad Hague - Eagle Scout
H142-1156	Maier	3/31/2003	T	Limestone Acres Maintenance Association - 50th Anniversary
H142-1157	Carey	11/6/2003	T	Janet Urdahl - Delaware Truancy Court - Program of the Year
H142-1158	Hocker	11/17/2003	T	Phillip Showell Elementary School - Blue Ribbon Award
H142-1159	Ewing cosponsor: Rep. Hocker	11/17/2003	T	Principal Ivan Neal - Award for School Leadership
H142-1160	Carey	11/30/2003	T	James Daniel Bennett, III - Eagle Scout
H142-1161	Hall-Long	11/21/2003	T	Jean & Burnice Slaughter - 50th Wedding Anniversary
H142-1162	Carey cosponsor: Rep. Atkins	11/15/2003	T	Virginia Pepper - 85th Birthday
H142-1163	Roy	11/10/2003	T	Brice R. Condie - Eagle Scout
H142-1164	Wagner	10/3/2003	T	Doris & Floyd Dickey - 50th Wedding Anniversary
H142-1165	B. Ennis	11/7/2003	T	Lorraine & Frank Truax - 44th Wedding Anniversary
H142-1166	Spence	11/15/2003	T	Bernadette Street Winston - Citizen Award
H142-1167	Hocker	11/13/2003	T	William Murray - Distinguished Sussex Countian
H142-1168	Plant cosponsor: Rep. Keeley	10/31/2003	M	Martha Jane Wright Robinson
H142-1169	Wagner	10/10/2003	T	Elizabeth Sill & Paul Carlson - Marriage
H142-1170	Stone	11/13/2003	M	Harold William Deuble
H142-1171	Hocker	11/10/2003	T	Bethany-Fenwick Chamber of Commerce - Tourism Hall of Fame Award
H142-1172	Williams	4/03/2003	T	Ruth & Tim Couch - 65th Wedding Anniversary
H142-1173	Schwartzkopf	5/16/2003	T	Lillian & John Gagnon - 50th Wedding Anniversary

HOUSE TRIBUTE ANNOUNCEMENT #52

DATE: January 14, 2004

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
H142-1174	Gilligan	9/18/2003	T	Earl & Eileen Haines - 50th Wedding Anniversary
H142-1175	Schwartzkopf	11/7/2003	T	Elaine & William Dill - 50th Wedding Anniversary
H142-1176	VanSant	11/14/2003	T	Romaine & William Quinn - 50th Wedding Anniversary
H142-1177	Plant	11/7/2003	T	Tina & Gus Schiavoni - 50th Wedding Anniversary

H142-1178	Gilligan	11/11/2003	T	Anniversary George & Alice Benson - 55th Wedding Anniversary
H142-1179	Houghton	10/26/2003	T	Nancy & Joseph Kendra - 50th Wedding Anniversary
H142-1180	Hall-Long	10/3/2003	T	Jean & Richard Pedicone - 50th Wedding Anniversary
H142-1181	Mulrooney	10/3/2003	T	Janet & Earl Reed - 50th Wedding Anniversary
H142-1182	Gilligan	10/24/2003	T	Herbert & Helen Watson - 50th Wedding Anniversary
H142-1183	VanSant	10/16/2003	T	Dorothy & Vernon Burris - 55th Wedding Anniversary
H142-1184	Hudson	10/31/2003	T	Suzanne & Edward Szymanski - 50th Wedding Anniversary
H142-1185	Stone	11/29/2003	T	Rachel Hurd & Douglas Cooper - Marriage
H142-1186	Caulk	12/16/2003	T	Jonathan P. Weaver - Eagle Scout
H142-1187	Williams	11/29/2003	T	Arindia Stallings - 100th Birthday
H142-1188	George	11/11/2003	M	David M. Williams
H142-1189	Lavelle	11/2/2003	M	Rosemary Scanlon Canning
H142-1190	DiPinto	11/14/2003	M	Lucille Dougherty Brady
H142-1191	cosponsors: All Representatives Spence	11/20/2003	T	Dr. Peter Lillback - Plan 300th Anniversary of General Assembly
H142-1192	cosponsors: All Representatives Mulrooney	12/6/2003	T	Andrew J. Kirk - Eagle Scout
H142-1193	Wagner	11/23/2003	T	C Moore's Place - Contributions to Community
H142-1194	Wagner	11/29/2003	T	Anna Hammond & Albertis Carter - Marriage
H142-1195	Ewing	11/24/2003	T	Walter Gilefski - Retirement - Woodbridge Schools - 34 Years
H142-1196	Boulden; Ulbrich	11/28/2003	T	U of D Football Team - Atlantic 10 Conference Championship
H142-1197	cosponsors: All Representatives Atkins	11/27/2003	T	Dr. Emanuel & Sheila Gulab - Pakistani-Americans - 25th Anniversary

#### HOUSE TRIBUTE ANNOUNCEMENT #53

DATE: January 14, 2004

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
H142-1198	Lofink	12/3/2003	T	Paulette Tyler - Retirement - Howard High School - 33 Years
H142-1199	Hall-Long	12/4/2003	T	Joan Powers - Farm Bureau Women's Committee Chair
H142-1200	Thornburg	12/4/2003	T	Lacey Dixon - Farm Bureau Ambassador
H142-1201	Hall-Long	12/4/2003	T	Bill Powers - Farm Bureau President - New Castle County
H142-1202	Quillen	12/4/2003	T	Tommy Collier - Young Farmer & Rancher Achievement Award
H142-1203	Carey	11/18/2003	T	Honorable Sheila Blakely - Outstanding Judicial Service Award
H142-1204	Booth	12/5/2003	T	Bonnie Warrington - 37 Years - Volunteer - Lewes Public Library
H142-1205	Fallon	11/22/2003	T	Dr. Joseph Olekszyk - President - Medical Society of Delaware
H142-1206	Atkins	11/26/2003	M	William E. Hall, Jr.
H142-1207	B. Ennis	11/13/2003	M	Kenneth E. Snyder
H142-1208	Maier	11/22/2003	M	Tierney Duggan Goodman
H142-1209	Hall-Long	11/21/2003	T	Mary Van Horn - 90th Birthday
H142-1210	D. Ennis	12/4/2003	T	Richard Kendall - Retirement - 26 Years - New Castle County
H142-1211	Thornburg	12/5/2003	T	James Fox - 25 Years - Outstanding Community Service
H142-1212	Lofink	12/13/2003	T	Kelly Laing & William Young - Marriage
H142-1213	Caulk	12/17/2003	T	Donna Walton - Retirement - DelDOT - 29+

Number	Sponsor	Date	Type	Description
H142-1214	Fallon	12/19/2003	T	Years G. Timothy Kavel, Ed.D. - Retirement - DelTech Owens Campus Vice President
H142-1215	Smith	12/10/2003	T	Claude Green, Jr. - Service to Democracy
H142-1216	Wagner	10/17/2003	T	Leandra Casson & Ismaica Jasseh - Marriage
H142-1217	Quillen	12/15/2003	T	Ruth Dean - 75th Birthday
H142-1218	Oberle	12/21/2003	T	Steve Costa - 70th Birthday
H142-1219	Stone	12/6/2003	M	James Bice Jackson
H142-1220	Ulbrich	12/26/2003	T	Mildred Lawson - 75th Birthday
H142-1221	B. Ennis	12/5/2003	M	William E. Thomas
H142-1222	Mulrooney	11/6/2003	T	Mollie & Robert Fleck - 60th Wedding Anniversary
H142-1223	Gilligan	12/19/2003	T	Donald & Mary Fogg - 60th Wedding Anniversary
H142-1224	Atkins	12/15/2003	T	Jim Bunting - Henlopen Conference Coach of the Year

The Reading Clerk read the following communications into the record:

HOUSE TRIBUTE ANNOUNCEMENT #54

DATE: January 14, 2004

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
H142-1225	Buckworth	1/1/2004	T	Robert Downham - Retirement - 34 Years - DTI
H142-1226	Wagner	12/18/2003	T	Charese Messina & Adam Pritchett - Marriage
H142-1227	Quillen	12/16/2003	T	Mark Breeding - Agri-Science Teacher of the Year
H142-1228	Buckworth	1/16/2004	T	Blair Newman - All-State Football First Team
H142-1229	Buckworth	12/16/2003	T	Bryan Robinson - All-State Football First Team
H142-1230	Stone	12/21/2003	T	Daniel Robert Abrams - Eagle Scout
H142-1231	Hudson	12/13/2003	T	Honorable William V. Roth, Jr.
H142-1232	B. Ennis	12/25/2003	T	June & Leroy Sayers - 60th Wedding Anniversary
H142-1233	Wagner	12/14/2003	M	Douglas Richard Bare
H142-1234	Buckworth	12/12/2003	T	Helen & Ray Jones - 50th Wedding Anniversary
H142-1235	Spence	5/2/2003	T	Ellie & Ed Anzur - 50th Wedding Anniversary
H142-1236	Oberle	12/3/2003	M	Jack Robinson
H142-1237	Quillen	1/1/2004	T	Joseph Murabito - Retirement - 25 Years - Fire School
H142-1238	Buckworth	12/19/2003	T	Wayne Dabson - Retirement - 34+ Years – DelTech Terry Campus
H142-1239	Booth	1/10/2004	T	Gonzalo Martinez - Community Advocate – Hispanic Community
H142-1240	Smith	1/13/2004	T	Timothy Slavin - Delaware Public Archives – Persistent Efforts - Bill of Rights
H142-1241	Buckworth	12/21/2003	T	Eric Lewis - All-State Soccer First Team
H142-1242	Buckworth	12/21/2003	T	Robert Herrera - All-State Soccer First Team
H142-1243	Buckworth	12/21/2003	T	Casey Howard - All-State Field Hockey First Team
H142-1244	Stone	12/29/2003	T	Kenneth Roach - 2004 Youth of the Year - Simon Circle
H142-1245	Wagner	1/1/2004	M	William A. Gibbs
H142-1246	D. Ennis	1/4/2004	M	Ralph S. Moyed
H142-1247	Buckworth	1/4/2004	T	Alvin B. Moore
H142-1248	Hudson	1/4/2004	T	Virgil F. Puskarich

MEMORANDUM

TO: Representative Terry R. Spence, Speaker

FROM: Representative Robert J. Valihura, Jr.

DATE: January 14, 2004

SUBJECT: Absent from Session

I will be absent from session today Wednesday, January 14, 2004.

Thank you.

The Majority Whip 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 Boulden, Carey, Cathcart, B. Ennis, Keeley, Lofink, Reynolds & Roy.

Mr. Speaker Spence called the House to order at 2:00 p.m. on January 15, 2004.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SB 192 w/SA 1** & **SB 193** and requests the concurrence of the House; **HB 158 w/HA 1** & **HB 213** and is returning same to the House.

January 13, 2004

MEMORANDUM

TO: Terry R. Spence, Speaker of the House  
Joann Hedrick, Chief Clerk

DATE: January 13, 2004

Please remove my name from **Senate Bill 53**.

William I. Houghton

Representatives Lavelle & Smith requested that they be marked present for the current Legislative Day.

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

**3rd LEGISLATIVE DAY - 142nd GENERAL ASSEMBLY - Second Session  
January 15, 2004**

The Assistant Chief Clerk called the roll:

Members Present: 39.

Members Absent: Representatives Booth & Caulk – 2.

A prayer was offered by Representative Gregory F. Lavelle, Eleventh Representative District.

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

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

The following prefiled legislation was introduced:

**HB 317 - HUDSON & REPRESENTATIVES SCHWARTZKOPF, BUCKWORTH; SENATOR SOKOLA - TOURISM - An Act to Amend Title 4 of the Delaware Code Relating to Taprooms and Taverns.**

**HB 318 - MIRO & SENATOR BLEVINS; REPRESENTATIVES HOCKER, HUDSON, KEELEY, SPENCE, ULBRICH; SENATORS SIMPSON, SOKOLA - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to State Parks. (3/5 bill)**

**HA 1 to HB 317 - HUDSON - Placed with the Bill.**

**SB 192 w/SA 1 - ADAMS & REPRESENTATIVE EWING - HOUSE ADMINISTRATION - An Act to Amend Chapter 237, Volume 51, Entitled "An Act to Reincorporate the Town of Bridgeville" by Permitting It to Accept Grants or Loans From Federal, State, or Interstate Agencies. (2/3 bill)**

**SB 193 - ADAMS & REPRESENTATIVE EWING - HOUSE ADMINISTRATION - An Act to Amend Chapter 237, Volume 51, Entitled "An Act to Reincorporate the Town of Bridgeville" Relating to the Limitation on the Power to Raise Revenue. (2/3 bill)**

Representative Smith requested and was granted privilege of the floor for Pam Price, Director of Research and Constituent Relations for the House Majority, who introduced the 2004 Legislative Fellows. The Fellows announced their names and committee assignments for the record.

Representatives Keeley, Gilligan & Houghton requested that they be marked present.

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

PUBLIC SAFETY: **HB 230 - 6M,1U; SS 1 for SB 174 - 5M,2U; SB 156 w/SA 1 - 6M,1U; SB 171 - 7M.**

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 285 - 3F,4M.**

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

Representative Oberle requested that he be marked present.

Representative Smith deferred to Representative Reynolds. Representative Reynolds requested and was granted personal privilege of the floor to introduce guests. Representative Reynolds requested and was granted privilege of the floor for 2004 Teachers of the Year, who announced their names, grades and schools for the record. Mr. Speaker Spence appointed Representative Quillen as Acting Speaker. Representative Reynolds made comments.

Representative Reynolds requested and was granted privilege of the floor Kevin E. Carson, Superintendent, Woodbridge School District, and Rita Hovermale, 2004 Teacher of the Year, who addressed the House.

Representative Reynolds introduced and brought **HCR 41**, sponsored on behalf of All Representatives and jointly sponsored by Senator Sokola on behalf of All Senators, before the House for consideration.

**HCR 41 - COMMENDING RITA HOVERMALE FOR BEING SELECTED DELAWARE'S STATE TEACHER OF THE YEAR FOR 2004 AND COMMENDING EACH SCHOOL DISTRICT'S TEACHER OF THE YEAR.**

**HCR 41** was adopted by voice vote and was sent to the Senate for concurrence.

Representative Spence introduced a guest. Representative Smith made comments.

Representatives Plant & Hall-Long requested that they be marked present.

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

Representative Spence introduced **HB 319**, jointly sponsored by Senator Vaughn & Representatives Smith, Lee, Atkins, Booth, Boulden, Buckworth, Carey, Cathcart, Caulk, DiPinto, D. Ennis, Ewing, Fallon, Hocker, Hudson, Lavelle, Lofink, Maier Miro, Oberle, Quillen, Reynolds, Roy, Stone, Thornburg, Ulbrich, Valihura, Wagner, Gilligan, VanSant, B. Ennis, George, Hall-Long, Houghton, Keeley, Mulrooney, Plant, Schwartzkopf, Viola & Williams & Senators Amick, Cloutier & Connor.

**HB 319 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO THE STATE BUREAU OF IDENTIFICATION AND THE PUBLIC RELEASE OF POLICE, PROBATION, AND PAROLE OFFICER NAMES AND IDENTIFICATION NUMBERS.**

Mr. Acting Speaker assigned **HB 319** to the Judiciary Committee.

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

The House reconvened at 4:45 p.m.

Representative Smith deferred to Representative Maier.

Representative Maier brought **SB 63**, jointly sponsored by Senators Marshall & Blevins, before the House for consideration.

**SB 63 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO LONG TERM CARE SERVICES.**

Representative Maier made comments.

The roll call on **SB 63** was taken and revealed:

YES: 37.

ABSENT: Representatives Booth, Cathcart, Caulk & Fallon - 4.

Therefore, having received a constitutional majority, **SB 63** was returned to the Senate.

Representatives B. Ennis, Williams, Miro, Valihura, DiPinto, Mulrooney & Wagner requested that they be marked present during the roll call.

Representative Smith deferred to Representative Maier.

Representative Maier brought **SB 64**, jointly sponsored by Senators Marshall & Blevins, before the House for consideration.

**SB 64 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO LONG TERM CARE SERVICES.**

Representative Maier made comments.

The roll call on **SB 64** was taken and revealed:

YES: 38.

ABSENT: Representatives Booth, Caulk & Fallon - 3.

Therefore, having received a constitutional majority, **SB 64** was returned to the Senate.

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

Representative Smith deferred to Representative Maier.

Representative Maier moved to lift **SB 132 w/SA 1 & 2** from the Speaker's Table. The motion was properly seconded and adopted by voice vote.

Representative Maier brought **SB 132 w/SA 1 & 2**, jointly sponsored by Senators Marshall & Blevins, before the House for consideration.

**SB 132 - AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO ABUSE, NEGLIGENCE, OR MISTREATMENT OF PATIENTS AND RESIDENTS OF NURSING HOMES AND SIMILAR FACILITIES.**

Representative Maier made comments.

The roll call on **SB 132 w/SA 1 & 2** was taken and revealed:

YES: 38.

ABSENT: Representatives Booth, Caulk & Fallon - 3.

Therefore, having received a constitutional majority, **SB 132 w/SA 1 & 2** was returned to the Senate.

Representative Smith deferred to Representative Lavelle.

Representative Lavelle introduced **HB 320**, jointly sponsored by Senator Sokola & Representatives Hudson, Smith & Valihura & Senators Copeland & Sorenson.

**HB 320 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO THE COUNTY AUDITOR.**

Mr. Acting Speaker assigned **HB 320** to the Housing & Community Affairs Committee.  
Representative Smith deferred to Representative Ulbrich.  
Representative Ulbrich made announcements.  
Representatives Reynolds & Miro made comments.  
The Majority Leader moved to recess to the call of the Chair at 5:05 p.m.  
Mr. Acting Speaker Oberle called the House to order at 2:05 p.m. on January 20, 2004.  
The Reading Clerk read the following communications into the record:  
The Senate wishes to inform the House that it has passed **SB 194 w/SA 1** and requests the concurrence of the House; **HCR 41** and is returning same to the House.  
Representative Smith deferred to Representative Booth.  
Representative Booth requested that he be marked present for the current Legislative Day and made an announcement. Mr. Acting Speaker made comments.  
Representative Caulk requested that he be marked present for the current Legislative Day.  
The Majority Leader moved to adjourn at 2:06 p.m., thereby ending the current legislative day. The House reconvened at 2:07 p.m.

**4th LEGISLATIVE DAY - 142nd GENERAL ASSEMBLY - Second Session  
January 20, 2004**

The Chief Clerk called the roll:  
Members Present: 39.  
Members Absent: Representatives Quillen & Spence – 2.  
A prayer was offered by Representative David H. Ennis, Sixth Representative District.  
Mr. Acting Speaker led those present in the pledge of allegiance to the American Flag.  
The following prefiled legislation was introduced:  
**HA 1 to SB 134 - WAGNER** - Placed with the Bill.  
**SB 194 w/SA 1 - SIMPSON & REPRESENTATIVE BOOTH & SENATOR SOKOLA - HOUSE ADMINISTRATION** - An Act to Amend an Act Being Chapter 170, Volume 57, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the City of Lewes", to Amend Section 20, Entitled "Power to Borrow Money and Issue Bonds", by Permitting the Amount Desired to be Borrowed to be Stated in a "Not to Exceed" Amount; Clarifying Voter Qualifications; Providing for Appointment of a Board of Election and Procedures; Authorizing the City to Cancel the Borrowing; Providing for Bond Anticipation Notes; Providing for a Statute of Limitations for Challenges to Procedures of the City in these Matters; and Permitting the Issuance of Refunding Bonds for the Purpose of Refinancing All or a Portion of Any of the City's Outstanding Bonds or Other Indebtedness. (2/3 bill)  
Mr. Acting Speaker made an announcement.  
Representatives Boulden, Ulbrich & Maier requested that they be marked present.  
Representative Smith deferred to Representative D. Ennis.  
Representative D. Ennis made comments and requested and was granted privilege of the floor for Professor Mark J. Miller, Department of Political Science and International Relations, University of Delaware and Natalie M. Coley, a student in the Fulbright Scholarship Program from Jamaica.  
Representative D. Ennis & Mr. Acting Speaker made comments. Representative Ulbrich made an announcement.  
Representative Smith deferred to Representative Ulbrich.  
Representative Ulbrich made an announcement.  
Representative Mulrooney requested that he be marked present.  
The Reading Clerk read the following communications into the record:

MEMORANDUM

TO: Rep. William Oberle  
FROM: Terry R. Spence, Speaker of the House  
DATE: January 20, 2004  
RE: Absent from Session

Please excuse my absence from session on January 20th, 21st and 22nd, 2004. Due to my having surgery today, I will not be available to attend session this week.  
I would appreciate you acting as Speaker of the House in my absence.  
Thank you.

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: George Robert Quillen  
Representative – Thirtieth Representative District  
RE: Absence from Session

DATE: January 20, 2004

Please be advised that I will be unable to attend session, Tuesday, January 20, 2004 due to illness.  
Thank you for your consideration in this matter.

MEMORANDUM

TO: The Honorable Terry R. Spence  
Speaker of the House of Representatives  
FROM: Nancy H. Wagner  
Representative – Thirty-First Representative District  
RE: Absence from Session  
DATE: January 20, 2004

Please be advised that I will be unable to attend session, Wednesday, January 21, 2004 due to business reasons.

Thank you for your consideration in this matter.

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

The House reconvened at 3:25 p.m.

Representative Smith moved to suspend the rules which interfere with action on **SB 53**. The motion was seconded by Representative Cathcart and adopted by voice vote.

Representative Smith brought **SB 53**, sponsored by Senator Peterson & Senators Henry & Sokola & cosponsored by Representative Valihura, before the House for consideration.

**SB 53 - AN ACT TO AMEND TITLE 9 OF THE DELAWARE CODE RELATING TO NEW CASTLE COUNTY GOVERNMENT.**

Representative Smith deferred to Representative Lavelle.

Representative Lavelle requested that he be marked present and that **HA 1 to SB 53** be stricken.

Representative Smith deferred to Representative Hudson.

Representative Hudson requested that **HA 2 to SB 53** be stricken.

Representatives Smith, Gilligan, Roy, Valihura, Lavelle, Miro, D. Ennis & Hudson made comments.

The roll call on **SB 53** was taken and revealed:

YES: 23.

NO: Representatives George, Gilligan, Hall-Long, Houghton, Keeley, Lofink, Mulrooney, Plant, Reynolds, Schwartzkopf, VanSant, Viola, Williams & Oberle - 14.

NOT VOTING: Representatives D. Ennis & Smith - 2.

ABSENT: Representatives Quillen & Spence - 2.

Therefore, having received a constitutional majority, **SB 53** was returned to the Senate.

Representatives Cathcart, George, Miro, Plant, Reynolds & Williams requested that they be marked present during the roll call.

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

Mr. Acting Speaker made an announcement.

Representative Smith deferred to Representative Wagner.

Representative Wagner requested that **HB 54** be stricken.

Representative Wagner brought **SB 134**, sponsored by Senator Vaughn & Representative Ewing, before the House for consideration.

**SB 134 - AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE FAMILY COURT OF THE STATE OF DELAWARE.**

Representative Wagner made comments. Representative Wagner brought **HA 1 to SB 134** before the House for consideration. **HA 1** was adopted by voice vote.

The roll call on **SB 134 w/HA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Quillen & Spence - 2.

Therefore, having received a constitutional majority, **SB 134 w/HA 1** was returned to the Senate for concurrence on **HA 1**.

Representative Smith deferred to Representative Ewing.

Representative Ewing moved to suspend the rules which interfere with action on **SB 193**. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Ewing brought **SB 193**, jointly sponsored by Senator Adams, before the House for consideration.

**SB 193 - AN ACT TO AMEND CHAPTER 237, VOLUME 51, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" RELATING TO THE LIMITATION ON THE POWER TO RAISE REVENUE. (2/3 bill)**

Representative Ewing made comments.

The roll call on **SB 193** was taken and revealed:

YES: 39.

ABSENT: Representatives Quillen & Spence - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 193** was returned to the Senate.

Representative Ewing moved to suspend the rules which interfere with action on **SB 192 w/SA 1**. The motion was properly seconded and adopted by voice vote.

Representative Ewing brought **SB 192 w/SA 1**, jointly sponsored by Senator Adams, before the House for consideration.

**SB 192 - AN ACT TO AMEND CHAPTER 237, VOLUME 51, ENTITLED "AN ACT TO REINCORPORATE THE TOWN OF BRIDGEVILLE" BY PERMITTING IT TO ACCEPT GRANTS OR LOANS FROM FEDERAL, STATE, OR INTERSTATE AGENCIES. (2/3 bill)**

Representative Ewing made comments.

The roll call on **SB 192 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Quillen & Spence - 2.

Therefore, having received a constitutional majority of at least two-thirds Members of the House, **SB 192 w/SA 1** was returned to the Senate.

Representative Smith brought **HB 233 w/SA 1**, jointly sponsored by Representative Spence & Representative Lee & Senator Vaughn & Representatives Atkins, Booth, Boulden, Buckworth, Carey, DiPinto, Ewing, Fallon, Hudson, Lavelle, Lofink, Maier, Oberle, Quillen, Roy, Stone, Thornburg, Ulbrich, Valihura, Wagner, Gilligan, VanSant, B. Ennis, George, Hall-Long, Houghton, Keeley, Mulrooney, Plant, Schwartzkopf, Viola & Williams & Senators Adams, McDowell, Blevins, Cook, DeLuca, Henry, Venables, Bonini, Cloutier, Connor, Copeland & Simpson, before the House for concurrence on **SA 1**.

**HB 233 - AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.**

Representative Smith made a comment.

The roll call on **HB 233 w/SA 1** was taken and revealed:

YES: 39.

ABSENT: Representatives Quillen & Spence - 2.

Therefore, having received a constitutional majority, **HB 233 w/SA 1** was sent to the Governor.

The Reading Clerk read the following communication into the record:

WITHDRAWAL OF SPONSORSHIP REQUEST

I, John C. Atkins, do hereby request that my name be removed as cosponsor of **SB 55**.

DATE: January 15, 2004

SIGNED: John C. Atkins

Mr. Acting Speaker, Representatives Roy & Smith made announcements.

The Majority Leader moved to recess to the call of the Chair at 4:11 p.m.

Mr. Acting Speaker Oberle called the House to order at 2:00 p.m. on January 21, 2004.

The Reading Clerk read the following communications into the record:

The Senate wishes to inform the House that it has passed **SS 1 for SB 199 & SJR 7** and requests the concurrence of the House.

WITHDRAWAL OF SPONSORSHIP REQUEST

I, Representative Pamela Maier, do hereby request that my name be removed as cosponsor of **SB 189**.

Date: January 20, 2004

Signed: Pam Maier

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

**5th LEGISLATIVE DAY - 142nd GENERAL ASSEMBLY - Second Session  
January 21, 2004**

The Chief Clerk called the roll:

Members Present: 37.

Members Absent: Representatives Gilligan, Quillen, Spence & Wagner - 4.

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

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

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

The following prefiled legislation was introduced:

**HB 321 - B. ENNIS & REPRESENTATIVE LEE & SENATOR VAUGHN & SENATOR SIMPSON & REPRESENTATIVE EWING & REPRESENTATIVE OBERLE; REPRESENTATIVES ATKINS, BOOTH, BOULDEN, BUCKWORTH, CAREY, D. ENNIS, FALLON, GEORGE, GILLIGAN, HALL-LONG, HOCKER, HOUGHTON, HUDSON, KEELEY, MAIER, MULROONEY, PLANT, QUILLEN, REYNOLDS, SCHWARTZKOPF, SMITH, SPENCE, STONE, THORNBURG, VALIHURA, VANSANT, VIOLA, WILLIAMS; SENATORS BLEVINS, BONINI, BUNTING, CONNOR - PUBLIC SAFETY - An Act to Amend Title 29 of the Delaware Code Relating to Health Care Insurance.**

**HB 322** - BOOTH & SENATOR SIMPSON - HOUSE ADMINISTRATION - An Act to Amend an Act Being Chapter 170, Volume 57, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the City of Lewes", to Amend Section 7, "Manner of Holding Annual Municipal Election", by Correcting the Reference to Election District Following Redistricting. (2/3 bill)

**HB 323** - BOOTH & SENATOR SIMPSON - HOUSE ADMINISTRATION - An Act to Amend an Act Being Chapter 170, Volume 57, Laws of Delaware, as Amended, Entitled "An Act to Reincorporate the City of Lewes", to Amend Section 9, "Regular and Special Meetings", by Broadening the Options for Meeting Dates for the Regular Meetings of the City Council. (2/3 bill)

**HCR 40** - SPENCE & REPRESENTATIVE REYNOLDS - EDUCATION - Urging All Motor Vehicle Casualty Insurance Companies to Consider the Success of Delaware's Driver Education Programs in Lowering Delaware's Teen Accident Rate and to Recognize this Success with Appropriate Lower Insurance Premiums in Delaware.

**SS 1 for SB 199** - MCDOWELL & REPRESENTATIVE GILLIGAN; SENATORS ADAMS, DELUCA, COOK, BLEVINS, HENRY, MARSHALL, MCBRIDE, PETERSON, SOKOLA, VENABLES; REPRESENTATIVES VANSANT, B. ENNIS, GEORGE, HALL-LONG, HOUGHTON, KEELEY, MULROONEY, PLANT, SCHWARTZKOPF, VIOLA, WILLIAMS, OBERLE, DIPINTO, LOFINK, REYNOLDS - APPROPRIATIONS - An Act Making Supplemental Appropriations to Provide for a One-time Salary Supplement for State Employees for the Fiscal Year Ending June 30, 2004.

**SJR 7** - COOK & REPRESENTATIVE DIPINTO & SENATOR SIMPSON; REPRESENTATIVES HUDSON & GILLIGAN - REVENUE & FINANCE - The Official Estimate of General Fund Revenues for Fiscal Year 2004.

Representative Smith made an announcement. Representative Smith deferred to Representative Hocker. Representative Hocker requested and was granted personal privilege of the floor to introduce guests. Mr. Acting Speaker made comments. Representative Atkins introduced guests. Representatives B. Ennis, DiPinto, Williams, VanSant, Houghton, Hall-Long, Plant & Miro requested that they be marked present. Representatives Ulbrich & Smith made announcements.

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

JUDICIARY: **HB 319** - 7M.

Representative Reynolds requested that he be marked present.

Representative Smith brought the following prefiled **Consent Calendar #16** before the House for consideration.

**HR 58** – VALIHURA – Extending the Reporting Dates for the Task Forces Created Through House Resolutions 48, 54 and 57 of the 142nd General Assembly.

**HCR 39** – SMITH & REPRESENTATIVES SPENCE, LEE, GILLIGAN & 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.

**HCR 42** – HOCKER & REPRESENTATIVE ATKINS & SENATOR BUNTING - Commending Sharon Brittingham for Being Selected as Delaware's Distinguished Elementary School Principal of the Year.

**SCR 27** – MCDOWELL & REPRESENTATIVE D. ENNIS - Creating a Task Force that Would Explore the Creation of a Pilot Mandatory Curbside Recycling Program to Conduct in a Given Jurisdiction.

Representative Smith requested that **SCR 27** be removed from **Consent Calendar #16**.

Mr. Acting Speaker assigned **SCR 27** to the Natural Resources and Environmental Management Committee.

**Consent Calendar #16** was adopted by voice vote and **HR 58** was declared passed and **HCR 39** & **HCR 42** were sent to the Senate for concurrence.

Representative Roy moved to suspend the rules which interfere with introduction of and action on **HB 324**. The motion was properly seconded and adopted by voice vote.

Representative Roy introduced and brought **HB 324**, jointly sponsored by Senator Venables & Representatives Carey, Lofink, Oberle, B. Ennis, Keeley, Cathart, Miro, Stone, Wagner & Mulrooney & Senators Blevins, Cook, DeLuca, Connor & Simpson, before the House for consideration.

**HB 324** – AN ACT TO AMEND THE FISCAL YEAR 2004 BOND AND CAPITAL IMPROVEMENTS ACT AND TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF BONDS AND NOTES OF THE STATE OF DELAWARE.

Representative Roy moved to place **HB 324** on the Speaker's Table. The motion was seconded by Representative Lee and adopted by voice vote.

Representative Stone requested that she be marked present.

The Majority Leader moved to recess for committee meetings at 2:16 p.m.

The House reconvened at 4:32 p.m. with Representative Roy as Acting Speaker.

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

HOUSE ADMINISTRATION: **HB 322** - 3M; **HB 323** - 3M; **SB 194 w/SA 1** - 3M.

HEALTH & HUMAN DEVELOPMENT: **SB 142** - 8M; **SB 119 w/SA 1** - 8M.

PUBLIC SAFETY: **HB 20** - 2F,5M; **HB 234** - 7M.  
HOUSING & COMMUNITY AFFAIRS: **HB 320** - 8M.  
Representative Cathcart requested that he be marked present.  
The Reading Clerk read the following communications into the record:

Memorandum

TO: Rep. Terry R. Spence  
Speaker of the House  
FROM: Rep. Robert F. Gilligan  
House Minority Leader  
DATE: January 21, 2004  
RE: Absence from Session

I will be unable to attend session today 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: George Robert Quillen  
Representative -- Thirtieth Representative District  
RE: Absence from Session  
DATE: January 21, 2004

Please be advised that I will be unable to attend session, Wednesday, January 21, 2004 and Thursday, January 22, 2004 due to illness.

Thank you for your consideration in this matter.

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

EDUCATION: **HCR 40** - 1F,8M.

NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT: **HB 318** - 6M.

Representative Ulbrich introduced guests.

Representative Ulbrich moved to suspend the rules which interfere with introduction of and action on **HJR 17**. The motion was seconded by Representative Buckworth and adopted by voice vote.

Representative Ulbrich introduced and brought **HJR 17**, jointly sponsored by Senator Sorenson & Senator Amick & All Representatives & All Senators, before the House for consideration.

**HJR 17 - CONGRATULATING THE UNIVERSITY OF DELAWARE FIGHTIN' BLUE HENS FOOTBALL TEAM ON WINNING ITS FIRST DIVISION 1-AA NATIONAL CHAMPIONSHIP AND THANKING THEM FOR A SPECTACULAR AND MEMORABLE 2003 FOOTBALL SEASON.**

WHEREAS, the University of Delaware Fightin' Blue Hens achieved hard fought regular season victories over The Citadel, Richmond, West Chester, Hofstra, William & Mary, New Hampshire, Rhode Island, the United States Naval Academy, Maine, Massachusetts and Villanova; and

WHEREAS, the Fightin' Blue Hens continued their dominance and intensity on the field in the playoffs with three home victories at Tubby Raymond Field in Newark over Southern Illinois, Northern Iowa and Wofford; and

WHEREAS, thousands of loyal Delawareans descended upon Chattanooga, Tennessee to cheer on and watch their beloved Delaware Blue Hens soundly defeat Colgate 40-0 on a cold Friday, December 19th, 2003 to claim Delaware's first Division 1-AA National Football Title; and

WHEREAS, the University of Delaware student athletes who comprise the team are among the 360,000 National Collegiate Athletic Association athletes who dedicate their time and energy to playing college sports; and

WHEREAS, the student athletes deserve recognition for their ability to maintain their academic studies while meeting the rigorous demands of playing college football; and

WHEREAS, the student athletes' resilience and ability to shrug off physical injury and adversity throughout the season inspired the citizens of Delaware; and

WHEREAS, Head Coach K.C. Keeler and his entire coaching staff deserve the utmost praise for their outstanding leadership, unceasing energy, fierce determination and brilliant play-calling during the entire season; and

WHEREAS, the proud citizens of Delaware will forever treasure this memorable and historic fifteen-win season and express thanks and appreciation for the infectious excitement the Blue Hen football experience brings to their lives.

NOW, THEREFORE:

BE IT RESOLVED by the House of Representatives and the Senate of the 142nd General Assembly of the State of Delaware, with the approval of the Governor, that the 2003 University of Delaware Fightin' Blue Hens be recognized for a remarkable regular and playoff season.

BE IT FURTHER RESOLVED that Head Coach K.C. Keeler, Assistant Coaches Kirk Ciarrocca, David Cohen, Bryan Bossard, Kyle Flood, Paul Williams, Rob Neviasser, Rick Brown, Brian Ginn, Frank

Law, Craig Cummings, Brandon Walker, Michael Marks, Russell Barbarino; Sports Medicine Physician Dr. Vince Disabella, Head Athletic Trainer Keith Handling, and staff assistant Mary Hecker be honored for taking the University of Delaware Fightin' Blue Hens to their first Division 1-AA National Championship.

BE IT FURTHER RESOLVED that suitably prepared copies be mailed by the Chief Clerk of the House of Representatives to the University of Delaware Athletics Department and each member of the team.

Representatives Ulbrich, Ewing, Booth, D. Ennis, Hall-Long, Reynolds, Roy & Atkins made comments.

The roll call on **HJR 17** was taken and revealed:

YES: 26.

ABSENT: Representatives Boulden, Caulk, Fallon, Gilligan, Keeley, Lavelle, Lofink, Oberle, Plant, Quillen, Smith, Spence, Valihura, Wagner & Williams - 15.

Therefore, having received a constitutional majority, **HJR 17** was sent to the Senate for concurrence.

Mr. Acting Speaker made an announcement.

Representative Ulbrich requested and was granted privilege of the floor to present a House Tribute to K. C. Keeler, Head Coach, University of Delaware football team.

Mr. Acting Speaker & Representative Lee made comments.

Representative Lee deferred to Representative D. Ennis.

Representative D. Ennis requested and was granted privilege of the floor to present a House Tribute to Lynn C. Jones representing Christiana Care Health System.

Representative Atkins made comments.

Mr. Acting Speaker introduced a guest.

Representative Booth made comments.

Representative Ulbrich requested and was granted privilege of the floor for the University of Delaware football players who announced their names, numbers, positions and hometowns for the record.

The Majority Whip moved to recess to the call of the Chair at 5:19 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 2:16 P.M.: Representative Lofink.

Mr. Acting Speaker Oberle called the House to order at 1:50 p.m. on January 22, 2004.

Representative Roy moved to suspend the rules which interfere with introduction of and action on **HS 1 for HB 324**. The motion was properly seconded and adopted by voice vote.

Representative Roy introduced and brought **HS 1 for HB 324**, jointly sponsored by Senator Venables & Representatives Carey, Lofink, Oberle, B. Ennis, Keeley, Cathcart, Miro, Stone, Wagner & Mulrooney & Senators Blevins, Cook, DeLuca, Connor & Simpson, before the House for consideration.

**HB 324 - AN ACT TO AMEND THE FISCAL YEAR 2004 BOND AND CAPITAL IMPROVEMENTS ACT AND TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE ISSUANCE OF BONDS AND NOTES OF THE STATE OF DELAWARE.**

Representative Roy moved to place **HS 1 for HB 324** on the Speaker's Table. The motion was properly seconded and adopted by voice vote.

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

The Majority Leader moved to adjourn at 1:55 p.m., thereby ending the current legislative day. The House reconvened at 1:56 p.m.

#### **6th LEGISLATIVE DAY - 142nd GENERAL ASSEMBLY - Second Session January 22, 2004**

The Chief Clerk called the roll:

Members Present: 38.

Members Absent: Representatives Lavelle, Quillen & Spence - 3.

Mr. Acting Speaker made an announcement.

A prayer was offered by Representative David H. Ennis, Sixth Representative District.

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

The following prefiled legislation was introduced:

**HB 326 - OBERLE & REPRESENTATIVE SMITH & SENATOR MCDOWELL - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Providing Certain Resident Veterans of the Armed Forces with Free Hunting and Fishing Licenses and Free Passes to the State's Parks for a Year.**

**HB 327 - OBERLE & SENATORS DELUCA, AMICK - NATURAL RESOURCES & ENVIRONMENTAL MANAGEMENT - An Act to Amend Title 7 of the Delaware Code Relating to the Delaware Solid Waste Authority.**

Representative Atkins requested and was granted personal privilege of the floor to introduce a guest. Representatives Cathcart & Atkins made comments.

The Majority Leader moved to recess for the Joint Session at 2:00 p.m.

The House reconvened at 2:03 p.m.

#### **JOINT SESSION – HOUSE CHAMBER**

The Sergeant-at-Arms announced the arrival of the Members of the Senate. They were admitted, welcomed and seated. Mr. Acting Speaker invited the President of the Senate and the Lieutenant Governor to be his guests on the podium.

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

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

The Majority Leader moved that the House and Senate convene in Joint Session at 2:10 p.m. for the purpose of hearing an address from Ruth Ann Minner, Governor of the State of Delaware. The motion prevailed.

The Majority Leader moved that the Acting Speaker of the House preside over the Joint Session. The motion prevailed.

The Majority Leader moved that the Chief Clerk of the House and the Secretary of the Senate act as secretaries to the Joint Session. The motion prevailed.

The Majority Leader moved that the Acting Speaker of the House appoint a committee of four to escort the Governor of the State of Delaware to the Joint Session. The motion prevailed.

Mr. Acting Speaker appointed Representative Tina Fallon (Spokesperson), Representative Bruce C. Ennis, Senator Nancy W. Cook & Senator Dorinda A. Connor to escort the Governor to the House Chamber.

Mr. Acting Speaker declared a temporary recess at 2:11 p.m. to await the arrival of the Governor. 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.

Representative Tina Fallon introduced Governor Ruth Ann Minner to the Joint Session.

Mr. Acting Speaker welcomed the Governor to the House Chamber.

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

Lieutenant Governor Carney, President Pro Tem Adams, Acting Speaker Oberle, members of the 142nd General Assembly, members of the Delaware judiciary, distinguished members of my Cabinet, state employees, our distinguished guests, to my family and to our fellow Delawareans...

Perhaps for the first time in four years, I can stand before you today... smiling. Members, we know we have faced the worst crisis in the State's history since World War II. Our state was hailed as one of the best run in the country. The votes were cast over and over. Governing magazine. Standard and Poor's. USA Today. Moody's. CNN. Fitch Ratings and The Beacon Hill Institute.

Over and over, Delaware's name appeared on the lists of best-managed states. If state government were on TV's Survivor show, Delaware would definitely have won that million bucks. And over the last couple of years we could've sure used it.

As with any success in government, the credit is shared. I want to thank the members of the Delaware General Assembly for working with me in the Delaware tradition – "the Delaware way" – to recognize and overcome our challenges. The bipartisan support for solving the \$300 million budget problem we faced a year ago was not only appreciated by me, but by all of the citizens of Delaware.

Perhaps the cooperation is best expressed in a comment made by House Majority Leader Wayne Smith. Representative Smith went with our finance team to one of the Wall Street bond rating meetings last year. He was asked about the ability of the Delaware General Assembly and the executive branch to work together. He told them, "In Delaware, when it comes to managing the budget, we're all patriots." Thank you, Wayne for that spirit and thank each one of you for embracing that spirit as well.

You know, now that I think about it, in this building we work together almost as well as the national champion Blue Hen football team.

There are others to thank as well though including the Lieutenant Governor, John Carney, for his wise counsel, my cabinet members for their considerable innovation and leadership. But I must especially thank our state employees.

Again and again, through the recession, through two hiring freezes, as the economy sank and the budget cuts kept growing, they maintained the same level of service to the public. I want to recognize them yet again for their efforts to serve the citizens of Delaware. Please join me in saluting our Delaware state employees.

As we look at Delaware's history over the past three decades, we know that in a time of economic growth will mean good things can happen in Delaware. Like the 1980s and the 1990s, the next years, the early 21st century, promise to be a period of possibility.

If we stay true to the principles that have proved wise in recent tough years if we apply vision to the most pressing issues of today, I firmly believe that Delaware will enter a new era of opportunity; an era of opportunity we have the chance not just to survive, but to thrive; an era of opportunity where we continue to set Delaware apart, improving the prospects for our people and writing a new chapter in the distinguished history of our state.

So let me talk a little bit today about how we will achieve the new era of opportunity, in education, in the economy, fighting cancer, and in the environment.

For more than a decade, Delaware's been on the path of educational improvement. And the results are showing.

Recently, Delaware students were among the best performers in the country on the National Assessment of Educational Progress, one of the few tests that allow state-to-state comparison for student performance.

In math, our fourth- and eighth-graders showed impressive gains. And in reading they remained some of the highest scores in our country. Student scores on our own Delaware Testing Program are showing continuous progress as well.

If we set high goals for our students and if we consistently provide them and our schools with the tools they need, we will see improvement year after year. And Delaware students will become better and better equipped to succeed in college, in work, in life.

As our state enters this new era of opportunity, I have a number of ideas to bolster our children's basic skills and to lead to even higher levels of achievement.

First, I ask the General Assembly to complete the funding for reading resource teachers for every public elementary school. I have said it often and I'll say it again: I believe you learn to read at a very young age and you read to learn for the rest of your life. It is critical for each one of our Delaware children that they have that most basic skill.

Currently, 50 of our elementary schools have reading resource teachers and the difference they are making is real in the lives of children.

Two years ago in my address, I introduced you to a teacher, Sylvia Stevens, a reading teacher at Fairview Elementary School right here in Dover. Two of Sylvia's students are Deven and Shawn Barr, brothers who are now in the fourth grade. Sylvia has worked with Deven and Shawn for more than a year, since their regular teachers recognized their need for extra help in reading.

Just since September, Sylvia says Deven and Shawn have improved their reading skill by an entire grade level. Sylvia's worked with Deven and Shawn and, yes, they've improved. Now, on Sylvia's tests, they score 99 percent in word recognition – with no mistakes. Their progress in their reading abilities is clear, thanks to their work and to Sylvia's.

Ladies and gentlemen, please welcome and congratulate a very outstanding teacher, Mrs. Sylvia Stevens, along with students Deven and Shawn Barr.

In order to provide more students with successes like Deven and Shawn's, I ask that you support my proposal for 68 new reading resource teachers, assuring one in every public elementary school in Delaware.

My support for reading teachers is my belief that children must receive a firm foundation for their early years for the learning that will go on the rest of their lives. Research has shown that the time between birth and 5 years old is critical in brain development.

In addition to reading teachers, we must expand our efforts in helping our students at that critical age. We, as leaders of our state, should make a promise to the people of Delaware to offer full-time kindergarten in every elementary school in our state by the year 2008.

It's a challenge. It's a promise that will be full of challenges, but worthy goals always are. My agenda for the next year will be to craft an implementation plan that will address the many issues concerning the transformation from half-day to full-day kindergarten. My budget proposal will also include \$1 million to begin the funding of this program for our youngest school students. I ask the General Assembly to support this initiative.

Children cannot learn without proper tools and providing those materials is our responsibility as well. Since the start of my administration I have worked to ensure that much of the new funding goes directly to the classroom.

So my budget proposal will include \$9 million to be sent straight to the classrooms and be used for textbooks, technology and other supplies.

Every day, we place the future of our children in the gifted hands of educators. Besides parents, teachers have the most impact on our students and we have recognized and supported them. Over the last several years, we have put more than \$3 million into upgrading the skills and knowledge and created the Professional Standards Board, giving teachers considerable responsibility in the effort to improve our schools.

We must do more to ensure that the best and brightest minds in our state continue to join the teaching profession. We need them to produce the best and the brightest minds of the next generation.

I propose to you the creation of a Delaware Teacher Corps. Modeled after successful programs elsewhere in the country, the Teacher Corps will bring new teachers to Delaware schools by offering to pay the cost of their education at our state institutions.

For each year of schooling that the Corps pays for, the teacher would then commit to spend one year teaching in Delaware public schools. Furthermore, in the first years of this program, I propose that we utilize the Teacher Corps to fill one of the most critical needs of our school system: the need for math and science teachers in our middle and high schools.

The budget I will present to the General Assembly next week will include funding for the Teacher Corps and will propose that most of the funding be used to recruit math and science teachers.

We cannot create an era of opportunity without devoting considerable amount of our efforts and our resources to our children. I ask that you support my proposals for reading teachers, for full-day kindergarten, for textbooks and technology and the Delaware Teacher Corps.

Our efforts in education are about preparing for the future. And Delaware's economic development strategies have been long forward-looking as well.

As Delaware has evolved over the years, it's diversified – from agriculture to manufacturing to chemicals to finance. Our state has a strong history of business and government working together to identify the prospects for strengthening our economy. Again and again, we have improved the quality of life of Delawareans by providing quality jobs.

Even during the recent tough years, Delaware has done well. It has taken a concerted effort by all of us – myself, members of the General Assembly, my economic development team, and especially the business leaders around the State. They've talked to each other. They make a difference.

Together, we have succeeded in creating or retaining more than 11,000 jobs over the last three years. Just last week, we announced a major win – AAA bringing its headquarters, its operations center and 750 new jobs to Wilmington and Newark. Successes like these have kept Delaware's unemployment rate substantially below the rest of the country during the recession.

The era of opportunity we are entering presents us with another chance to diversify and fortify Delaware's economy. In February, I will unveil the details of an economic development package.

The "New Economy Initiative" will be a comprehensive plan to put more than 46 million in state and matching private and federal funds to work bolstering our economy.

The New Initiative will include Competitiveness Fund to spur and invest in existing manufacturing facilities; seed funding for the technology-based small business start-ups; venture capital funding for Delaware firms on the edge of significant expansion; programs to boost Delaware's standing in the areas of emerging technologies, clean energy, fuel cell research; and an investment aimed at improving Delaware's research and development efforts, particularly in the area of biotechnology.

Several of these ideas in the New Economy Initiative fulfill recommendations of the Governor's Strategic Economic Council.

Taken together, these programs will focus on the diversification of Delaware's economy, foster a vibrant entrepreneurial culture in our state and create new opportunities for working Delawareans.

Let me turn now to the opportunity we have to combat one of the most serious health issues facing Delawareans: cancer.

Reducing both the number of cases and the number of deaths has been a priority of the Minner-Carney Administration. The Delaware Advisory Council on Cancer Incidence and Mortality crafted a brilliant road map that cancer experts, doctors and patients told us would decrease the above-averaged rates of cancer in our state. Last year, you joined me in funding the first-year of the Council's recommendations.

The results in our state's fight against cancer are real. The latest data on cancer rates show that both the rate of getting cancer and the rate of dying from cancer have decreased again. Delaware's cancer death rates have declined almost twice as fast as the national average. Rates of breast and prostate cancer are now below the national average. We're on the right track, but we have more to do.

We now know, thanks to research completed this year, that cancer victims without health insurance receive less than 60 percent of the health care patients with health insurance get. This means that health insurance for cancer can be the difference between life and death.

No more Delawareans should die from cancer simply because they make too much money to qualify for Medicaid, and don't make enough to pay their own health insurance. I promised when I took office that I would take bold steps in fight against cancer. Today, I am announcing another step.

I am asking the Delaware General Assembly to make Delaware the first state in the country to guarantee health insurance for every person in the state diagnosed with cancer. Some will say to us, "no other state has done that." I say, it's about time someone did and Delaware will lead the way.

In order to fund new cancer treatment for uninsured and continue our present efforts against cancer, I propose to double the funding of cancer prevention, education, screening and treatment to \$10 million in the next budget year.

Please join me to provide a new era of opportunity to Delawareans who face this deadly disease.

As we continue to protect the health of Delawareans, it's critical that we do more to address the issue of industrial pollution. Over the last three years, we've made great strides to protect our environment for the people.

We've enacted laws strengthening public knowledge of environmental incidents, harshly punishing repeat offenders of environmental laws, regulating aboveground storage tanks and putting a law on the books that will hold industrial company executives personally responsible and liable for environmental incidents where someone is harmed.

Last month, the Motiva oil refinery in Delaware City was put on a mandatory plan for improvements in the operation of its entire plant, with financial penalties spelled out in advance if it doesn't comply. The plan is unprecedented, it does not just address just one isolated accident, it addresses and requires plant-wide changes in order to prevent future accidents.

As I said, we have accomplished much to protect our environment, and because of that work, Delaware will be cleaner and our children will be healthier. But there's still more to do.

As a result of an agreement between Delaware, the EPA and the Delaware City refinery, they will soon ask for permits for pollution control equipment that will reduce sulfur dioxide emissions by more than 28,000 tons each year.

Last week, I told the CEO and the new owner of the refinery, Premcor, that I expect the pollution reduction to continue. He committed that it would. In fact said he would exceed our expectations. We must and we will follow through on what will be the largest air pollution reduction project in the history of our state.

Another major source of industrial pollution in Delaware is coal-fired commercial power plants in Edgemoor and on the Indian River. Among the pollutants emitted by those facilities is mercury, which accumulates in water and can be passed to humans through eating fish and shellfish.

Mercury is especially dangerous to young children and pregnant women because of its ability to cause permanent brain damage to young children. It is critical to reduce the amount of mercury emitted in Delaware and to protect our children from mercury's harmful effects.

That's why I asked the Department of Natural Resources and Environmental Control to begin a process to reduce the emissions of sulfur dioxide, nitrogen oxide and mercury from Delaware's commercial power plants. Our goal is to define reductions in these pollutants this year, so that our children will be safer in years to come.

Of course, ensuring a Livable Delaware continues to be among the priorities of the Minner-Carney administration. One of the primary ways that we've guaranteed it is by green space and open land. We enjoy those today and we need to make sure they still exist for some far reaching tomorrow.

Since 2001, we have preserved more than 4,300 acres of open space and protected more than 34,000 acres of farmland from development. This is substantial progress, but we're not finished. For the next few years to be truly an era of opportunity, we must seize the chance to save one of our most precious resources – undeveloped land.

I will propose \$22 million for the new Green Infrastructure program. This program will seek opportunities to join with environmental groups and work toward preserving some of our most important natural habitats in the state. The Green Infrastructure program underscores our commitment to Livable Delaware by developing public-private partnerships to preserve our environmental heritage.

I ask you to support me as we work to reduce pollution and to protect even more of our valuable land from development.

Before I conclude, let me mention a few items in my legislative agenda, which I will present to you in March, and my budget and bond bill, which I will present next week.

In 2003, 33 people were killed on Delaware roads by drunk drivers. Please join me to save the lives of our families, our friends our fellow Delawareans on our roads – along with restoring \$1.5 million for federal highway construction– by lowering Delaware's legal blood alcohol to .08.

Just yards from where I stand right now, Delaware's original copy of the Bill of Rights is on display, testifying to our state's leadership in securing equal protection and equal rights for all of our citizens. The General Assembly currently has a bill before it that represents the next step in our country and our state's evolution in extending tolerance and understanding.

This legislation does not provide special rights for those it covers, it simply provides equal rights. I ask that you approve House Bill 99, prohibiting discrimination based on sexual orientation in employment, housing and accommodations, and send it for my signature.

You're all familiar with our 800-megahertz radio system, which provides our state's emergency responders the ability to communicate both in their daily work and, importantly, in event of a large-scale catastrophe.

For the last few months, representatives of the emergency community have been discussing the steps necessary to take 800-megahertz to the next level, to broaden its coverage and its effectiveness for our police, our firefighters, medical, public health, environmental and other responders.